STATE OF NEW YORK

8291

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. EACHUS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to retail or repair premises of bicycles and/or scooters with electric assist, electric-powered or lithium-ion electric batteries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 391-cc to read as follows:

§ 391-cc. Retail premises of bicycles and/or scooters with electric assist and/or electric-powered. 1. As used in this section: "dealer" shall mean any person owning or operating a premise or facility engaged in the frequent sale and/or repair of bicycles and/or scooters with electric assist and/or electric-powered or lithium-ion electric batteries and its components.

2. Any dealer shall maintain on the premises where bicycles and/or scooters with electric assist, electric-powered or lithium-ion electric batteries are sold at retail or repaired, and/or lithium-ion electric batteries are housed in a storage facility with functional fire protection and suppression measures effective against lithium-ion battery and electrical fires, including but not limited to Class B extinguishers, battery cases, and automatic monitoring and detection. In the event of an electrical fire, such fire protection and suppression system shall have the capability of an immediate response to mitigate and contain the fire. Nothing in this section shall be construed to restrict a municipality from enforcing the provisions of this subdivision or further require additional fire protection and suppression measures. Moreover, lithium-ion batteries shall be required to be stored in battery cases outside of the hours of operation of such retailer and/or while in an unmanned facility during storage.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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3. The secretary of state shall promulgate rules, regulations and standards deemed necessary to implement the provisions of this section on or before its effective date and, in conjunction with the appropriate agency, whether the New York state Division of Building Standards and Codes, New York city department of buildings or New York city fire department, shall establish standards for the installation, operation and inspection of fire protection systems installed pursuant to the provisions of this section.

4. Willful failure to comply with the provisions of this section shall subject a dealer to a penalty of up to twenty-five dollars for each day such failure occurs.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.