



NEW YORK STATE SENATOR

Brian Kavanagh

## Governor Hochul Signs Legislation to Encourage the Safe Use of E-Bikes and Lithium-Ion Batteries and Protect New Yorkers

BRIAN KAVANAGH July 16, 2024

| ISSUE: **E-BIKES**



Governor Hochul Signs E-Bike and Lithium-Ion Batteries Legislation

Governor Kathy Hochul today signed a legislative package to raise awareness about the safe use of e-bikes and products that contain lithium-ion batteries and protect New Yorkers. As e-bikes have surged in popularity, these new laws build on Governor Hochul's number one priority of keeping New Yorkers safe both on and off the road.

“As e-bike adoption increases and battery technology continues to develop, I urge New Yorkers to be aware of safety best practices and to use their devices and chargers properly,” **Governor Hochul said.** “These laws underscore our commitment to help New Yorkers make educated, safe, smart choices with their purchases of products with lithium-ion batteries and how to best store and use them in order prevent any more tragedies from occurring.”

Legislation S.154F/A.4938-D prohibits the sale of lithium-ion batteries used in micro-mobility devices, bicycles with electric assist or mopeds unless such batteries are manufactured in accordance with certain standards and specifications. Legislation S.154F/A.4938-D provides a civil penalty and authorizes district attorneys, county attorneys, and corporation counsel to have concurrent authority to seek the relief.

Legislation S.8743/A.9338 directs 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, to 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, and micro-mobility devices.

Legislation S.8742/A.9337 requires the State Fire Administrator within the Office of Fire Prevention and Control of the Department of Homeland Security and Emergency Services to provide training materials for first responders regarding emergency response to incidents involving lithium-ion batteries.

Legislation S.7503-B/A.01910-B requires retailers of micro-mobility devices, bicycles with electric assist and mopeds powered with lithium-ion batteries, and lithium-ion batteries intended for use in such devices or bicycles to provide customers with an operating manual.

Legislation S.9419/A.7628-A requires police and judicial officers investigating an accident with an e-bike or e-scooter that results in death or injury to make a report to the Department of Motor Vehicles, consistent with current requirements for motor vehicles and motorcycles. Legislation S.9419/A.7628-A also requires police to investigate such incidents when they are made aware of them.

Legislation S.7703-B/A.8450-B requires mopeds to be registered by dealers at the point of sale, if they are to be used in the State.

Legislation S.7760-A/A.8102-A requires micro-mobility devices, mopeds, and bicycles with electric assist to have a red tag attached to the charging cord which states to unplug when not in use.

Legislation S.7744-D/A.8310-C requires retailers to affix a notice on any bicycles with electric assist and micro-mobility devices which states to always yield to pedestrians and follow traffic laws. This legislation also authorizes that any retail entity who violates the law may be penalized with a fine of no more than \$250 per unit for the first offense and not more than \$1,000 for each subsequent offense.

**Department of Motor Vehicles Commissioner and Chair of the Governor’s Traffic Safety**

**Committee Mark J.F. Schroeder said,** “I applaud the Governor’s and Legislature’s actions to promote the safety of e-bikes and to raise awareness of the dangers of lithium-ion batteries. These are important steps to keep New Yorkers safe. Before buying an e-bike, familiarize yourself with everything you need to do to maintain it safely and prevent fires.”

**Secretary of State Walter T. Mosley said,** “E-bikes and other products powered by lithium-ion batteries are being used more and more in our everyday lives, but many consumers are unaware of the potential dangers they pose when not handled properly. It’s critical for New York consumers to understand how to safely use, charge and store these products to help

prevent accidents and injuries. These new laws not only put necessary precautions in place, they will also help to increase awareness and provide educational resources that can help keep New Yorkers safe.”

**Division of Homeland Security and Emergency Services Commissioner Jackie Bray said,** “As the use of these batteries continues to grow, so does the potential for more fires caused by them. New York State Fire has trained nearly 5,000 firefighters statewide on lithium-ion battery emergencies and we will continue to expand these educational tools that will save lives and property.”

**New York State Energy Research and Development Authority President and CEO Doreen M. Harris said,** “The guidelines and manufacturing standards adopted for e-mobility devices, such as e-bikes or e-scooters, powered by lithium-ion batteries are essential to helping more consumers use flexible, clean, electric modes of transportation. Understanding safety requirements and protocols, information on purchasing, storage, and avoiding risks are ways that we can work together to ensure that New Yorkers maximize benefits while lowering exposure as we build a more sustainable future.”

**State Senator Cordell Cleare said,** “Lithium-Ion Battery Fires have proliferated in Senate District 30 and I have been diligently working on crafting proactive solutions all year long. I commend Governor Hochul for signing this essential legislative package which includes three bills that I am the proud Prime Sponsor of. Starting today, New Yorkers will benefit from enhanced protections and informed interventions that will minimize and mitigate the likelihood of new fires by increasing safety, awareness, training and outreach.”

**State Senator Iwen Chu said,** “Electric assist mobility devices are essential for New York workers, but the dangers posed by lithium-ion batteries have gone unchecked for too long and have led to too many fires in our communities. Today, we take a significant step forward

in safeguarding our communities with the signing of legislations to enhance the safety use of lithium-ion batteries and street safety. These measures, including establishing clear charging cords directions, and requiring retailers selling e-bikes to include notice of proper rules, will promote safer charging habits, raise awareness about street safety, and help prevent accidents.”

**State Senator Brad Hoylman-Sigal said,** “There are far too many unlicensed mopeds on our streets, and even worse, on our sidewalks. I’ve received more complaints about the hazards these mopeds cause than just about any other issue, which is why I hosted a symposium this spring at the Midtown Community Justice Center with government colleagues and stakeholders to seek policy solutions to the growing problem of e-bikes and mopeds. The legislation being signed today by Governor Hochul is a direct outcome of our symposium and will require mopeds to be registered and licensed at the point of sale — before leaving the premises of moped retailers. With this new law in effect, more registered mopeds will mean easier enforcement of our traffic laws and safer streets. I thank the Governor, with whom I’ve had conversations about this issue, along with Senate Majority Leader Stewart-Cousins and my colleague Assembly Member Bores, for helping get this bill passed and signed today.”

**State Senator Liz Krueger said,** “Micromobility devices are here to stay, and their use is continuing to expand, so we must act quickly to ensure they are used in a responsible way that doesn't put other people at risk. Unsafe batteries are contributing to a serious threat to the health and safety of New Yorkers in their homes and in their jobs, whether it's delivery workers trying to make a living, or residential tenants living next to a fly-by-night charging business. When a piece of equipment has the potential to cause so much damage, we simply cannot have a wild west approach without any oversight. I thank Governor Hochul for signing these important bills today.”

**State Senator Jeremy Cooney said,** “Far too often, poorly manufactured batteries injure electric scooter and bicycle users and in some occasions have cost people their lives. This is unacceptable. I commend Governor Hochul for signing my bill to require the safe usage of lithium-ion batteries in electric scooters and bicycles—a long overdue standard for the safety of New Yorkers.”

**State Senator Luis Sepúlveda said,** “Today's legislative package is a critical step toward ensuring the safety and well-being of all New Yorkers. By addressing the risks associated with lithium-ion batteries, we are taking proactive measures to protect our communities, empower our first responders with the necessary training, and promote the safe use of these essential technologies. I applaud Governor Hochul for her leadership and dedication to this cause, and I am proud to support these vital initiatives.”

**State Senator Brian Kavanagh said,** “I am proud to stand with Governor Kathy Hochul and our colleagues in the legislature as we enact this crucial legislative package aimed at protecting New Yorkers and promoting responsible use of electric bikes and scooters, and the lithium-ion batteries that power them. With the rapid and widespread adoption of these desirable and environmentally responsible modes of transportation, we must take action to prevent accidents and tragedies and to empower individuals to make informed choices that contribute to a safer, more sustainable future. Together, we can harness the potential of these innovative technologies while ensuring the well-being of our communities and preserving the environment for generations to come.”

**Assembly Speaker Carl Heastie said,** “Too often here in New York, we have seen the tragic effects of fires caused by lithium-ion batteries. These devastating fires and the loss of life were preventable and this legislation will allow for the evolution of our safety standards to match pace with the changing technology. Signing these bills into law will help protect consumers, provide better training to first responders and raise awareness of the potential

hazards associated with these batteries.”

**Assemblymember Alex Bores said,** “E-bikes are fast, but today we showed that New York's government moves even faster. E-bike and moped use has surged in New York City. Our report last year found that an e-bike was 27 times more likely to cause a death than a normal bicycle. This package of common-sense bills will keep New Yorkers safer from battery fires and collisions. By requiring the registration of mopeds at point of sale and the collection of e-bike collision data, we are making our streets safer and increasing accountability.”

**Assemblymember Christopher W. Eachus said,** “This legislation will save the lives of everyday New Yorkers. As a former physics teacher, I worked with lithium-ion batteries for years. I understand how dangerous they can be if not handled properly. Something as simple as placing a red tag on the charging cord as a reminder to unplug the cord when not in use can help prevent future deadly fires. I thank my colleagues in the legislature for passing this bill, and I thank Governor Hochul for signing this important piece of public safety legislation.”

**Assemblymember Manny De Los Santos said,** “The fire hazards caused by lithium-ion batteries have resulted in the loss of people’s homes, injuries, and the loss of life due to a lack of information on proper usage and a lack of safety standards. The resources and protocols produced by the Department of State under these new laws will allow consumers and suppliers to be more informed about the proper use of these batteries and the devices that power them. This information, along with the series of measures signed into law today by Governor Hochul, will help keep people and people’s homes safe.”

**Assemblymember Jeffrey Dinowitz said,** “Lithium-ion batteries are the number one cause of fire deaths in New York City. This legislation will go a long way toward addressing this horrible problem. I appreciate the work of State Senator Liz Kruger on our bill, and I thank Governor Hochul for signing this life-saving legislation.”

**Assemblymember Stefani Zinerman said,** “For the past two years, we've collaborated with the FDNY to raise awareness about the hazards of lithium batteries. Thanks to these efforts, New Yorkers now have the knowledge to protect themselves and their communities, safeguarding both commercial and residential properties. I am grateful to my colleagues in government for their advocacy and partnership on this vital legislative package.”

**Assemblymember Al Taylor said,** “As a New York State legislator representing the 71st Assembly District, I am immensely proud to see our efforts come to fruition with the signing of this crucial legislation by Governor Hochul. Our district, like many areas in New York City, has experienced numerous fires caused by lithium-ion batteries, highlighting the urgent need for this bill. This new law ensures that our emergency responders are equipped with the specialized training they need to protect our communities and enhance public safety. This legislation represents a significant step towards improving public safety and underscores our commitment to proactive, forward-thinking solutions for the challenges we face. I am so pleased that we are signing this package of bills. I thank Governor Hochul for her support and dedication to safeguarding the well-being of all New Yorkers.”

**Assemblymember Nily Rozic said,** “As Chair of Consumer Protection, I am proud to have moved this package of bills that prioritizes micromobility safety and mitigates lithium-ion battery fire risks across New York. These bills represent a step forward in supporting public safety and sustainable transportation options and I am grateful to Governor Hochul for signing them into law.”

**Assemblymember Rebecca A. Seawright said,** “Lithium-ion battery fires and careless e-vehicle usage pose deadly threats to our communities. With the enactment of today’s legislative package, which I proudly co-sponsor, we will secure these growing technologies and require accountable use for all New Yorkers. No one should fear navigating their own neighborhoods.”



**Assemblymember Deborah Glick said,** “I was pleased that we were able to pass several bills this Session that will protect pedestrians who are forced to be vigilant while navigating around e-bikes and scooters, ensure the safety of those who rely on e-bikes for transportation, and require safe handling and use of lithium-ion batteries. Gray market batteries continue to present a danger not only to users but to all of us. We all must follow the rules of the road and do more to ensure the safety of those who could be inadvertently harmed by unregulated micro-mobility devices or the batteries that power them, and I applaud the Governor for signing this important package of legislation.”

**Assemblymember Steve Otis said,** “Thank you to Governor Hochul and her team for prioritizing these bills to alert consumers and improve safety of lithium battery use. Risks to first responders and the public can be reduced by making sure everyone follows proper use, storage, and charging practices so that we can benefit from this emerging technology.”

**Assemblymember Jessica González-Rojas said,** “In my district, constituents have reached out regularly because there have been e-bike and moped incidents, and they want our streets to be safer. Today, our state is taking several steps to not just signal to New Yorkers that we care about their safety but to do things to make them safer. I'm proud to have co-sponsored several of these bills and thank my colleagues and the advocates for getting them across the finish line and Governor Hochul for signing them into law. It is incumbent on all of us to work together to keep our neighbors safe.”

**Assemblymember Charles D. Fall said,** “In recent months, we have witnessed numerous incidents involving these batteries causing deadly fires in my district, including Staten Island and Lower Manhattan. I want to thank Governor Hochul for her leadership in moving these lifesaving bills into law. These new measures will ensure safer standards and provide critical resources for first responders and consumers alike, significantly enhancing safety and saving lives.”

**Assemblymember Steven Raga said,** “It's imperative that our government is responsive to the consumer safety needs that arise when new technology becomes available to New Yorkers. Today's package of bills is indicative of a responsive government and will keep New Yorkers safe through stronger regulations and consumer safety practices.”

**Assemblymember David Weprin said,** “I applaud Governor Hochul for signing these bills that will protect New Yorkers into law today. Far too often we hear stories on the local news of fires that originate from lithium ion batteries, causing damage, destruction, and sometimes loss of life. These new batteries need to be regulated so residents can feel safe. New Yorkers should be protected and be able to feel safe at home.”

**Assemblymember Grace Lee said,** “These bills are critically important for protecting the safety and well-being of our communities. As e-bikes and e-scooters have become a more mainstream mode of transportation, it is necessary for us to pass sensible regulation to protect the safety of New Yorkers and prevent devastating, avoidable fires that cost people their homes, businesses, and lives. My district has been disproportionately impacted by e-bike battery fires and other safety issues. Therefore, I am especially grateful to Governor Hochul for signing these bills into law. Together, we can create a safer environment for all residents and workers of New York.”

**New York City Council Speaker Adrienne Adams said,** “Deadly fires caused by lithium-ion batteries have taken an increasingly devastating toll on our communities and New Yorkers, underscoring the importance of advancing solutions at every level of government. The signing of this critical state legislation into law builds on the work of the City Council, which has taken decisive actions to curb fires and save lives. While more work is required to mitigate these preventable tragedies, we remain dedicated to working together to bolster protections and safeguard all New Yorkers.”

**New York City Council Member Gale A. Brewer said,** “Lawmakers have to stay focused on rider responsibility and battery safety as New Yorkers transition to e-bikes, scooters, and other legal micromobility devices. There are some legislative changes that can only be made by the State, so I thank the legislature and governor for passing and enacting these much needed laws. I am confident they will make a big difference in New York City.”

**New York City Council Member Rita Joseph said,** “I remain deeply committed to the safety and well-being of our community and I am proud to support this legislative package on lithium-ion batteries. These measures will ensure that only high-quality batteries are sold, provide crucial safety resources, and offer vital training for our first responders. By mandating operating manuals and enhancing reporting on e-bike and e-scooter accidents, we are taking significant steps to protect New Yorkers. This comprehensive approach underscores the dedication and commitment to public safety and technological progress, making our streets and homes safer for everyone.”

**New York City Fire Commissioner Laura Kavanagh said,** “Lithium-ion batteries are a dangerous problem we have worked tirelessly to address. We are grateful to Governor Hochul and our leaders in the state for their partnership on this issue. We implore New Yorkers to use best practices when it comes to these devices, and think about their safety, the safety of their families, their neighbors and first responders.”

**New York City Police Department Commissioner Edward A. Caban said,** “Many unregistered scooters and limited-use motorcycles not only pose a risk to pedestrians and other motorists when driven recklessly, but also diminish safety along New York City’s tourist and commercial corridors because they facilitate chain-snatching, armed robberies, and other violence. While the NYPD continues to remove record numbers of illegal motorized bikes from our streets and sidewalks, this commonsense law will halt the problem right at the point of purchase, helping us fight crime and improve the quality of life for all New Yorkers.”

**New York City Department of Transportation Commissioner Ydanis Rodriguez said,** “Legal micro-mobility offers safe and convenient options for New Yorkers to get around the city. By banning uncertified batteries and requiring mopeds to be registered at the point of sale, we can help stop the spread of dangerous, illegal devices and reduce fires from unregulated equipment. We thank the Governor and our partners in the Legislature for their support.”

**The Uniformed Firefighters Association President Andrew Ansbro says,** “That the unprecedented increase in fires, serious injuries and deaths due to unregulated or remanufactured e-bike batteries needed to be addressed. Governor Hochul’s new legislation that prohibits the sale of Lithium batteries that are not up to industry standards will protect the health, safety and well being of both New Yorkers, and New York Firefighters.”

These new laws build on the [“Buy Safe, Charge Safe” statewide campaign](#) Governor Hochul announced earlier this year to raise awareness about the dangers of lithium-ion battery fires. This multi-agency effort aims to educate consumers about how to properly purchase, use, charge and maintain devices with lithium-ion batteries, and the potential dangers of their improper use.

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#### RELATED LEGISLATION

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## 2023-S154F

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- Introduced
- ◦ In Committee Assembly

- In Committee Senate
  
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
  
- ◦ Passed Assembly
  - Passed Senate
  
- Delivered to Governor
  
- Signed By Governor
  
- 

Relates to standards for the manufacture and sale of lithium-ion batteries

December 29, 2022

Senate Floor Calendar

Sponsored by [Liz Krueger](#)

Do you support this bill?