



THE COUNCIL  
OF  
THE CITY OF NEW YORK

**GALE A. BREWER**

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December 5, 2023

Laura Kavanaugh  
Commissioner  
Fire Department of New York  
9 MetroTech Center  
Brooklyn, NY 11021

Ydanis Rodriguez  
Commissioner  
New York City Department of Transportation  
55 Water Street  
New York, NY 10041

Dear Commissioners Kavanaugh and Rodriguez,

I write regarding the need for a robust e-bike and e-scooter battery charging network throughout the city. The frequency and intensity of e-bike use among delivery workers, along with the expense of quality batteries, demands a new approach that prioritizes public safety and preserves public spaces.

Delivery workers who rely on e-bikes and e-scooters use several batteries throughout their workdays and then recharge at home. Batteries are expensive, and workers often rely on uncertified or reconditioned options with mismatched chargers. As you know, this leads to the deadliest fires. Further, delivery workers who lack access to reliable charging often opt for gas-powered limited use motorcycles such as scooters and mopeds. Gas-powered devices are faster, larger, and more disruptive.

I am grateful for the city's commitment to build infrastructure that supports delivery workers. The newly announced Lithium-ion Battery-Charging Pilot is the right idea. I am a huge proponent of battery swapping kiosks. A robust, accessible, and affordable swapping network would completely eliminate the need to charge at home and take unsafe batteries out of circulation. My understanding is there will be four PopWheels kiosks as part of the pilot. I would like the pilot to include a kiosk on the Upper West Side. I am happy to work with you to identify an appropriate location.

In October 2022, Mayor Adams announced the establishment of "Street Deliverista Hubs" on "underutilized structures on city properties" and in "empty public spaces." One such hub is slated for Verdi Square, a small, Department of Parks and Recreation owned public plaza on W. 71st Street and

Broadway. While owned by the city, the plaza—designated a Scenic Landmark by the Landmarks Preservation Commission—is maintained by a community group called Friends of Verdi Square. I support Street Deliverista Hubs in suitable locations, but Verdi Square is not one of them. PopWheels kiosks in discreet locations are far more appropriate for my district.

I would also like to see a fast approval for a large rollout of PopWheels kiosks citywide. My understanding is New York City Fire Code 309.3.3 regulates battery charging stations and states that batteries may not be charged in a cabinet without a special exemption from the fire department known as a TM-1. PopWheels is preparing to apply for the exception, which requires specialized testing that will take 3-6 months to complete. Since PopWheels is allowed to deploy kiosks as part of the pilot program, they should be granted a TM-1 exemption or, in the interim, a notice of no objection from FDNY to proceed on private property.

I look forward to speaking about installing a battery kiosk in my district as part of the pilot as well as what steps the City Council can take to be supportive of the post-pilot expansion.

Sincerely,

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive style with a large, looped "G" and "A".

Gale A. Brewer

cc: Sue Donoghue, Commissioner, New York City Parks and Recreation  
Max Vandervliet, District Manager, Community Board 7