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Int. No. 961

By Council Members Feliz, Abreu, Louis and Morano

A Local Law to amend the New York city fire code, in relation to amending the requirements for battery charging areas for powered mobility devices

Be it enacted by the Council as follows:

Section 1. Section 309.3.3 of the New York city fire code, as added by local law number 47 for the year 2022, is amended to read as follows:

309.3.3 Battery charging areas. Powered industrial trucks[,] and powered industrial equipment [and powered mobility devices] using a storage battery shall be charged in a suitable indoor room or area or outdoor location that:

1. has sufficient natural or mechanical ventilation in accordance with the Mechanical Code to prevent the accumulation of any flammable or other gases that may be discharged during normal charging operations;

2. has an adequate electrical supply and a sufficient number of electrical receptacles to allow the charging equipment for each truck[,] or item of equipment [or device] to be directly connected to a receptacle. Extension cords and power strips shall not be used. A minimum of 3 feet (914 mm) shall be maintained between each truck[,] or item of equipment [or device] during charging operations;

3. has an adequate electrical supply and a sufficient number of electrical receptacles to allow the charging equipment for battery packs and other removable storage batteries to be directly connected to a receptacle. Extension cords and power strips shall not be used. Battery packs and other removable storage batteries shall not be stacked or charged in an enclosed cabinet (unless the cabinet is specially designed and approved by the department for such purpose). Except as otherwise approved by the department, a minimum distance of 2 feet (610 mm) shall be maintained between each battery pack or other removable storage battery during charging operations, provided that the aggregate energy capacity of battery packs or other removable storage batteries that can be charged in a single fire area does not exceed 20 kWh. A minimum distance of 3 feet (914 mm) shall be maintained if the aggregate energy capacity exceeds 20 kWh. The aggregate energy capacity of battery packs or other removable batteries that can be charged in a single fire area shall not exceed 50 kWh.

4. is not used for the storage of combustible materials, combustible waste or hazardous materials;

5. is separated by a fire barrier with a minimum one-hour fire-resistance rating from areas in which repairs

or other servicing is conducted on the storage battery or other electrical components of the truck[,] or item of equipment [or mobility device];

6. where six or more trucks[,] or items of industrial equipment [or devices] using a storage battery are being charged at a single indoor location, is dedicated for battery charging and secured from unauthorized entry; separated by a fire barrier which encloses the entire space with a minimum one-hour fire-resistance rating; and protected by a fire sprinkler system and one or more smoke detectors or smoke alarms. If the building or occupancy is equipped with a fire alarm system, the smoke detector shall be connected to such system. If the ambient temperature of the room during battery charging operations exceeds the limitations set forth in the manufacturer's instructions or the equipment listing, the room or area shall be temperature controlled to prevent over-heating or other unsafe battery condition; and

7. is provided with a portable fire extinguisher complying with the requirements of FC906 having a minimum 4-A:20-B:C rating.

§ 2. Section FC 309 of the New York city fire code is amended by adding a new section 309.3.3.1 to read as follows:

309.3.3.1 Battery charging areas for powered mobility devices. Powered mobility devices using a storage battery shall be charged in a suitable indoor room or area or outdoor location that:

1. has sufficient natural or mechanical ventilation in accordance with the Mechanical Code to prevent the accumulation of any flammable or other gases that may be discharged during normal charging operations;

2. has an adequate electrical supply and a sufficient number of electrical receptacles to allow the charging equipment for battery packs and other removable storage batteries to be directly connected to a receptacle. Extension cords and power strips shall not be used. Battery packs and other removable storage batteries shall not be stacked or charged in an enclosed cabinet (unless the cabinet is specially designed and approved by the department for such purpose). Except as otherwise approved by the department, a minimum distance of 2 feet (610 mm) shall be maintained between each battery pack or other removable storage battery during charging operations, provided that the aggregate energy capacity of battery packs or other removable storage batteries that can be charged in a single fire area does not exceed 20 kWh. A minimum distance of 3 feet (914 mm) shall be maintained if the aggregate energy capacity exceeds 20 kWh. The aggregate energy capacity of battery packs or other removable batteries that can be charged in a single fire area shall not exceed 50 kWh.

3. is not used for the storage of combustible materials, combustible waste or hazardous materials;

4. is separated from motor vehicles by a minimum of 3 feet;

5. is separated by a minimum of 3 feet from areas in which repairs or other servicing is conducted on the storage battery or other electrical components of the mobility device;

6. is provided with a portable fire extinguisher complying with the requirements of FC906 having a minimum 4-A:20-B:C rating.

§ 3. This local law takes effect 180 days after it becomes law.

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