STATE OF NEW YORK

440

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

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 the development of safety resources, information and protocols for lithium-ion batteries

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

Section 1. Section 399-nnn of the general business law, as added by a chapter of the laws of 2024 amending the general business law relating to lithium-ion battery safety resources, as proposed in legislative bills numbers S. 8743 and A. 9338, is renumbered section 495-c and amended to read as follows:

§ 495-c. 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~~

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

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~~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 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~~] **limited use motorcycles as defined in section one hundred twenty-one-b of the vehicle and traffic law**, 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~~] **limited use motorcycles as defined in section one hundred twenty-one-b of the vehicle and traffic law**, 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 same date and in the same manner as a chapter of the laws of 2024 amending the general business law relating to lithium-ion battery safety resources, as proposed in legislative bills numbers S. 8743 and A. 9338, takes effect.