

# STATE OF NEW YORK

8743

## IN SENATE

March 6, 2024

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer 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:

1 Section 1. The general business law is amended by adding a new section  
2 399-nnn to read as follows:

3 § 399-nnn. Lithium-ion battery safety resources. 1. For the purposes  
4 of this section, the following terms shall have the following meanings:

5 (a) "Lithium-ion battery" means a storage battery in which an elec-  
6 trical current is generated by lithium ions embedded in a carbon carbo-  
7 nate mixture or gelled polymer electrolyte.

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

11 (c) "Micromobility device" means an electric scooter as defined in  
12 section one hundred fourteen-e of the vehicle and traffic law, an elec-  
13 trical personal assistive mobility device as defined in section one  
14 hundred fourteen-d of the vehicle and traffic law, or other personal  
15 mobility device equipped with a lithium-ion or other storage battery,  
16 including, but not limited to, a skateboard, unicycle, or other similar  
17 wheeled device. The term "micromobility device" shall not include bicy-  
18 cles with electric assist as defined in section one hundred two-c of the  
19 vehicle and traffic law, wheelchairs or other electrically driven mobil-  
20 ity assistance devices as defined in section one hundred thirty-a of the  
21 vehicle and traffic law, or any vehicle that is capable of being regis-  
22 tered with the department of motor vehicles.

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

25 2. The department of state, in consultation with the division of home-  
26 land security and emergency services and the New York state energy  
27 research and development authority, shall develop and maintain safety  
28 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.

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

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