

# A BILL TO ESTABLISH CONSUMER STANDARDS FOR LITHIUM-ION BATTERIES (S. 389 / H.R. 973)

The Setting Consumer Standards for Lithium-Ion Batteries Act is a bipartisan bill that would protect consumers from potential harm caused by faulty lithium-ion batteries, commonly used in e-bikes, e-scooters, and other micromobility devices.

## Senators

Sens. Kirsten Gillibrand (D-NY), Deb Fischer (R-NE), Marsha Blackburn (R-TN), Charles Schumer (D-NY)

## Members (19 Total Cosponsors)

Reps. Torres (D-NY), Garbarino (R-NY), Clark (D-NY), Langworthy (R-NY), Bacon (R-NE), Mullin (D-CA), Lawler (R-NY), Johnson (D-GA)

## Background:

When the lithium-ion batteries used in e-bikes and e-scooters are poorly made, they can cause large, fast-spreading fires that are difficult to put out. Between January 2021 and November 2022, there were 208 reports of micromobility device fires across 39 states, resulting in at least 19 deaths.

To address the rise of these lithium-ion battery fires, the Consumer Product Safety Commission (CPSC) has directed manufacturers to meet voluntary safety standards that ensure their batteries are safe and reliable. Most lithium-ion batteries are being imported from China though, and Chinese manufacturers are not complying with CPSC's directive. Thus, regulation is urgently needed to stop the flow of these dangerous products into the United States, as they are actively putting countless American consumers, their families, and neighbors at serious risk.

## Summary:

The Setting Consumer Standards for Lithium-Ion Batteries Act would finally establish the mandatory rules needed to stop the mounting toll of deaths and injuries caused by faulty lithium-ion batteries used in e-bikes and other micromobility devices. Specifically, the legislation would require the CPSC to promulgate a final consumer product safety standard for rechargeable lithium-ion batteries used in micromobility devices, including e-bikes and e-scooters. The impacts of such a standard being issued would include the following:

- It would be unlawful for a company to sell, distribute, or import lithium-ion batteries used in e-bikes and other micromobility devices that are not in compliance with CPSC's mandatory safety standard. Any company that violates this rule would be subject to potential civil and criminal penalties.
- Manufacturers of lithium-ion batteries would have to test and certify that their batteries meet the safety standard before the batteries enter the marketplace.
- CPSC would be able to conduct compliance inspections at any factory, warehouse, or establishment in which lithium-ion batteries are manufactured to ensure that they comply with the mandatory safety standard.
- CPSC would be able to obtain samples of batteries that are being offered for import into the United States for inspection, and if they failed to comply with the standard, could request that the Secretary of Treasury deny entry of those batteries.

## CONTACT:

Sam Lopez

Director of Federal Affairs

[slopez@boma.org](mailto:slopez@boma.org)

## Endorsements:

International Association of Fire Chiefs (IAFC)

International Association of Firefighters (IAFF)

Texas Association of Fire Chiefs

New York City Fire Department (FDNY)

Consumer Reports

DoorDash

Grubhub

Kids in Danger (KID)

TIC Council Americas