



WRITTEN STATEMENT OF PROPOSED TESTIMONY

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BEFORE
THE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON
EMERGENCY MANAGEMENT AND TECHNOLOGY

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Good morning, Chairman D'Esposito, Ranking Member Carter, and the members of the Subcommittee on Emergency Management and Technology.

As Chief Fire Marshal of the New York City Fire Department ("FDNY"), I want to express gratitude to the members of the Subcommittee for holding today's hearing and to Chairman D'Esposito for inviting me to discuss the dangers of fires involving lithium-ion batteries in micromobility devices. In 2023, New York City experienced 268 fires caused by these batteries in e-bikes, e-scooters, and other micromobility devices. As a result, 150 people were injured and 18 people were killed. These staggering numbers reflect a crisis that has ballooned over a very short period. We've seen this problem most acutely in New York. The city has a thriving delivery culture and thousands of delivery workers and messengers who use e-bikes. Many of the deadliest fires have been caused by e-devices being kept in residential homes and apartments. We have begun to see similar issues coast to coast, in communities of all sizes. I speak with counterparts in fire departments across the country and many report the emergence of lithium-ion battery fires and ask for guidance on how to grapple with the issue.

To grasp the urgency of this problem, it's important to understand that fires caused by lithium-ion batteries are more intense and more dangerous than traditional, smoldering fires. Upon ignition, unsafe batteries enter a process called thermal runaway. They undergo a series of explosions, releasing highly toxic gasses, and projecting flaming cells that can travel great distances, increasing the likelihood that the fire will spread. These fires instantly create severely

dangerous conditions, rendering escape for anyone nearby significantly challenging. This is especially true if a fire occurs at night when an occupant is sleeping.

Additionally, lithium-ion battery fires require large volumes of water to suppress and can reignite spontaneously, making them extremely difficult for firefighters to extinguish. They also pose uniquely grave dangers for the first responders who respond to these fires and risk their lives every day to protect life and property. One example of the detrimental results of these fires occurred last November, killing three generations of a family in one fire. 81-year-old Albertha West, her son, 58-year-old Michael West, and her grandson, 33-year-old Jamil West perished in that deadly fire because an e-bike containing an uncertified lithium-ion battery erupted in flames. Unfortunately, these fires continue to plague our city and nation.

In my nearly 20-year career, I would be hard-pressed to identify another instance in which a new cause of fires originated and, in only a few years, became one of the leading causes of fatal fires. The FDNY has adjusted quickly, creating new operational procedures for responding, ensuring that the devices are fully under control, and disposing of uncertified batteries and hazardous materials. We created task forces of inspectors who proactively inspect bike shops, respond to complaints, and frequently visit locations most likely to experience problems. We amended department policies, enabling administrative companies to respond immediately to reports of hazardous conditions. We also created robust informational campaigns to educate members of the public about best practices for avoiding problems with their devices. Most importantly, we extensively engaged with our local, state, and federal legislators, seeking

support for new laws to help curb the deadly effects of these devices.

At the federal level, New York City respectfully asks Congress to pass H.R. 1797, the Setting Consumer Standards for Lithium-Ion Batteries Act, which would require the Consumer Product Safety Commission to issue a mandatory national standard for these devices. This legislation has bipartisan support and unanimously passed the House Energy and Commerce committee, which is fitting, as these deadly fires do not discriminate: we see them in large cities and small rural areas, in red and blue states alike. Americans need of the protection of Congress, and we hope that this bill is called to an early vote on the House floor.

As we look forward, the experience of lithium-ion batteries serves as a critical reminder of the importance of having public safety entities and first responders at the table when policy is made. Electrification technology is exciting, and there is no shortage of innovators striving to find better solutions. However, it is essential that we implement new technology in concert with an appropriate focus on public safety.

I thank you for your attention to this issue. I am appreciative of the work that you are doing to pass this important legislation, and I know that I share that sentiment with the brave members of the FDNY and grateful firefighters and emergency responders across the country.