FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 291	**COMPANION BILL:** SB 410 (Rodriguez)
TITLE: Personal Mobility Device Battery Safety Standards	**LINKED BILLS:** None
SPONSOR(S): Blanco	**RELATED BILLS:** None

Committee References

Industries & Professional Activities
12 Y, 0 N

SUMMARY

Effect of the Bill:

The bill requires that all personal mobility devices—such as electric bicycles and electric scooters—sold in the state be certified by internationally accepted standards to withstand underwater submersion up to one meter in depth. Batteries that meet certain International Electrotechnical Commission Standards automatically comply with these requirements. Anyone who violates its requirements is subject to civil penalties to be imposed by the Department of Environmental Protection.

Fiscal or Economic Impact:

Indeterminate. It is unknown if the bill will have an economic or fiscal impact on commercial sellers. However, the bill may reduce the number of malfunctions in personal mobility device batteries, which may result in less injuries that result from such malfunctions.

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ANALYSIS

EFFECT OF THE BILL:

The bill requires that a rechargeable lithium-ion battery used in any personal mobility device[1] sold in Florida to meet the internationally accepted ingress protection standard for electrical enclosures, providing protection against the effects of liquid submersion up to a depth of one meter. A battery which meets the International Electrotechnical Commission's "IPX6" standard automatically complies with the requirements of the bill. (Section 1).

The Department of Environmental Protection (DEP) may impose a fine of up to $1,000 for a seller's first violation of the bill's requirements; a fine of up to $5,000 for the second violation; and fine of up to $10,000 for the third or subsequent violation. DEP may suspend the imposition of any such penalty, conditioned upon the seller's compliance with terms the DEP finds appropriate. Any funds collected through fines must be deposited into the General Revenue Fund. (Section 1).

The bill provides an effective date of July 1, 2025. (Section 2)

[1] The bill defines "Personal Mobility Device" as any small, lightweight vehicle powered by a rechargeable lithium-ion battery designed to transport only one person, such as electric bicycles, electric skateboards, and electric scooters.

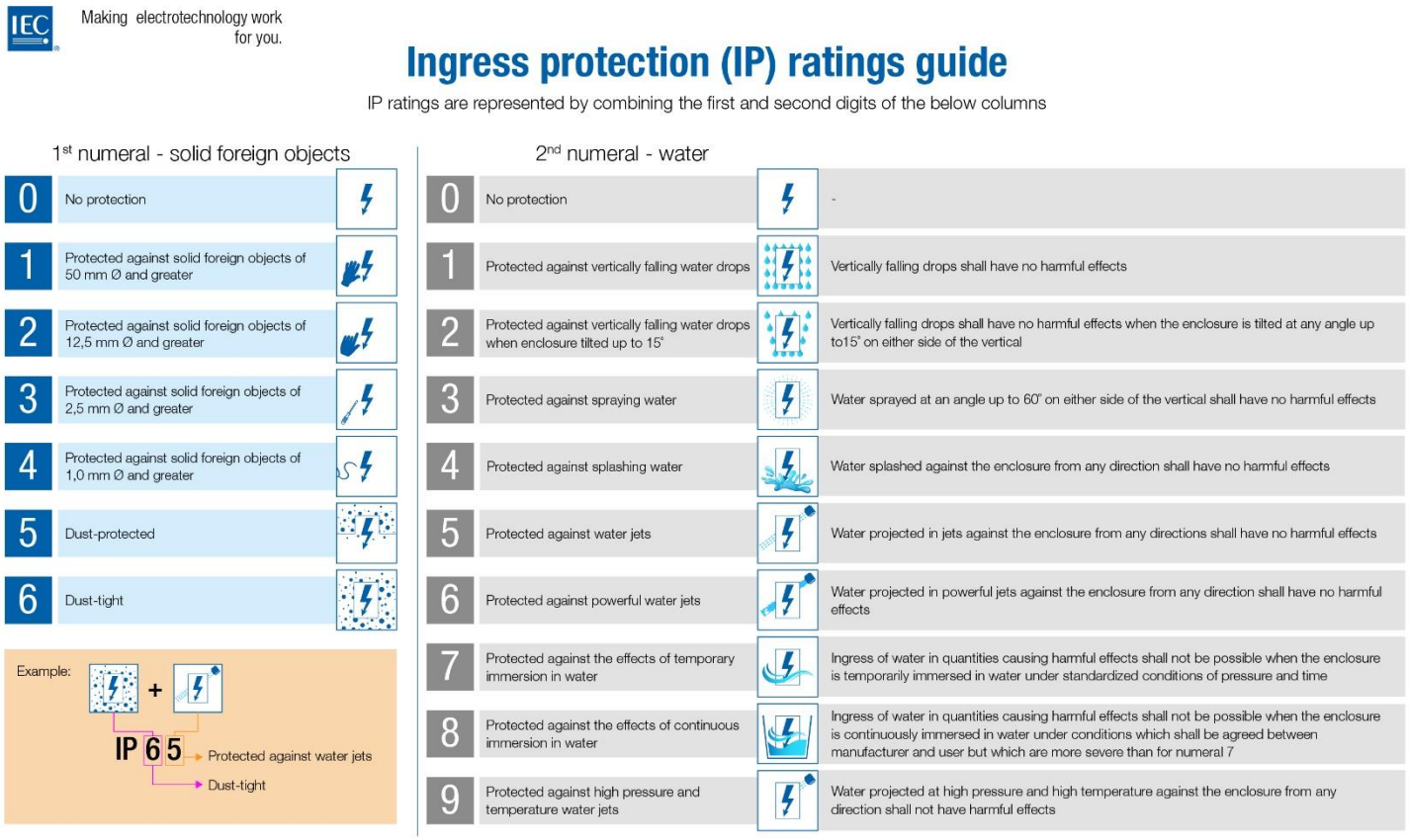
RELEVANT INFORMATION

SUBJECT OVERVIEW:

The International Electrotechnical Commission—Ingress Protection

Founded in 1906, the International Electrotechnical Commission (IEC) is a standards organization that develops and publishes standards for electrical, electronic and related technologies. The IEC provides instructions, guidelines, rules, and definitions which are used to design, manufacture, install, test and certify, maintain, and repair electrical and electronic devices and systems.[2]

Electronic equipment deteriorates or malfunctions when exposed to water or dust. As a result, the IEC has developed ingress protection ratings (IP), which grade the resistance of an enclosure against the intrusion of dust or liquids.[3] The following chart explains the IP ratings system:



Florida Battery Sales Regulation

Florida law prohibits a cell manufacturer[4] or marketer[5] from selling any consumer or non-consumer product that is powered by a rechargeable battery unless the battery or product meets certain criteria.[6] A rechargeable battery

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[2] *International Electrotechnical Commission*, https://www.prd.iec.ch/understanding-standards (last visited Mar. 21, 2025).
[3] *International Electrotechnical Commission*, https://www.iec.ch/ip-ratings (last visited Mar. 21, 2025).
[4] "Cell" is defined as a galvanic or voltaic device weighing 25 pounds or less that consists of an enclosed or sealed container containing a positive and negative electrode in which one or both electrodes consist primarily of cadmium or lead and which container includes a gel or liquid starved electrolyte. Section 403.7192(1)(a), F.S. A "cell manufacturer" is an entity that manufactures cells in the U.S. or imports into the U.S. cells or units for which no unit management program has been put into effect by the actual manufacturer of the cell or unit. Section 403.7192(1)(b), F.S. A "unit" is a cell, a rechargeable battery, or a rechargeable product with nonremovable rechargeable batteries. Section 403.7192(1)(e), F.S. A "unit management program" is a program or system for the collection, recycling, or disposal of units put in place by a marketer in accordance with law. Section 403.7192(1)(f), F.S.
[5] A "marketer" is any person who manufactures, sells, distributes, assembles, or affixes a brand name or private label or licenses the use of a brand name on a unit or rechargeable product. This does not include someone engaged in the retail sale of a unit or rechargeable product. Section 403.7192(1)(c), F.S.
[6] Section 403.7192(4)(a), F.S.

is defined as any small, nonvehicular, rechargeable nickel-cadmium or sealed lead-acid battery that weighs less than 25 pounds and is not used for memory backup.[7] The manufacturer or marketer must meet the following criteria:

- For consumer products, the battery can be easily removed by the consumer, or the battery is contained in a battery pack that is separate from the product and can be easily removed.
- For non-consumer products, the battery can be removed or is contained in a battery pack that is separate from the product.
- The product or the battery, or the packaging if the product is a consumer product, is labeled with a recycling symbol and includes the term "Cd" for nickel-cadmium batteries or "Pb" for small, sealed lead batteries to indicate the chemical composition of the battery.
- The instruction manual for the product or the packaging if the product is a consumer product clearly states that the sealed lead or nickel-cadmium battery must be recycled or disposed of properly.[8]

If the Secretary of DEP determines that a consumer or non-consumer product's design would result in significant danger to public health and safety if it were to be removable, the Secretary may authorize the sale of the product without compliance with that requirement.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Industries & Professional Activities Subcommittee	12 Y, 0 N	3/26/2025	Anstead	Brackett

[7] Section 403.7192(1)(d), F.S. This definition includes a battery pack that contains a rechargeable battery. *Id*.
[8] Section 403.7192(4), F.S.