

COMMITTEE ON CONSUMER AND WORKER PROTECTION
CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND WORKER
PROTECTION

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February 28, 2024
Start: 11:17 a.m.
Recess: 11:25 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Julie Menin, Chairperson

COUNCIL MEMBERS:

Gale A. Brewer
Amanda Farías
Shekar Krishnan

2 SERGEANT-AT-ARMS: This is a microphone
3 check for the Committee on Consumer and Worker
4 Protection. Recorded in the Committee Room on
5 February 28, 2024, by Layla Lynch.

6 SERGEANT-AT-ARMS: Good morning,
7 everybody, and welcome to the Committee of Consumer
8 and Worker Protection.

9 Chair, we are ready to begin.

10 CHAIRPERSON MENIN: [GAVEL] Good morning
11 and welcome to today's Consumer and Worker Protection
12 Committee vote. I am Chair Julie Menin. I want to,
13 first of all, recognize my fellow Committee Members
14 who are here, Council Member Krishnan, Majority
15 Leader Fariás, and Council Member Brewer.

16 Last Friday, a fire caused by a lithium-
17 ion battery ripped through a Harlem apartment
18 building, killing 27-year-old Fazil Khan and injuring
19 22 others. We send our deepest condolences to
20 everyone affected by this tragedy, particularly Mr.
21 Khan's family and those who were injured.

22 This horrific fire, the 31st caused by
23 lithium-ion batteries in the city this year,
24 underscores the importance of two bills we are voting
25 on today. Each of these bills aims to address factors

2 that cause lithium-ion battery fires. It's critical
3 that individuals who use lithium-ion battery-powered
4 devices are aware of proper use, storage, and
5 charging practices.

6 Proposed Introduction 19-A sponsored by
7 Council Member Brewer would require all businesses
8 that sell, rent, or lease e-bikes, e-scooters, and
9 other personal mobility devices powered by lithium-
10 ion batteries to post safety information. Online
11 retailers would also be responsible for posting such
12 safety information. It is also crucial that
13 businesses that trade in lithium-ion batteries and
14 powered devices only sell, rent, or lease products
15 that have gone through testing and certification for
16 safety.

17 Proposed Introduction 21-A also sponsored
18 by Council Member Brewer would increase the penalties
19 for businesses that sell, lease, or rent illegal,
20 uncertified power mobility devices and batteries. The
21 bill would also authorize DCWP and the Fire
22 Department to seal businesses with repeat violations.

23 We are also voting on three bills that I
24 sponsored related to street vending that aim to
25 clarify and streamline requirements for mobile food

2 vendors and general vendors in New York City.

3 Proposed Introduction number 49-A would allow mobile
4 food vendors to display or store goods on top of
5 their carts and it would simplify the display
6 requirements for general vendors. This bill would
7 also remove bookkeeping requirements for general
8 vendors and mobile food vendors.

9 Proposed Introduction number 50-A would
10 eliminate the requirement that individual employees
11 of mobile food vending carts or trucks each must have
12 a New York State Certificate of Sales Tax Authority.
13 This bill would also remove the requirement that
14 vendors obtain a Tax Clearance Certificate from the
15 Department of Finance each time that they renew their
16 license.

17 Finally, Proposed Introduction number 51-
18 A would prohibit general vendors, mobile food
19 vendors, and vendor-related activity from occupying
20 bicycle lanes.

21 I now turn it over to Council Member
22 Brewer to make a statement on her legislation.

23 COUNCIL MEMBER BREWER: Thank you very
24 much, Madam Chair, and I want to reiterate that last
25 Friday, the battery fire that was in Harlem injured

2 22 people as you indicated. It's the 31st blaze
3 caused by lithium-ion batteries this year and, of
4 course, one person was killed in the fire in Harlem
5 and 18 people died last year from battery fires. We
6 have to do something about this.

7 One way I hope that 19-A will address
8 this, it's more public information about the best
9 practices for battery safety, particularly lithium-
10 ion. That's why it's an important bill. I really want
11 to thank the agency, Department of Consumer and
12 Worker Protection, to partner with us and the Fire
13 Department on this legislation.

14 Consumers should be informed, even though
15 it's in the press every single day, about the hazards
16 of lithium-ion batteries and how to mitigate those
17 hazards as soon as possible in the purchasing
18 process. Critically, this information could alert
19 consumers to the dangers of using non-original
20 equipment or using batteries other than those
21 recommended by the manufacturer. Requiring this
22 information online to also alert consumers as to the
23 New York City requirements for the certification of
24 micromobility devices to relevant safety standards.
25 We do need help from our federal partners. Otherwise,

2 we're never going to solve this problem, and I know
3 that Majority Leader Schumer and Senator Kristen and
4 Representative Torres introduced legislation to give
5 the Consumer Product Safety Commission an explicit
6 directive to write federal mandatory standards for
7 how to safely build and import those batteries.

8 Despite enjoying bipartisan support, which is also
9 rare, these bills have not been taken up for a vote,
10 either in the House or the Senate, so we need local
11 legislation.

12 21-A as you heard from the Chair, what it
13 does, we need to have e-bike repair shops to be as
14 safe as any auto repair, and this bill strengthens
15 the Department of Consumer and Worker Protection
16 enforcement capabilities including sealing authority
17 to close repeat violators, and I think it's great
18 that the Fire Department and Consumer will be working
19 together. They should have concurrent enforcement
20 authority because we never have enough people to do
21 the inspections and, as we heard earlier, it would
22 require sellers of devices display their
23 certification on the accredited testing laboratory
24 and it would increase penalties for violations and it
25 would establish recordkeeping requirement for any

2 person who distributes, sales, leases, rents, or
3 offers to sale, lease, or rent a powered bicycle,
4 powered mobility device, or storage battery for a
5 powered bicycle or powered mobility device, and it
6 would authorize both agencies to seal any premises
7 where any person is found to have violated this
8 section at least three occasions within a three-year
9 period. I do want to thank both agencies because I
10 know they're trying really hard to address this
11 issue. Thank you very much.

12 CHAIRPERSON MENIN: Thank you very much.
13 Now, I'm going to call on the Clerk for the roll call
14 vote. Thank you.

15 COMMITTEE CLERK WILLIAM MARTIN: Good
16 morning. William Martin, Committee Clerk. Roll call
17 vote, Committee on Consumer and Worker Protection.
18 All items are coupled. Chair Menin.

19 CHAIRPERSON MENIN: Aye on all and
20 congratulations to Council Member Brewer.

21 COMMITTEE CLERK WILLIAM MARTIN: Abreu.
22 Brewer.

23 COUNCIL MEMBER BREWER: I vote aye and
24 thank you to the Chair for your leadership on this
25 issue, too.

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2 COMMITTEE CLERK WILLIAM MARTIN: Farías.

3 COUNCIL MEMBER FARÍAS: I vote aye on all,
4 and I'd like to be added to the bills on today's
5 Committee vote and congratulations, Council Member
6 Brewer and thank you, Chair, for talking about these
7 issues that are extremely important, especially to
8 Bronxites.

9 COMMITTEE CLERK WILLIAM MARTIN: Thank
10 you. Krishnan.

11 COUNCIL MEMBER KRISHNAN: Aye on all.
12 Thank you, Council Member Brewer and Chair Menin, for
13 this important issue.

14 COMMITTEE CLERK WILLIAM MARTIN: Ossé.
15 Won.

16 With a vote of four in the affirmative,
17 zero in the negative, and no abstentions, all items
18 have been adopted by the Committee.

19 COUNCIL MEMBER BREWER: Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 3, 2024