STATE OF NEW YORK

9338

IN ASSEMBLY

March 1, 2024

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

AN ACT to amend the general business law, in relation to lithium-ion battery safety resources

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 399-nnn to read as follows:

§ 399-nnn. Lithium-ion battery safety resources. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Lithium-ion battery" means a storage battery in which an electrical current is generated by lithium ions embedded in a carbon carbonate mixture or gelled polymer electrolyte.

(b) "Second-use lithium-ion battery" means a lithium-ion battery that has been assembled, refurbished, repaired, repurposed or reconditioned using cells removed from used batteries.

(c) "Micromobility device" means an electric scooter as defined in section one hundred fourteen-e of the vehicle and traffic law, an electrical personal assistive mobility device as defined in section one hundred fourteen-d of the vehicle and traffic law, or other personal mobility device equipped with a lithium-ion or other storage battery, including, but not limited to, a skateboard, unicycle, or other similar wheeled device. The term "micromobility device" shall not include bicycles with electric assist as defined in section one hundred two-c of the vehicle and traffic law, wheelchairs or other electrically driven mobility assistance devices as defined in section one hundred thirty-a of the vehicle and traffic law, or any vehicle that is capable of being registered with the department of motor vehicles.

(d) "Moped" means a limited use motorcycle as defined in section one hundred twenty-one-b of the vehicle and traffic law.

2. The department of state, in consultation with the division of homeland security and emergency services and the New York state energy research and development authority, shall develop and maintain safety resources, information, and protocols in regard to fire hazard

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

LBD14750-02-4

prevention relating to, but not limited to, lithium-ion batteries, second-use lithium-ion batteries, bicycles with electric assist as defined in section one hundred two-c of the vehicle and traffic law, mopeds, and micromobility devices. The department of state shall post such safety resources, information and protocols on their website. Such safety resources, information and protocols shall be designed to educate the public on how to respond to and deal with emergency circumstances in regard to incidents associated with, but not limited to, the use and charging of lithium-ion batteries, second-use lithium-ion batteries, bicycles with electric assist as defined in section one hundred two-c of the vehicle and traffic law, mopeds, and micromobility devices. Such safety resources, information and protocols shall include, but not be limited to, charging tips, how to dispose of lithium-ion batteries, handling and preventing lithium-ion battery fires.

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