



Legislation Details (With Text)

File #: Int 0949-2023 **Version:** A **Name:** Establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof.

Type: Introduction **Status:** Enacted

In control: Committee on Fire and Emergency Management

On agenda: 3/2/2023

Enactment date: 10/15/2023 **Enactment #:** 2023/131

Title: A Local Law in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof

Sponsors: Keith Powers, Gale A. Brewer, Jennifer Gutiérrez, Oswald Feliz, Marjorie Velázquez, Tiffany Cabán, Farah N. Louis, Shaun Abreu, Shahana K. Hanif, Carmen N. De La Rosa, Lincoln Restler, Crystal Hudson, Justin L. Brannan, Julie Menin, Selvena N. Brooks-Powers, Mercedes Narcisse, James F. Gennaro, Nantasha M. Williams, Rafael Salamanca, Jr., Shekar Krishnan, Kamillah Hanks, Robert F. Holden, Diana I. Ayala, Sandra Ung, Kevin C. Riley, Alexa Avilés, Sandy Nurse, Lynn C. Schulman, Christopher Marte, Amanda Farías, Carlina Rivera, Erik D. Bottcher, Julie Won, Eric Dinowitz, Darlene Mealy, Vickie Paladino, Inna Vernikov, Ari Kagan, Public Advocate Jumaane Williams, (in conjunction with the Brooklyn Borough Presiden

Indexes:

Attachments: 1. Summary of Int. No. 949-A, 2. Summary of Int. No. 949, 3. Int. No. 949, 4. March 2, 2023 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 3-2-23, 6. Minutes of the Stated Meeting - March 2, 2023, 7. Committee Report 4/17/23, 8. Hearing Testimony 4/17/23, 9. Hearing Transcript 4/17/23, 10. Proposed Int. No. 949-A - 9/11/23, 11. Committee Report 9/14/23, 12. Hearing Transcript 9/14/23, 13. Committee Report - Stated Meeting, 14. September 14, 2023 - Stated Meeting Agenda, 15. Hearing Transcript - Stated Meeting 9-14-23, 16. Minutes of the Stated Meeting - September 14, 2023, 17. Int. No. 949-A (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 131

Date	Ver.	Action By	Action	Result
3/2/2023	*	City Council	Introduced by Council	
3/2/2023	*	City Council	Referred to Comm by Council	
4/17/2023	*	Committee on Fire and Emergency Management	Hearing Held by Committee	
4/17/2023	*	Committee on Fire and Emergency Management	Laid Over by Committee	
9/14/2023	*	Committee on Fire and Emergency Management	Hearing Held by Committee	
9/14/2023	*	Committee on Fire and Emergency Management	Amendment Proposed by Comm	
9/14/2023	*	Committee on Fire and Emergency Management	Amended by Committee	
9/14/2023	A	Committee on Fire and Emergency Management	Approved by Committee	Pass
9/14/2023	A	City Council	Approved by Council	Pass
9/14/2023	A	City Council	Sent to Mayor by Council	

9/29/2023	A	Mayor	Hearing Scheduled by Mayor
9/29/2023	A	Mayor	Hearing Scheduled by Mayor Cancelled
10/15/2023	A	Administration	City Charter Rule Adopted
10/17/2023	A	City Council	Returned Unsigned by Mayor

Int. No. 949-A

By Council Members Powers, Brewer, Gutiérrez, Feliz, Velázquez, Cabán, Louis, Abreu, Hanif, De La Rosa, Restler, Hudson, Brannan, Menin, Brooks-Powers, Narcisse, Gennaro, Williams, Salamanca, Krishnan, Hanks, Holden, Ayala, Ung, Riley, Avilés, Nurse, Schulman, Marte, Farías, Rivera, Bottcher, Won, Dinowitz, Mealy, Paladino, Vernikov, Kagan and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President)

A Local Law in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this section, the following terms have the following meanings:

Eligible device. The term “eligible device” means a powered mobility device or lithium-ion battery that does not meet the requirements for sale contained in section 20-610 of the administrative code of the city of New York, a motorized scooter as defined in subdivision a of section 19-176.2 of the administrative code of the city of New York, or a limited use motorcycle as defined in section 121-b of the vehicle and traffic law.

Lithium-ion battery. The term “lithium-ion battery” means a storage battery in which an electrical current is generated by lithium ions embedded in a carbon graphite or nickel metal-oxide substrate placed in a high-viscosity carbonate mixture or gelled polymer electrolyte.

Powered bicycle. The term “powered bicycle” means a class one bicycle with electric assist or a class two bicycle with electric assist, as such terms are defined in section 102-c of the vehicle and traffic law.

Powered mobility device. The term “powered mobility device” means a powered bicycle or an electric scooter as defined in section 114-e of the vehicle and traffic law.

b. An office or agency designated by the mayor shall establish a program to provide new powered mobility devices or lithium-ion batteries that meet the requirements for sale contained in section 20-610 of the

administrative code of the city of New York, at reduced cost or no cost, to natural persons who trade in an eligible device and who satisfy the requirements for eligibility set forth in rules promulgated by such office or agency designated by the mayor. A natural person participating in such trade-in program shall be limited to receiving no more than 1 powered mobility device and no more than 2 lithium-ion batteries, and shall be prohibited from reselling such device or batteries for a period of 1 year after receipt of such device or batteries.

c. The office or agency designated by the mayor pursuant to subdivision b of this section shall promulgate rules establishing: (i) eligibility requirements to participate in the program established pursuant to subdivision b of this section, which may include, but need not be limited to, the income level or occupation of applicants; and (ii) the amount of cost reduction provided for the powered mobility devices and lithium-ion batteries.

d. The office or agency designated by the mayor pursuant to subdivision b of this section shall conduct and engage in an outreach campaign regarding the trade-in program, including but not limited to outreach targeting food delivery workers regarding such program. Such outreach shall be conducted in English, the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York, and any additional languages as determined by the head of the office or agency designated by the mayor pursuant to subdivision b of this section.

§ 2. This local law takes effect 90 days after it becomes law and expires and is deemed repealed on September 1, 2025.

NAB/JK/RMC

LS #10369/10417/10428/10542

9/6/2023 7:49PM