

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 42

Introduced by Council Members Brewer, Mealy, Williams, Powers, Brannan, Yeger, Bottcher, Velázquez, Narcisse, Ung, Menin, Holden, Abreu, Rivera, Gennaro, Ariola and Paladino.

A LOCAL LAW

To amend the New York city fire code, in relation to prohibiting the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries

Be it enacted by the Council as follows:

Section 1. Section FC 309 of the New York city fire code is amended by adding a new section 309.3.5 to read as follows:

309.3.5 Second-use batteries. It shall be unlawful to:

- 1. assemble or recondition a lithium-ion battery using cells removed from used storage batteries; or*
- 2. sell or offer for sale a lithium-ion battery that uses cells removed from used storage batteries.*

§ 2. The fire department shall engage in an outreach campaign to stores that repair powered mobility devices, as such term is defined in section 1 of a local law for the year 2023, relating to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices, as proposed in introduction number 722-A, to inform such stores of the conduct prohibited by FC 309.3.5. Information about this outreach campaign shall be included in the first report required by such local law.

§ 3. This local law takes effect on the same date as a local law for the year 2023, relating to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices, as proposed in introduction number 722-A, takes effect.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on March 2, 2023 and approved by the Mayor on March 20, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 42 of 2023, Council Int. No. 752-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.