



Legislation Text

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A Local Law to amend the administrative code of the city of New York and the New York City fire code, in relation to prohibiting the sale and assembly of second-use lithium-ion batteries

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

SUBCHAPTER 2

SECOND-USE LITHIUM-ION BATTERIES

§ 20-609 Definitions. For purposes of this subchapter, the following terms have the following meanings:

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.

Second-use lithium-ion battery. The term “second-use lithium-ion battery” means a lithium-ion battery that has been assembled or reconditioned using cells removed from used batteries.

§ 20-610 Sale of second-use lithium-ion batteries. a. No person shall distribute, sell or offer for sale a second-use lithium-ion battery.

b. Penalty. A person who violates subdivision a of this section or any rule promulgated thereunder is liable for a civil penalty as follows:

1. For the first violation, a civil penalty of \$200; and

2. For each subsequent violation issued for the same offense within two years of the date of a first violation, a civil penalty of not more than \$1,000.

c. Each failure to comply with subdivision a of this section with respect to each separate second-use lithium-ion battery constitutes a separate violation.

§ 2. 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 assemble or recondition a lithium-ion battery using cells removed from used storage batteries.

§ 3. This local law takes effect 90 days after it becomes law.

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