

119TH CONGRESS
1ST SESSION

S. 389

To establish consumer standards for lithium-ion batteries.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4, 2025

Mrs. GILLIBRAND (for herself, Mrs. BLACKBURN, Mrs. FISCHER, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish consumer standards for lithium-ion batteries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Setting Consumer
5 Standards for Lithium-Ion Batteries Act”.

6 **SEC. 2. CONSUMER PRODUCT SAFETY STANDARD FOR CER-**
7 **TAIN BATTERIES.**

8 (a) CONSUMER PRODUCT SAFETY STANDARD RE-
9 QUIRED.—Not later than 180 days after the date of the
10 enactment of this Act, the Consumer Product Safety Com-
11 mission (referred to in this section as the “Commission”)

1 shall promulgate, under section 553 of title 5, United
 2 States Code, the provisions of ANSI/CAN/UL 2271–
 3 Standard for Batteries for Use in Light Electric Vehicle
 4 Applications, ANSI/CAN/UL 2849–Standard for Safety
 5 for Electrical Systems for eBikes, and ANSI/CA/UL
 6 2272–Standard for Electrical Systems for Personal E-Mo-
 7 bility Devices, as in effect on the date of enactment of
 8 this Act, as final consumer product safety standards.

9 (b) CONSUMER PRODUCT SAFETY COMMISSION DE-
 10 TERMINATION OF SCOPE.—In adopting the standards
 11 under subsection (a), the Commission shall limit the appli-
 12 cation of such standards to consumer products as defined
 13 in section 3(a)(5) of the Consumer Product Safety Act (15
 14 U.S.C. 2052(a)(5)).

15 (c) REVISION OF VOLUNTARY STANDARDS.—

16 (1) NOTICE TO COMMISSION.—If the provisions
 17 of ANSI/CAN/UL 2271–Standard for Batteries for
 18 Use in Light Electric Vehicle Applications, ANSI/
 19 CAN/UL 2849–Standard for Safety for Electrical
 20 Systems for eBikes, or ANSI/CAN/UL 2272–Stand-
 21 ard for Electrical Systems for Personal E-Mobility
 22 Devices, are revised following the enactment of this
 23 Act, the organization that revised the requirements
 24 of such standard shall notify the Commission after
 25 the final approval of the revision.

1 (2) TREATMENT OF REVISION.—The revised
2 voluntary standard shall be considered to be a con-
3 sumer product safety standard issued by the Com-
4 mission under section 9 of the Consumer Product
5 Safety Act (15 U.S.C. 2058), effective 180 days
6 after the date on which the organization notifies the
7 Commission (or such later date specified by the
8 Commission in the Federal Register) unless, within
9 90 days after receiving that notice, the Commission
10 notifies the organization that it has determined that
11 the proposed revision, in whole or in part, does not
12 improve the safety of the consumer product covered
13 by the standard and that the Commission is retain-
14 ing the existing consumer product safety standard.

15 (d) TREATMENT OF STANDARD.—A standard pro-
16 mulgated under this section, including a revision of such
17 standard adopted by the Commission, shall be treated as
18 a consumer product safety rule promulgated under section
19 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

20 (e) REPORT TO CONGRESS.—

21 (1) IN GENERAL.—Not later than 5 years after
22 the date of enactment of this Act, the Commission
23 shall submit to the Committee on Commerce,
24 Science, and Transportation of the Senate and the
25 Committee on Energy and Commerce of the House

1 of Representatives, a report regarding fires, explo-
2 sions, and other hazards relating to lithium-ion bat-
3 teries used in micromobility products during the pe-
4 riod beginning on the date of enactment of this Act
5 and ending on the report date.

6 (2) CONTENT.—The report required by para-
7 graph (1) shall describe, at a minimum—

8 (A) the source of the information that was
9 provided to the Commission regarding the fire,
10 explosion, or other hazard;

11 (B) the make and model of the lithium-ion
12 battery and micromobility product that resulted
13 in a fire, explosion, or other hazard, if known;

14 (C) whether a lithium-ion battery involved
15 in a fire, explosion, or other hazard complied
16 with the standard required by this section, if
17 known; and

18 (D) if known, the manufacturer and coun-
19 try of manufacture of a lithium-ion battery that
20 resulted in a fire, explosion, or other hazard.

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