

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1797
OFFERED BY MS. CLARKE OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

**4 SEC. 2. CONSUMER PRODUCT SAFETY STANDARD FOR CER-
5 TAIN BATTERIES.**

6 (a) CONSUMER PRODUCT SAFETY STANDARD RE-
7 QUIRED.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of the enactment of this Act, the Consumer
10 Product Safety Commission shall promulgate, under
11 section 553 of title 5, United States Code, a final
12 consumer product safety standard for rechargeable
13 lithium-ion batteries used in micromobility devices,
14 including electric bicycles and electric scooters, to
15 protect against the risk of fires caused by such bat-
16 teries.

17 (2) INCLUSION OF RELATED EQUIPMENT.—The
18 standard promulgated under paragraph (1) shall in-

1 include requirements with respect to equipment related
2 to or used with rechargeable lithium-ion batteries
3 used in micromobility devices, including battery
4 chargers, charging cables, external terminals on bat-
5 tery packs, external terminals on micromobility de-
6 vices, and free-standing stations used for recharging.

7 (b) CPSC DETERMINATION OF SCOPE.—In promul-
8 gating the standard under subsection (a), the Commission
9 shall determine the types of products subject to the stand-
10 ard and shall ensure that such products are—

11 (1) within the jurisdiction of the Commission;

12 and

13 (2) reasonably necessary to include to protect
14 against the risk of fires.

15 (c) MODIFICATIONS.—At any time after the promul-
16 gation of the standard under subsection (a), the Commis-
17 sion may, through a rulemaking under section 553 of title
18 5, United States Code, modify the requirements of the
19 standard.

20 (d) TREATMENT OF STANDARD.—A standard pro-
21 mulgated under this section, including a modification of
22 such standard, shall be treated as a consumer product
23 safety rule promulgated under section 9 of the Consumer
24 Product Safety Act (15 U.S.C. 2058).

