



peopleforbikes

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January 24, 2024

To: Senator Liz Krueger
Chair, Finance Committee
416 Capitol
Albany, New York 12224

Member Helene E. Weinstein
Chair, Ways and Means Committee
923 LOB
Albany, New York 12248

Testimony of PeopleForBikes to Joint Transportation Committee

Chair Krueger and Chair Weinstein;

PeopleForBikes appreciates the opportunity to submit written testimony regarding Governor Hochul's FY 2024 New York State Budget. We are writing in support of proposals that would:

1. Improve public safety by establishing state-wide testing standards for e-mobility devices, e-bikes and lithium-ion batteries; and
2. Save lives by enacting Sammy's Law and enabling the selective lowering of speed limits by local municipalities in school zones and for traffic calming.

About PeopleForBikes

The PeopleForBikes Coalition is the sole trade association for U.S. manufacturers, suppliers and distributors of bicycle products, including electric bicycles. In 2019 PeopleForBikes merged with the Bicycle Product Suppliers Association (BPSA) to form a single trade association to represent the interests of the U.S. bicycle industry. We have over 330 members that produce goods in every segment of the bicycle market, from high-end competition bicycles to affordable kid's bikes. Our members produce the full range of components, parts, and accessories used for bicycling, as well as electric bicycles. Our membership is a true cross section of the U.S. bicycle industry.

PeopleForBikes has been the leader in working state-by-state to create modern, harmonized standards for regulation of electric bicycles throughout the United States. PeopleForBikes developed the Three-Class Model Law¹ to better define and regulate the various types of electric bicycles, which has now been adopted in whole or part by 40 states (including New York) and the federal government.²

PeopleForBikes publishes an electric bicycle-specific E-Bike Owner's Manual for use by the industry with new electric bicycles. We worked with the League of American Bicyclists and Bicycle Colorado to develop consumer directed online E-bike safety education, [E-bike Smart](#). With our partner, Call2Recycle, PeopleForBikes created the first program for safe [recycling](#) of used or damaged batteries from electric bicycles.

PeopleForBikes also leads on creating safe places to ride bicycles. Our innovative [Great Bicycle Infrastructure Project](#) tracks well over 1,300 state and local bicycle infrastructure and recreational trail initiatives across the country. We work with national, state and local advocates and organizations to advance and fund these projects, and help develop more effective local advocacy organizations and people. Click on our [interactive map](#) to view the dozens of projects pending in New York.

As the trade association for the U.S. bicycle industry and a leading national advocate for safe streets and bicycle infrastructure, PeopleForBikes welcomes and supports the following proactive proposals in the FY 2024 Budget.

Enact Reasonable E-mobility Device and Battery Testing Standards

It is extremely concerning to PeopleforBikes and our members that the number of battery-related fires, injuries and deaths associated with the use of e-mobility devices has grown suddenly and dramatically in recent years. We fully support the passage of reasonable testing requirements for these devices and the lithium ion batteries that power them, as proposed in the FY 2024 Budget.

In response to the growing crisis of battery-related fires, the U.S. Consumer Product Safety Commission (CPSC) issued a [letter](#) in December, 2022 to 2,000 manufacturers of e-bikes and e-scooters urging them to have their products certified to applicable voluntary safety standards by accredited laboratories. PeopleForBikes promptly engaged with the CPSC and proposed the adoption of mandatory standards for lithium ion batteries used in all e-mobility devices. We have continued to support regulation at the federal level to address the safety threat posed by poorly designed

¹ <https://www.peopleforbikes.org/electric-bikes/policies-and-laws>

² The National Park Service adopted the three class system by regulation in 2021, 36 C.F.R. 1.4(a). In authorizing funding for bicycle transportation facilities in 2021, Congress adopted the three class system in defining the term "electric bicycle" in 23 U.S.C. § 217(j)(2).

and noncompliant batteries that lack important safeguards. PeopleForBikes provided [testimony](#) at the CPSC's July, 2023 forum on battery safety, again urging federal regulation of lithium ion batteries. We have also supported legislation introduced by New York's Congressional delegation that would require the CPSC to promulgate lithium ion battery regulations for e-mobility devices.³ The CPSC has recently announced their intention to conduct a rulemaking for e-mobility batteries in their proposed 2024 budget, which is still pending Congressional approval.

Many of these battery fires occurred in New York City, and city leaders have very appropriately enacted responsive measures, including Introduction 0663A.⁴ This was the very first law in the entire country to require that lithium ion batteries, powered bicycles (e-bikes) and electric powered scooters sold in New York City be tested by an accredited laboratory to specific safety standards. Several bills have been introduced in the New York Legislature to regulate e-mobility devices and batteries on a state-wide basis, and other states and cities are considering similar measures.

Because electric bicycles sold in the United States are manufactured, distributed and sold on a global basis, there are a variety of applicable and effective safety standards. This has complicated the effort to quickly craft a regulatory approach that fairly distinguishes safe, test and compliant products from unsafe products that need to be excluded from the market. PeopleForBikes has worked to promote awareness that adoption of a single safety standard for electric bicycles would inappropriately exclude many safe products from the market, adversely affecting our members, local retailers, and consumers who purchase and use electric bicycles.

EN 15194: The Proven European Standard for Safe Electric Bicycles

Electric bicycles have been widely adopted in European countries for many years and now comprise as much as 50% of all new bicycle sales. As such, the European Union has long been a leader in developing safety and testing standards for these products. The complete electric bicycle safety standard for European and other international markets, known as EN 15194, is very similar to the newer UL 2849 standard and references many of the same underlying individual electrical component safety standards.⁵ These underlying component-level standards for lithium ion batteries and chargers include international electrical (IEC) standards, UL standards, and other standards such as [EN 50604](#) that are widely used to demonstrate the safety of lithium ion traction batteries, chargers and associated electrical componentry.

³ HR1797/S.1008, the Setting Consumer Standards for Lithium Ion Batteries Act.

⁴ Int. 0663A is now codified as §§ 20-609 - 610, administrative code of the city of New York.

⁵ UL has published an informational webinar comparing UL 2849 and EN 15194: <https://www.ul.com/resources/comparison-e-bikes-standards-en-15194-and-ul-2849>

Importantly, the development and widespread use of EN 15194 since its adoption in 2009 as a European Common Market regulatory requirement has largely prevented lithium ion battery fires in Europe, with the notable exception of low-quality and untested [batteries](#) and “conversion kits” recently being sold online.

In the absence of a U.S. standard for e-bikes until the publication of UL 2849 in 2020, leading electric bicycle drive system manufacturers, including Shimano and SRAM, developed their systems using the most complete and stringent standard available: the EN 15194 electrical system standard.⁶ To date, millions of electric bicycles have been manufactured and sold around the globe that have drive systems and batteries tested to EN 15194. PeopleForBikes members distribute their products in multiple markets, including Europe, and many of the electric bicycles in use in the United States have drive systems and batteries that are tested and certified to the EN 15194 standard, which is by far the prevailing global safety standard for these products.

PeopleForBikes is not aware of any report of a lithium ion battery fire related to an electric bicycle with a drive system that was certified for compliance with EN 15194. These are simply not the products that have been implicated in recent and tragic battery fires.

Of course, the overall purpose achieved by both UL and EN standards is exactly the same: to evaluate possible electrical hazards, address them with clear technical standards, and enable manufacturers to use a uniform, accepted standard for design and testing of safe drive systems and batteries for electric bicycles. Both standards accomplish this in a nearly identical way by requiring the battery pack to incorporate a battery management system to guard against overcharging, short circuits, and other known causes of thermal runaway. In fact, [California](#) recently adopted EN 15194 as an acceptable standard for establishing the safety of electric bicycles, and the standard is cited in a recent [informational bulletin](#) on lithium ion battery safety issued by CalFire under the auspices of the State Fire Marshal.

Allowing the sale of all e-mobility devices and batteries that are proven to meet accepted safety standards, while prohibiting the sale of untested and noncompliant devices, is clearly also the intent of the bill language proposed in the FY 2024 budget. PeopleForBikes supports this legislative initiative.

⁶ EN 15194 is actually much broader than UL 2849 in that it is a “whole product” standard that also contains test standards for the various mechanical aspects of an electrical bicycle, such as frame and fork fatigue and impact testing, brake requirements, and more. In the United States, the mechanical aspects of an electric bicycle are subject to 16 C.F.R. 1512, the federal bicycle safety standard.

Sammy's Law

PeopleForBikes was pleased to see the inclusion of Sammy's Law (S2422) in the FY 2024 Budget. If approved, Sammy's Law would allow municipalities to set lower speed limits on city streets and especially in school zones.

Plainly stated, this proposal is a life saver. Vehicle speed is one of the most influential factors in determining if crashes will be fatal for people walking or biking who are struck by vehicles. [Studies](#) have found that people struck by a car traveling 20 miles per hour (mph) have a 95% chance of survival, while the chance of survival plummets with only marginal increases in vehicle speed. Additionally, [research](#) has shown that people struck by vehicles traveling 20 mph are five times less likely to die than those struck by vehicles traveling at 35 mph. A New York City Department of Transportation [study](#) on "neighborhood slow zones" illustrates that lowering speed limits from 25 to 20 mph translates to slower vehicle speeds and decreased injury rates across the city. The data clearly illustrates that lowering speed limits is one of the most effective strategies to save lives.

Lowering posted speed limits in New York City and other communities is necessary because there has been a steep and alarming [rise in fatalities](#) for people walking and biking. Not only is there an incalculable human cost to traffic violence, but speed-related crashes create an immense financial burden that costs the U.S. nearly \$350 billion every year. Sammy's Law will give the power to lower speed limits in a way that is tailored to neighborhoods' actual safety needs. PeopleForBikes supports Sammy's Law and calls on the state legislature to pass this life-saving legislation.

Conclusion

PeopleForBikes fully supports the enactment of state-wide testing standards for e-mobility devices, e-bikes and lithium-ion batteries, as proposed in Governor Hochul's FY 2024 Budget, as well as the passage of Sammy's Law, which will improve safety for pedestrians and cyclists in New York. We appreciate your consideration of these comments, and stand ready to provide any additional information desired.

Respectfully submitted,



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