

SETTING CONSUMER STANDARDS FOR LITHIUM-ION  
BATTERIES ACT

APRIL 24, 2025.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,  
submitted the following

R E P O R T

[To accompany H.R. 973]

The Committee on Energy and Commerce, to whom was referred  
the bill (H.R. 973) to establish consumer standards for lithium-ion  
batteries, having considered the same, reports favorably thereon  
without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 973, the Setting Consumer Standards for Lithium-Ion Batteries Act, was introduced by Representative Torres on February 4, 2025, and referred to the Committee on Energy and Commerce. H.R. 973 requires the Consumer Product Safety Commission (CPSC) to promulgate a consumer product safety standard to pro-

protect consumers from the risk of fires associated with rechargeable lithium-ion batteries used in micromobility devices.

#### BACKGROUND AND NEED FOR LEGISLATION

Lithium-Ion batteries are lightweight, rechargeable batteries found in many consumer electronics and are often used in micromobility devices, such as electric bikes and scooters. When poorly made, lacking adequate safety testing, charged improperly, or damaged, these batteries are prone to ignite and the associated fires may be accompanied by explosions and the release of toxic gas.<sup>1</sup> As micromobility devices have risen in popularity, the use of lithium-ion batteries has increased, creating the need for safety standards. Currently, there is no federal safety standard for lithium-ion batteries<sup>2</sup> and many uncertified and untested batteries are available for purchase.<sup>3</sup>

From 2019 to 2023, the Fire Department of New York reported more than 400 fires, 300 injuries, and twelve deaths caused by lithium-ion batteries in New York City alone.<sup>4</sup> Urban areas are at an increased risk for injuries and property damage due to high population density, but Lithium-ion battery fires impact communities across the United States. Consumer advocates and fire professionals have warned consumers only to use certified and tested products and called for strong federal safety standards.<sup>5</sup>

#### COMMITTEE ACTION

On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on H.R. 1797.<sup>6</sup> The hearing was entitled, “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:

- Kathleen Callahan, Owner, Xpertech Auto Repair;
- Scott Benavidez, Chairman, Automotive Service Association;
- Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
- John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and
- David Touhey, Certified Venue Expert, Principal, Connett Consulting (IAVM, Fix the Tix Coalition member, former president of venues, Monumental Sports); and Adjunct Professor of sports management, Georgetown University and George Washington University.

On April 8, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 973, without amendment, favorably reported to the House by a voice vote.

<sup>1</sup>National Fire Protection Association, *Lithium-Ion Battery Safety* (accessed Apr.14, 2025), <https://www.nfpa.org/education-and-research/home-fire-safety/lithium-ion-batteries>.

<sup>2</sup>Letter from the International Association of Fire Fighters, to Subcommittee on Innovation, Data, and Commerce Chair Gus Bilirakis and Ranking Member Jan Schakowsky, (Sept. 26, 2023).

<sup>3</sup>International Association of Fire Fighters, *Preventing Lithium-Ion Battery Fires*, (July 18, 2023), <https://www.iaff.org/news/preventing-lithium-ion-battery-fires/>.

<sup>4</sup>See note 2.

<sup>5</sup>See note 1.

<sup>6</sup>This legislation was introduced in the 118th Congress as H.R. 1797.

## COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. There were no record votes taken in connection with ordering H.R. 973 reported.

## OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY,  
AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 973 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

## CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

## FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to direct the CPSC to promulgate a final consumer product safety standard to protect consumer lives and property against the risk of fires caused by lithium-ion batteries.

## DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 973 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

## RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop or consider H.R. 973:

- On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on H.R. 1797. The hearing was entitled, “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:
  - Kathleen Callahan, Owner, Xpertech Auto Repair;
  - Scott Benavidez, Chairman, Automotive Service Association;

- Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
- John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and
- David Touhey, Certified Venue Expert, Principal, Connett Consulting (IAVM, Fix the Tix Coalition member, former president of venues, Monumental Sports); and Adjunct Professor of sports management, Georgetown University and George Washington University.

#### COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

#### EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 973 contains no earmarks, limited tax benefits, or limited tariff benefits.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

#### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

##### *Section 1. Short title*

Section 1 allows the Act to be cited as the “Setting Consumer Standards for Lithium-Ion Batteries Act.”

##### *Section 2. Consumer product safety standard for certain batteries*

Section 2 requires the Consumer Product Safety Commission to promulgate, under 5 U.S.C. 553, the provisions of ANSI/CAN/UL 2271, ANSI/CAN/UL 2849, and ANSI/CAN/UL 2272, and any revisions of such standards, as a final consumer product safety standard for consumer products, as defined in section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)). Such a standard will be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058). Section 2 also requires the CPSC to submit a report to Congress no later than 5 years after the date of enactment of this act regarding fires, explosions, and other hazards relating to lithium-ion batteries used in micromobility devices during the period between date of enactment and the report date.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED  
This legislation does not amend any existing Federal statute.

