

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND EMERGENCY
MANAGEMENT

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September 14, 2023
Start: 10:37 a.m.
Recess: 10:44 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Joann Ariola, Chairperson

COUNCIL MEMBERS:

David M. Carr
Carmen N. De La Rosa
Oswald Feliz
Robert F. Holden
Ari Kagan
Kevin C. Riley
Lynn C. Schulman
Kalman Yeger

OTHER COUNCIL MEMBERS ATTENDING:

Keith Powers

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2 SERGEANT-AT-ARMS: Good morning. This is a
3 microphone check for the Committee on Fire and
4 Emergency Management. Today's date is September 14,
5 2023, located in the Committee Room, recording done
6 by Pedro Lugo.

7 SERGEANT-AT-ARMS: Good morning and
8 welcome to the New York City Council vote of the
9 Committee on Fire and Emergency Management.

10 At this time, can everybody please
11 silence your cell phones? Thank you for your
12 cooperation.

13 Chair, we are ready to begin.

14 CHAIRPERSON ARIOLA: [GAVEL] Good morning.
15 I'm Council Member Joann Ariola, Chair to the
16 Committee on Fire and Emergency Management.

17 Today, I'm joined by Council Members
18 Holden, Carr, Majority Leader Powers, Schulman,
19 Kagan, Feliz, Riley, and De La Rosa.

20 Today, we will be voting on Intro. 949-A
21 sponsored by Majority Leader Powers. Intro. 949-A
22 would require an office or agency designated by the
23 Mayor to establish a two-year program which would
24 give individuals the ability to receive new powered
25 mobility devices or lithium-ion batteries that meet

2 relevant fire safety standards. These devices and
3 batteries would be provided at a reduced cost or no
4 cost and would be available in exchange and surrender
5 of devices that do not comply with relevant fire
6 safety standards or are otherwise illegal.

7 The bill would also require the City to
8 conduct a multilingual outreach campaign regarding
9 the trade-in program to ensure significant
10 participation to remove as many dangerous devices as
11 possible.

12 Before I turn the microphone over to
13 Majority Leader Powers for his remarks on this bill,
14 I would like to make one brief on this issue. As
15 we've learned over hearings over the past year on e-
16 bikes and lithium-ion batteries, there has been
17 exponential growth in deadly fires related to the
18 misuse and improper storage of lithium-ion batteries,
19 specifically those used to power mobility devices. By
20 passing legislation, we're hopefully building upon
21 prior Council measures to ban the sale of
22 noncertified power mobility devices and batteries,
23 accelerating the process of removing dangerous
24 devices that are present on our streets. Our goal is
25 to greatly reduce and eliminate unnecessary fires and

2 to protect innocent New Yorkers. My heart goes out to
3 all the families who have lost loved ones due to
4 these tragic fires.

5 I will now invite our bill sponsor,
6 Majority Leader Powers, to speak on his bill.

7 MAJORITY LEADER POWERS: Thank you, Chair.
8 Thank you for giving me an opportunity today to join
9 you and to speak on my bill.

10 We're today voting on a bill that I
11 introduced, 949-A, which I introduced the ongoing and
12 urgent crisis in our communities. So far in 2023
13 alone, there have been 175 fires, 96 injuries, and 14
14 deaths caused by e-bike battery explosions, an
15 average of about four battery-related fires every
16 single week. These fires damage homes, they displace
17 fires, and they lead to far too many devastating
18 injuries and deaths across our city, and I think
19 we're all here today with the same goals to prevent
20 these fires, get unsafe batteries off the streets and
21 out of our homes, and to save lives.

22 Intro. 949-A creates a first-in-the-
23 nation municipal trade-in program to exchange
24 uncertified batteries in e-bikes for high-quality
25 safe replacements at reduced or no cost. For delivery

workers who can't afford high-priced batteries and bikes, they'll have the opportunity to do the right thing and bring in their unsafe equipment and receive a safe replacement because no one wants these dangerous batteries in their homes or their buildings. This program will help folks access a safe, certified alternative, and we have models like that in our gun buyback program here in the City to make sure we get dangerous items off of the streets.

Ultimately, the responsibility for this crisis lies with delivery companies who we believe should provide the workers with safe equipment, and I know my Colleagues and I will continue to put forward solutions to this issue, and I want to note that we're joined here today by Council Member Feliz, introducing a bill today to require that apps require that they're folks are using safe batteries and bikes in the future, and, of course, this week will be the beginning of the law that we passed that Council Member Feliz introduced to require that stores no longer sell unlicensed, uncertified, unsafe batteries. We are in the middle of a battle for safety here around e-bikes. I think these three bills

2 plus more will provide a clear path to keeping New
3 Yorkers safe.

4 I want to thank Chair Ariola for bringing
5 this bill up for a vote today. I want to thank all
6 the Colleagues and Sponsors who have been supportive.
7 I want to thank my team, to Ben and Hayley, who've
8 worked hours and hours trying to get this bill passed
9 and get it to today's vote. I want to thank the
10 Deputy Mayor Joshi and the Fire Commissioner Laura
11 Kavanagh for their work and all our partners in the
12 Administration. This is one step. We have a lot more
13 to go and look forward to continuing to work with
14 Colleagues to address this crisis. Thank you.

15 CHAIRPERSON ARIOLA: Thank you. I will now
16 yield the microphone to the Clerk for a vote.

17 COMMITTEE CLERK WILLIAM MARTIN: Thank
18 you. Good morning. William Martin, Committee Clerk.
19 Roll call vote Committee on Fire and Emergency
20 Management, Proposed Introduction 949-A. Chair
21 Ariola.

22 CHAIRPERSON ARIOLA: Yes.

23 COMMITTEE CLERK WILLIAM MARTIN: Holden.

24 COUNCIL MEMBER HOLDEN: Aye.

25 COMMITTEE CLERK WILLIAM MARTIN: Riley.

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2 COUNCIL MEMBER RILEY: Aye.

3 COMMITTEE CLERK WILLIAM MARTIN: Feliz.

4 COUNCIL MEMBER FELIZ: Permission to
5 explain my vote.

6 CHAIRPERSON ARIOLA: Granted.

7 COUNCIL MEMBER FELIZ: Thank you,
8 everyone. Proudly vote aye. I just want to
9 congratulate Majority Leader Keith Powers on making
10 this bill and this battery swap program a reality.
11 Making sure that our delivery workers have access to
12 safe equipment so that they could be safe when
13 they're working and when they're at home.

14 I also want to congratulate our
15 deliveristas and thank them for everything that they
16 do for the City of New York. Aye. Thank you.

17 COMMITTEE CLERK WILLIAM MARTIN: De La
18 Rosa.

19 COUNCIL MEMBER DE LA ROSA: Aye.

20 COMMITTEE CLERK WILLIAM MARTIN: Schulman.

21 COUNCIL MEMBER SCHULMAN: Aye.

22 COMMITTEE CLERK WILLIAM MARTIN: Carr.

23 COUNCIL MEMBER CARR: Aye.

24 COMMITTEE CLERK WILLIAM MARTIN: Kagan.

25 COUNCIL MEMBER KAGAN: Aye.

2 COMMITTEE CLERK WILLIAM MARTIN: With a
3 vote of eight in the affirmative, zero in the
4 negative, and no abstentions, item has been adopted
5 by the Committee.

6 The roll will be held open at request of
7 the Chair.

8 CHAIRPERSON ARIOLA: Thank you all and
9 congratulations, Majority Leader Powers.

10 COMMITTEE CLERK WILLIAM MARTIN:
11 Continuation roll call, Committee on Fire and
12 Emergency Management. Council Member Yeger.

13 COUNCIL MEMBER YEGER: Thank you. Madam
14 Chair, may I be excused to explain my vote?

15 CHAIRPERSON ARIOLA: Yes.

16 COUNCIL MEMBER YEGER: I will vote in
17 favor of this bill with reservations that I just want
18 to speak about very briefly. We have to do whatever
19 we can to remove these very dangerous things from
20 people's homes, from people's lives, from the streets
21 of the city, but at the same time my concern, and
22 this is really a balancing act vote, is that we're
23 subsidizing bad behavior. These are unlicensed,
24 unregistered motor vehicles on the streets of the
25 city that are increasingly, increasingly dangerous,

2 and together with these batteries that are exploding,
3 they're even more so dangerous so, while I vote yes,
4 my reservations are that we're telling the city that
5 it's okay for these dangerous vehicles to be all
6 around the streets of the city. I'm voting yes
7 because, at the same time, we have to get these
8 batteries out of people's homes. They're blowing
9 things up, they're burning buildings down, and
10 they're killing people, and on that very, very tight
11 balancing act, I vote aye. Thank you.

12 CHAIRPERSON ARIOLA: Thank you.

13 COMMITTEE CLERK WILLIAM MARTIN: Thank
14 you. Vote is now currently nine in the affirmative.

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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 September 18, 2023