

STATE OF NEW YORK

11362

IN ASSEMBLY

May 13, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Eachus, Colton, Jacobson, McDonough, Gray, DeStefano, Gonzalez-Rojas, Zinerman, Gallagher, Sayegh, Chang, K. Brown, Shimsky, Reyes, Simone, Taylor, Benedetto, Beephan, Lemondes, Hyndman, Bichotte Hermelyn, Levenberg, Davila, Rozic, Cook, Steck, Woerner, Lee, Raga, Rosenthal, Simon) -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to retail premises of lithium-ion batteries, bicycles with electric assist, micromobility devices, and limited use motorcycles

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
2 391-ccc to read as follows:

3 § 391-ccc. Retail premises of lithium-ion batteries, bicycles with
4 electric assist, micromobility devices, and limited use motorcycles. 1.
5 As used in this section, the following terms shall have the following
6 meanings:

7 (a) "battery case" means a metal container or cabinet specifically
8 designed and intended for the safe storage of lithium-ion batteries or
9 flammable materials;

10 (b) "lithium-ion battery" means a rechargeable battery with an organic
11 solvent electrolyte and positive and negative electrodes which utilize
12 an intercalation compound in which lithium is stored; and

13 (c) "micromobility device" means an electric scooter as defined in
14 section one hundred fourteen-e of the vehicle and traffic law, an elec-
15 tric personal assistive mobility device as defined in section one
16 hundred fourteen-d of the vehicle and traffic law, or other personal
17 mobility device powered by a lithium-ion battery. The term micromobility
18 device shall not include bicycles with electric assist as defined in
19 section one hundred two-c of the vehicle and traffic law, limited use
20 motorcycles as defined in section one hundred twenty-one-b of the vehi-
21 cle and traffic law, wheelchairs or other electrically driven mobility
22 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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1 vehicle and traffic law, or any vehicle that is capable of being regis-
2 tered with the department of motor vehicles.

3 2. Any individual, firm, partnership, association, or corporation,
4 which operates a premises where bicycles with electric assist as defined
5 in section one hundred two-c of the vehicle and traffic law, micromobil-
6 ity devices, limited use motorcycles as defined in section one hundred
7 twenty-one-b of the vehicle and traffic law, or lithium-ion batteries
8 are sold at retail, repaired, or housed in a storage facility shall
9 maintain on such premises functional fire protection and suppression
10 measures effective against lithium-ion battery and electrical fires,
11 including but not limited to Class B extinguishers, battery cases, and
12 automatic monitoring and detection. In the event of an electrical fire,
13 such fire protection and suppression system shall have the capability of
14 an immediate response to mitigate and contain the fire. Nothing in this
15 section shall be construed to restrict a municipality from enforcing the
16 provisions of this subdivision or further require additional fire
17 protection and suppression measures.

18 3. Except for lithium-ion batteries that are completely enclosed
19 within the frame of a bicycle with electric assist and are not removable
20 without disassembly or that are in original protective shipping contain-
21 ers that comply with UN3481 or UN3171 and are so marked, any lithium-ion
22 batteries on the premises shall be required to be stored in battery
23 cases outside of the hours of operation of such retailer and/or while in
24 an unmanned facility during storage.

25 4. The department of state shall promulgate rules, regulations and
26 standards deemed necessary to implement the provisions of this section
27 on or before its effective date and, in conjunction with appropriate
28 agencies, shall establish standards for battery cases and the installa-
29 tion, operation and inspection of fire protection systems installed
30 pursuant to the provisions of this section.

31 5. A knowing violation of this section shall be punishable by a fine
32 not to exceed two hundred fifty dollars.

33 § 2. This act shall take effect one year after it shall have become a
34 law.