

Congress of the United States

Washington, DC 20515

June 29, 2023

The Honorable Alexander Hoehn-Saric
Chairman
U.S. Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

The Honorable Mary T. Boyle
Commissioner
U.S. Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

The Honorable Peter A. Feldman
Commissioner
U.S. Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

The Honorable Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

Dear Chair Hoehn-Saric and Commissioners Boyle, Feldman, and Trumka Jr.:

We write to you under tragic circumstances and with dire urgency about the need to update and strengthen electric bike (e-bike) safety standards.

As you know, on June 20th, 2023, four people died after a fire erupted at an e-bike shop and spread to upper floor residences at 80 Madison Street on the Lower East Side of Manhattan. Sixteen families in the building, including 42 adults and five children also received immediate care from the American Red Cross. According to the Fire Department of New York (FDNY) the fire was caused by cheap, lithium-ion batteries – a conclusion that is sadly no longer uncommon nor shocking. We write to you today asking for an update on current efforts to enforce safety standards for these highly dangerous vehicles and to urge you to consider factors such as reasonable speed limitations and helmet mandates as you finalize federal regulations.

Our plea comes as deadly fires caused by the faulty lithium-ion batteries in e-bikes and electric scooters have become increasingly common in New York City. In fact, FDNY Commissioner Lisa Kavanaugh has cited lithium-ion batteries as the cause of 108 fires and 13 deaths in New York City this year alone.¹ While there were 44 such fires in New York City in 2020, that number grew to 220 in 2022².

Moreover, lithium-ion battery blazes are especially menacing. Not only do they spread extremely quickly as battery cells explode, but water is often insufficient to extinguish them. To prevent such tragedies, the batteries in e-bikes and scooters must meet basic safety standards and the public must be educated on the proper way to store and use such technology.

¹ <https://www.nytimes.com/2023/06/21/nyregion/e-bike-lithium-battery-fires-nyc.html#:~:text=In%20New%20York%2C%20lithium%20battery,in%20battery%20fires%20since%202021.>

² <https://www.nyc.gov/office-of-the-mayor/news/195-23/mayor-adams-plan-combat-lithium-ion-battery-fires-promote-safe-electric-micromobility#/0>

We urge the Consumer Product Safety Commission (CPSC), as the federal regulating body for e-vehicle safety, to take swift action to hold manufacturers accountable if they do not meet minimum battery safety standards. We would like to thank you for your work to begin this process and applaud your [letter](#) in December 2022 to over 2,000 companies asking them to comply with established voluntary safety guidelines. But there is still work to be done.

Now that six months have passed, we request an update on your efforts to regulate e-bikes, including:

- 1) Please inform us about which companies have responded to your letter and whether they indicated they will or will not comply;
- 2) For those that have not responded, what enforcement steps have been taken to ensure user safety?
- 3) Please provide us with a timeline and plan for how the CPSC will update and uphold these battery safety standards moving forward.

Additionally, as e-bikes and electronic scooters become increasingly ubiquitous in New York City for both recreational and commercial use, the public safety threat they pose has grown beyond battery malfunctions. The use of these vehicles on busy roads, with little protection and at high speeds – and often traveling against traffic – has resulted in hundreds of thousands of injuries. According to a study done by your office, use of e-bikes, e-scooters and hoverboards has led to 267,700 Emergency Department visits from 2017 through 2021.³ The National Transportation Safety Board also estimates 63 deaths over the course of that same timeframe.⁴

E-bikes are currently federally regulated similar to non-motorized bikes, yet injuries sustained while riding e-bikes are likely to be more serious than those on pedal-powered bikes. Dr. Charles DiMaggio, director of injury research at NYU Langone, stated that “e-bikes were three times more likely to result in hospitalization when compared to traditional pedal cycles⁵.” Evidence is now overwhelming that these products are hazardous, and it is past time for the CPSC to adequately regulate them.

We recognize current efforts to regulate the industry and thank Commissioner Boyle for [taking action](#) to kickstart a public comment period to gather information on appropriate road safety protections for e-bikes. As the agency analyzes the responses and begins to finalize federal regulations, we urge you to seriously consider mandating helmet usage for all ages, setting maximum vehicle speeds, and clarifying where such vehicles can ride and in which directions. While some of these rules exist in varying degrees at the state and local level, the CPSC should formalize federal standards to ensure consistency and safety across the country.

Furthermore, in the meantime, we urge the CPSC to host a series of informational sessions or webinars to educate riders on how to store and charge their devices as well as to remind them to wear helmets, use bike lanes, and adhere to regular traffic guidelines.

³ https://www.cpsc.gov/s3fs-public/Micromobility-Products-Related-Deaths-Injuries-and-Hazard-Patterns-2017-2021.pdf?VersionId=ZwlbrSm70AOuwb4de8hVrn63Jx_SB.e

⁴ <https://www.nts.gov/safety/safety-studies/Documents/SRR2201.pdf>

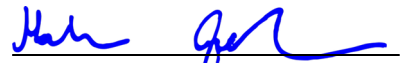
⁵ <https://pubmed.ncbi.nlm.nih.gov/31712276/>

Electric bikes, scooters and hoverboards are clearly here to stay. Their popularity has grown exponentially in recent years, and their environmental and economic benefit is significant. They help New Yorkers recreationally and commercially, allowing riders to get to their destinations quickly, cleanly, and affordably. We understand their immense value in our communities, but they must be adequately regulated to help ensure the safety of our constituents and the communities these vehicles benefit. We look forward to your response and continued partnership on this issue as we work to keep New Yorkers and all Americans safe. Thank you for your attention to his matter.

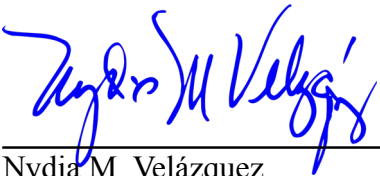
Sincerely,



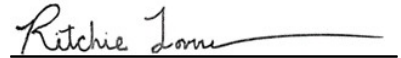
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