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Testimony before the Department of Consumer and Worker Protection

Proposed Rules for Implementation of Local Laws 49 and 50 of 2024

August 30, 2024

Good morning. My name is Gale Brewer and I represent the Upper West Side, parts of Clinton, and all of Central Park in the New York City Council. In recent years, as e-bikes, e-scooters and powered mobility devices have become more prevalent, the City has experienced a rapid increase in lithium-ion battery related fires in both residential and commercial properties that not only destroy property but result in injuries and fatalities. It has been reported that an e-bike or e-scooter battery causes a fire in the City four times per week, on average.

As primary sponsor of Local Law 49 and Local Law 50, I am proud to testify in support of the proposed rules, which update and add violations related to the sale, lease, and rental of powered bicycles, powered mobility devices, and storage of batteries for such devices. Specifically:

- Local Law 49: The legislation requires all businesses that sell e-bikes, e-scooters and other personal mobility devices powered by batteries to post lithium-ion battery safety informational materials and guides. Violations for failure to post such materials would be subject to civil penalties ranging from \$150 to \$350 per violation.
- Local Law 50: This legislation authorizes the Fire Department to have concurrent authority with the Department of Consumer and Worker Protection to enforce violations related to the prohibition of the sale, lease or rental of powered mobility devices and powered bicycles that fail to meet recognized safety standards. The legislation also requires retailers to maintain records that each device sold, leased or rented is certified. It increases penalties for illegal device sales, leases or rentals, which would include sealing the premises for repeated violations.

Some of the most hazardous environments are e-bike shops, where many lithium-ion batteries are stored at once. On June 20, 2023, a fire broke out in an e-bike shop on the Lower East Side, killing four people and critically injuring two others. The Fire Department had inspected the shop in August 2022 and issued citations for safety violations related to battery charging, the number of batteries at the site and the electrical system. On June 29, City inspectors found more than 100 lithium-ion batteries, damaged batteries and overloaded power strips inside an e-bike shop on Canal Street—and several of the batteries caught fire as they were being removed from the premises.

I am committed to protecting New Yorkers from dangerous fires caused by uncertified equipment. Cities across America are grappling with lithium-ion battery fires. The absence of federal oversight means the City must continue to regulate sales and uses. Businesses must not sell unsafe products and must participate in the effort to end lithium-ion battery fires.

Thank you for the opportunity to testify.