Comments Received by the Department of Consumer and Worker Protection on

Opportunity to Comment on Local Law 39

From: krehberger@aol.com
To: rulecomments (DCWP)
Subject: [EXTERNAL] Comment on Local Law 39
Date: Thursday, April 3, 2025 11:38:31 AM

I am FOR any and all laws that will make purchasing and storing e-bikes SAFER for all New York City Citizens
Resident of Glendale NY 11385
Ken Rehberger

From: David Achelis
To: rulecomments (DCWP)
Subject: [EXTERNAL] E Bikes
Date: Thursday, April 3, 2025 5:50:02 PM

We need to start adding MORE safety measures to the laws regarding E-bikes and batteries, and E-bikes have no place in our subway system!

David Achelis
President
West 50s Neighborhood Association
211 West 56th Street #22E
New York, NY 10019

From: Matt VanEnkevort
To: rulecomments (DCWP)
Subject: [EXTERNAL] Local Law 39 Comment - Battery Safety
Date: Friday, April 18, 2025 5:03:43 PM
Attachments: Outlook-1flem0ec.png

Dear DCWP,

Per your request for comments on certification standards regarding electric assist vehicles, I'd like to share our experience as a manufacturer of ebikes for more than 15 years.

While Underwriters laboratories highly professional testing and certification services, they are not the only organization doing so. Europe is far ahead of the United States in electric mobility, and specifically ebikes and their motor and battery systems. They have done extensive testing to validate their safety standards and have proven their regulations to be effective in ensuring safe and responsible mobility systems. The EN 15194 standard is at least as comprehensive as the UL tests, and has been in widespread use in Europe, where ebike usage is nearing 50% of the cycling public.

Since the bicycle market is global, and since Europe has proven their standard, it is advantageous to consumers and retailers to be able to sell responsibly tested ebike systems that meet global standards. I strongly encourage you to consider the EN standard as equivalent to the UL.

Sincerely,

Matt VanEnkevort
CEO
Marin Mountain Bikes, Inc.
Office: [redacted]
Direct: [redacted]

From: Tejus Shankar
To: rulecomments (DCWP)
Cc: Miller Nuttle
Subject: [EXTERNAL] Comments on Local Law 39
Date: Thursday, May 1, 2025 2:37:09 PM
Attachments: DCWP Notice of Opportunity to Comment_Lyft_Citi Bike.pdf

Hello DCWP team,

Please find attached Lyft's comments in response to DCWP's Local Law 39 of 2023 related to the certification standards required for the sale of powered bicycles, powered mobility devices, or storage batteries.

Lyft operates the Citi Bike system in New York City and is providing our comments as the operator of the largest powered micromobility bikeshare provider in North America. Please let us know if you have any questions with regards to our submitted comments.

Best regards,
Tejus

--

Tejus Shankar (he/him)
Policy Development Manager
mobile: [redacted] | LinkedIn

Lyft Bikes and Scooters, LLC
185 Berry St. Suite 400
San Francisco, CA 94107

May 1, 2025

New York City Department of Consumer and Worker Protection (DCWP)
Commissioner Vida Vera Mayuga
42 Broadway
New York, NY 10004
Rulecomments@dcwp.nyc.gov

Subject: Comments on Local Law 39 (LL39) related to the certification standards required for the sale of powered bicycles, powered mobility devices, or storage batteries

Dear Commissioner Mayuga,

Lyft Bikes and Scooters, LLC ("Lyft") appreciates the opportunity to submit the following comments to DCWP regarding your call for comments on LL39 and the certification standards required for the sale of ebikes. Lyft operates bikeshare systems in the largest cities in the United States, including the Citi Bike program in New York City. Our team works closely with partners like NYCDOT to provide a more sustainable form of mobility that people love and cities need.

The past few years have seen a tremendous increase in bikeshare ridership, and our riders have a growing preference for ebikes. Ebikes accelerate bikeshare adoption and provide a valuable tool for delivering more equitable access to urban mobility. Our data clearly shows this: within Citi Bike's reduced fare bikeshare program, nearly 75% of rides by our income-eligible members are on ebikes. In 2024, 66% of Citi Bike rides were on an ebike, despite making up less than 40% of the fleet. In addition, 81% of all interborough trips in New York City made on a Citi Bike were by an ebike showcasing the power of this device to replace car trips and get people over bridges.

Ebikes represent a huge opportunity to serve as a car-replacement, drive mode-shift towards a cleaner transportation alternative, and grow a new rider base. However, the surging demand for ebikes in the consumer marketplace has led some overseas manufacturers to offer lower cost ebikes, batteries, and chargers that have not undergone rigorous safety testing. That is not the case for Citi Bike. The ebikes part of the Citi Bike program meet both UL 2849 and EN 15194 standards, and our team highly recommends the inclusion of both of these standards to promote device safety and ultimately rider safety in New York City.

The following comments are submitted in response to the DCWP's request for feedback on additional safety standards for ebikes, specifically regarding the consideration of EN 15194 alongside UL 2849.

Technical Differences and Fire/Safety Impacts of UL 2849 and EN 15194:

- **Electrical Safety:** UL 2849 provides robust and comprehensive testing for e-bike systems including: batteries, motors and motor controllers, wiring and on-bike charging. UL 2849 also reviews materials in terms of flammability properties. The latest version of EN 15194 also provides similar coverage for electrical systems. The latest version includes a more stringent battery certification requirement than previous editions. EN 15194 also provides requirements for lighting and EMI/EMC. UL 2849 does not address these areas. Ideally, a more comprehensive assessment would involve adherence to both standards.
- **Component Requirements**: A concern has been raised regarding EN 15194's previous reference to the EN 62133 battery standard, which is a generic lithium-ion battery standard and may not be sufficiently stringent. However, it's important to note that the latest version of EN 15194 has replaced EN 62133 with EN 50604. EN 50604 is a more robust battery standard that is comparable to UL 2271 and includes additional testing, making it a reliable standard for battery safety. EN 15194 also contains a large body of requirements that focus on the mechanical integrity of the e-bike. EN 15194 has integrated most requirements from the globally recognized standard ISO 4210. In this regard, EN 15194 does provide a single standard that addresses battery, electrical and mechanical safety. Mechanical safety in the US is addressed by a separate standard (Title 16 CFR 1512). There are no regulations for bicycle lighting in the US other than US State law prescribes.
- **Production Surveillance**: Both UL 2849 and EN 15194 incorporate annual audits at the manufacturer's facility. This audit process ensures production compliance. This is an important factor to ensure that all products manufactured on an ongoing basis do not incorporate changes that could affect the original certification for safety. Ongoing design changes can trigger recertification requirements and retesting. This retesting qualifies the changes in terms of the requirements contained in each standard. The audit process is there to ensure all changes are evaluated before introduction into the market.

Considering the comprehensiveness of EN 15194 and the improvement in its battery requirements, we recommended that DCWP consider accepting EN 15194 as an additional safety standard for ebikes, and ideally, consider both UL 2849 and EN 15194 in certifying powered bicycles. This would provide consumers with a broader range of certified and safe options while maintaining a high level of safety.

Best,

Miller Nuttle

Miller Nuttle
Director, Transit and Micromobility Policy

From:	Matt Shelton
To:	rulecomments (DCWP)
Subject:	[EXTERNAL] Rule Comments Local Law 39
Date:	Tuesday, April 29, 2025 2:32:00 PM
Attachments:	image001.png Local Law 39_sect 20-610 comments 042825.docx

---

Thank you,

Matthew Shelton
Kona Bicycle Company
WhatsApp (USA): [redacted]

Dear DCWP representative,

Based on the acceptance of UL 2849 standard for e-bike safety and resale in New York it is only sensible to also accept EN 15194 testing standards as they go above the UL test standards in many ways. Ebike component suppliers, resellers and consumers have relied on the EN 15194 standards to ensure consumer safety in the global market for years. The EN 15194 standard is the global benchmark for safety and consumer protection even when compared to the UL 2849 standard.

1. **Comprehensive Electrical Safety Standards**: EN 15194 provides robust testing criteria for electrical circuits, including temperature, isolation resistance, dielectric strength, component fault, locked rotor motor, and running overload. These standards ensure the safe operation of e-bikes and reduce the risk of electrical malfunctions that could lead to fires.
2. **Enhanced Component Requirements**: EN 15194 includes detailed requirements for motors/controllers, circuit boards, cables, connectors, and flame-resistant non-metallic enclosures. It also emphasizes UV and corrosion-resistant enclosures, permanent marking, and circuit spacings, which contribute to the durability and safety of e-bikes, minimizing fire risks.
3. **Production Surveillance and Quality Control**: EN 15194 incorporates stringent production surveillance measures, including inspections and quality control processes. These measures ensure consistent manufacturing standards, reducing the likelihood of defects that could compromise safety.
4. **Global Recognition and Compatibility**: EN 15194 is widely recognized in Europe and aligns with international safety standards. Accepting EN 15194 would facilitate global trade and ensure that e-bikes sold in New York City meet internationally accepted safety benchmarks.
5. **Reliable Testing Processes**: EN 15194 compliance is verified by accredited third-party laboratories and manufacturers, ensuring impartial and thorough testing. This process guarantees that products meet the required safety standards before entering the consumer marketplace.
6. **Consumer and Regulatory Identification**: EN 15194-certified products can be reliably identified through permanent markings and documentation, making it easier for consumers, the Department, and the Fire Department to verify compliance in the marketplace.

By adopting EN 15194 alongside UL standards, the Department would enhance safety, promote international consistency, and provide consumers with a broader range of certified, safe e-bike options.

From:	Maxime Renson
To:	rulecomments (DCWP)
Subject:	[EXTERNAL] Public Comment Supporting the Adoption of EN 15194 as a Recognized Safety Standard under Section 20-610
Date:	Thursday, April 10, 2025 5:26:00 PM
Attachments:	Subject_ Public Comment Supporting the Adoption of EN 15194 as a Recognized Safety Standard under Section 20-610-Final.pdf

Hello,

Please find attached our comments supporting the Adoption of EN 15194 as a Recognized Safety Standard under Section 20-610 in New York City.

Let us know if you have any follow up questions.

Best Regards

--

Maxime Renson
General Manager US
[redacted]
upway.co

Public Comment Supporting the Adoption of EN 15194 as a Recognized Safety Standard under Section 20-610 in New York City

On behalf of Upway, the #1 e-bike reseller globally, we respectfully submit the following comments in support of allowing EN 15194 as an accepted safety standard for e-bikes and their batteries under Section 20-610 of the New York City Administrative Code.

At Upway, we bring deep operational expertise in both the European and U.S. micromobility markets. We have repaired, certified, and resold e-bikes from more than 50,000 ebikes from 200 different brands over the last 4 years, giving us a comprehensive, real-world perspective on product quality, safety compliance, and consumer trends. Our frontline experience with a wide variety of e-bike systems across geographies uniquely positions us to evaluate the efficacy and reliability of existing standards — particularly the long-standing and proven EN 15194 and UL certification frameworks.

Being based in New York City (Brooklyn), we are committed to promoting safe, innovative, and widely adopted micromobility solutions, and we believe that recognizing EN 15194 in NYC law is a critical step toward that goal.

1. Proven Safety Record of EN 15194 Since Its Inception

The EN 15194 standard was first published by the European Committee for Standardization (CEN) in 2009, following harmonization efforts beginning in 2005. It was the first international safety standard specifically developed for Electrically Power Assisted Cycles (EPACs) — commonly known as e-bikes. Since then, it has been updated and refined, with the current version being EN 15194:2017, which is harmonized under the EU Machinery Directive (2006/42/EC) and Low Voltage Directive (2014/35/EU).

EN 15194 provides comprehensive safety and performance requirements for the electrical components of e-bikes (with a broader scope than UL as it focuses also on mechanical safety) , including:

- Battery management systems (BMS)
- Charging circuits and connectors
- Temperature control and overcurrent protection
- Dielectric strength and isolation
- Mechanical durability and environmental resistance

The standard has been widely adopted across all EU member states and is a legal requirement for any e-bike sold in the European Economic Area (EEA). In many countries (e.g., Germany, the Netherlands, France - markets with a deep ebikes history especially in Germany where 2.2 million new ebikes are sold every year), authorities do not allow the sale of e-bikes unless they are EN 15194 compliant.

Fire Safety Performance

The track record of EN 15194-certified products speaks for itself. Across the EU, where over 5 million e-bikes were sold in 2023 alone, there has been no significant wave of battery-related fires linked to certified e-bikes. According to European Fire Safety Alliance (EuroFSA) and national fire agencies:

- Battery fire incidents involving EN 15194-certified e-bikes are statistically negligible.
- Most fire-related incidents involving micromobility devices in the EU stem from tampered batteries, uncertified imports, or illegal retrofitting — not from EN-compliant products.
- For example, the Dutch Safety Board reported that among hundreds of e-bike battery fire investigations in the Netherlands over five years, virtually none involved EN 15194-compliant products.

This safety performance is the result of strict compliance testing, enforced CE marking protocols, and third-party certification by notified bodies (such as TÜV Rheinland, SGS, and Intertek), ensuring that products in the market meet all technical and safety benchmarks.

Some key materials and sources here below corroborating our statement:

https://www.europeanfiresafetyalliance.org/publications/

https://www.bike-eu.com/laws-regulations/battery-regulations

https://www.climateaction.center/battery-safety

https://www.electricalsafetyfirst.org.uk/media/sgyikuwb/esf_batterybreakdown_report_2024.pdf

https://act-lab.com/en-15194/

2. Fire Incidents in New York City Tied to Non-Certified or Substandard Products

In stark contrast to the EU's successful experience with EN 15194-certified e-bikes, New York City has faced a troubling rise in battery-related fires associated with micromobility devices — most notably e-bikes and e-scooters.

According to the New York City Fire Department (FDNY):

- In 2023 alone, there were 268 fires, 150 injuries, and 18 deaths caused by lithium-ion battery incidents involving micromobility devices.

- These incidents represent a 300% increase in fire incidents related to lithium-ion batteries since 2019.

- The FDNY has publicly stated that the majority of these fires are due to unregulated or uncertified e-bikes, unsafe charging practices, and illegal modifications.

Source: FDNY Lithium-Ion Battery Safety Presentation, 2023

Root Cause: Devices Not Certified to Any Standard

A significant portion of these dangerous devices are either:

- Imported cheaply without undergoing proper certification (no UL, no EN).

- Retrofit kits installed on conventional bicycles using non-compliant batteries.

- Low-cost products purchased through online marketplaces or peer-to-peer resellers, lacking oversight or traceability.

Brands that have been linked (via incident reporting and FDNY investigations) to battery fires do not hold EN 15194 or UL 2849 certification. Examples of problematic or at-risk products frequently cited include:

- **Arrow**
- **Jetson**
- **Off-brand kits from online platforms (AliExpress, Temu, Amazon,...)**

These brands or battery suppliers are often non-traceable, with no visible conformity markings (e.g., CE or UL), and no third-party oversight or production surveillance.

Contrast with Certified Products

Neither UL 2849 nor EN 15194-certified products have been linked to the type of catastrophic battery failures seen in these incidents. In fact, the FDNY and CPSC (Consumer Product Safety Commission) have both acknowledged that devices using “recognized certification standards” show significantly reduced risks when properly used and maintained.

EN 15194-certified batteries go through rigorous electrical testing, including:

- Overcharge and over-discharge protection
- Temperature control under load
- Fault-tolerance in the Battery Management System (BMS)
- Charging cycle integrity and short-circuit protection

Finally, the San Francisco (one of the biggest ebike cities in the US, if not the biggest) Fire Department (SFFD) has officially approved the European standard EN 15194 as a recognized safety certification for powered mobility devices, including e-bikes. This approval is part of the SFFD's efforts to enhance fire safety and ensure the safe use of lithium-ion batteries in such devices.

According to the San Francisco Fire Code, a "Safety-Certified Powered Mobility Device" is defined as one that complies with:

1. Underwriters Laboratories (UL) standards UL 2849 or UL 2272;Source
2. European (EN) standards EN 15194 or EN 17128; Source
3. Another safety standard from an accredited laboratory approved by the Fire Department. Source

3. Unique UL Certification Adds Burdens Without Improving Safety, Slowing Adoption of Safe E-Bikes

While UL 2849 is a valuable standard for ensuring the safety of electric bikes, mandating UL certification as the only acceptable standard in New York City and State creates a regulatory bottleneck that threatens both safety progress and industry innovation.

A. UL-Certified E-Bikes Currently Represent a Minority of the Market

As of early 2024, UL-certified e-bikes make up a relatively small share of the U.S. and global market. The UL 2849 standard, which was only introduced in 2020, is still in its adoption phase. Many high-quality global brands — especially those operating in both North America and Europe — have yet to complete the expensive and time-consuming UL certification process. This includes major EU-based manufacturers that already meet or exceed safety benchmarks through compliance with EN 15194.

As a result:

- A significant number of safe, proven e-bikes are currently disqualified from legal sale in NYC despite full compliance with EU regulations.

- Consumers are left with fewer certified options, which can push them toward cheaper, uncertified, and more dangerous alternatives — ironically increasing the risk of fires rather than reducing it.

B. UL Certification Introduces Significant Costs and Delays for Manufacturers

Unlike EN 15194, which is harmonized within the EU and tested through a network of third-party notified bodies, UL 2849 certification must be obtained exclusively through Underwriters Laboratories or authorized affiliates, introducing monopoly pricing and limited testing availability.

For global manufacturers, this means:

- Redundant certification efforts (UL + EN) for the same product.
- Increased R&D and compliance costs, often passed onto consumers.
- Delays in market entry, especially for smaller or newer brands lacking the resources of large corporations.
- Potential deterrence from entering the U.S. market at all, limiting consumer access to high-quality, safe, and innovative micromobility solutions as double certification increase significantly the cost of the bikes (see below)

UL certification for a single e-bike model, including all testing, factory inspections, and documentation, can range from $30,000 to $100,000 USD or more — depending on complexity and scope. Multiply that across dozens of models and configurations, and the economic burden becomes clear.

C. Dual Standards Fragment the Global Market and Stifle Innovation

By insisting solely on UL certification, U.S. jurisdictions like New York City are creating a dual-norm environment that fractures global regulatory alignment. This:

- Reduces economies of scale for safety-focused innovation.
- Stalls interoperability between EU and U.S. manufacturers and suppliers.
- Incentivizes shortcuts — encouraging some manufacturers to cut corners or falsely claim compliance rather than invest in redundant certification.

Instead of aligning with the global industry's shift toward safe and efficient electrification, the UL-only rule risks leaving U.S. cities behind — both in safety outcomes and in innovation.

4. List of top tier battery manufacturers

The following battery manufacturers supply 99% of the top tier e-bike brands in the U.S., and all of them are EN 15194 certified. Allowing e-bikes equipped with these certified systems to be sold in New York City would immediately expand access to affordable, reliable, and safe micromobility options — especially for delivery workers and low-income riders who are currently priced out of UL-only offerings.

Bosch eBike Systems

- One of the most widely used systems in Europe.
- Bosch actively **endorses EN 15194** as the relevant safety standard for e-bike electronics and batteries in Europe.
- Their systems are CE marked and integrated into hundreds of EN 15194-certified bikes.
- Used by brands like Trek, Riese & Müller, Canyon, Gazelle.

MAHLE SmartBike Systems

- MAHLE's X20 and X35+ systems are **EN 15194 compliant**, according to their certification documents.
- Used in lightweight urban and gravel e-bikes by Orbea, BMC, Cannondale, Wilier, and Ribble.

Yamaha e-Bike Systems

- Yamaha supplies motors and full systems to OEM brands in both EU and Japan.
- While Yamaha doesn't list EN 15194 explicitly, the brands using their systems (e.g., Giant, Haibike, Batavus) sell models that **are certified to EN 15194**.

Bafang

- One of the **top global e-bike motor suppliers**, especially for mid-range and value OEM bikes.
- Offers **EN 15194-compliant systems** and **partners with manufacturers** to support CE/EN certifications.

- **Seen in brands like** Moustache, Decathlon (Rockrider), VanMoof.

Brand	EN 15194 Compliant	Supplies Motors	Supplies Batteries
Bosch	Yes		(Integrated)
MAHLE	Yes		
Yamaha	(via OEMs)		
Bafang	Yes		

Popular mid-tier OEM partner

In short, we are strong advocates for allowing EN certification in New York City. It is a proven and trusted standard in Europe with an outstanding safety track record. Recognizing EN 15194 would expand access to safe, reliable, and more affordable e-bikes, encourage innovation in safety, and ultimately get more people on bikes — a key solution to supporting congestion pricing and sustainable transportation in NYC.

Maxime Renson

General Manager Upway USA

From:	Kerchner, George
To:	rulecomments (DCWP)
Cc:	Boolish, Marc
Subject:	[EXTERNAL] PRBA Comments on Local Law 39 of 2023, Additional Standards on Powered Bicycles, Powered Mobility Devices, and Storage Batteries.
Date:	Friday, May 2, 2025 1:47:52 PM
Attachments:	image001.png PRBA Comments on NY City"s DCWP Request for Comments on Safety Standards for Micormobility Devices - May 2025 4925-8088-5821 v.1.pdf

Please find attached PRBA's comments on the Department of Consumer and Worker Protection ("Department") request for comments regarding the Department's consideration of whether additional safety standards for powered bicycles, powered mobility devices, and storage batteries are warranted.

Thank you.

George

wiley

George A. Kerchner
Senior Policy Advisor
On behalf of PRBA
gkerchner@wiley.law

Wiley Rein LLP • 2050 M Street NW • Washington, DC 20036
o: [redacted] • m: [redacted]
Download V-Card | wiley.law | Bio

PRBA – The Rechargeable Battery Association
2050 M Street, NW
Washington, DC 20036

To: New York City Department of Consumer and Worker Protection

From: PRBA – The Rechargeable Battery Association

Date: May 2, 2025

Re: PRBA Comments on New York City Department of Consumer and Worker Protection's Request for Comments on Additional Safety Standards for Micromobility Devices

---

1) Identify the differences between UL 2849 and EN 15194 related to electrical safety (including testing criteria for electrical circuits, such as temperature, isolation resistance, dielectric strength, component fault, locked rotor motor, and running overload), and explain how such differences do or do not contribute to additional fire risk.

Identify the differences between UL 2849 and EN 15194 related to components requirements (including motors/controllers, circuit boards, cables, connectors, and flame-resistant non-metallic enclosures, internal parts, and wiring boards, as well as permanent marking, UV and corrosion-resistant enclosures, and circuit spacings), and explain how such differences do or do not contribute to additional fire risk.

PRBA Response: When evaluating the electrical safety of electric bicycles, two key standards often referenced are UL 2849 for USA and EN 15194 for Europe. While both aim to ensure safe operation, particularly in preventing electrical hazards and fire risks, they differ significantly in their testing criteria and scope.

- On January 8, 2025 CPSC published Decisional Package - Draft Proposed Rule to Establish a safety Standard for Lithium-Ion Batteries and Micromobility Products. This draft proposed rule highlights the differences between UL 2849 and EN 15194 that address critical safety aspects.

- EN 15194 covers only EPACs (Electrically power assisted cycles, i.e. pedal-assisted cycles corresponding to how Class 1 eBikes or Class 3 eBikes operate) and does not cover throttled (Class 2) eBikes within its scope. By keeping the UL 2849 standard, you are ensuring that these safety standards include all ranges of eBikes available in NY.

- EN 15194:2017 version does not reference EN 50604-1 to be mandatory for batteries of eBikes. If EN 15194:2017+A1:2023 would be referenced (instead of just EN 15194), which references to EN 50604-1:2016 and EN 50604-1:2016/A1:2021 *("The battery shall comply with EN 50604-1:2016 and EN 50604-1:2016/A1:2021.")* the risk as regards to battery safety will be reduced because EN 50604-1 is a more robust standard than EN 62133 which is referenced in the EN 15194:2017 version.

2) Identify the differences between UL 2849 and EN 15194 related to production surveillance (including but not limited to inspections and quality control) and explain how such differences do or do not contribute to additional fire risk.

PRBA Response:

- Products tested and certified to UL 2849 by an independent ISO 17065 accredited laboratory or an NRTL (Nationally Recognized Testing Laboratory) bear the logo of the laboratory certifying the products. When an ISO 17065 accredited laboratory or an NRTL is certifying a product, all tests are performed via an independent 3rd party laboratory. These independent laboratories perform unannounced quarterly audits at the manufacturing location to ensure that the components and design continue to match the original product that was tested and certified. Changes made in products, without evaluation and/or testing such as choice of safety critical components, materials and design can change how a product may react to testing and therefore contribute to additional fire risk. The unannounced audits ensure manufacturer's work with the 3rd party laboratories to evaluate changes and retest the product (if required) before implementing them in production.

- Products meeting the EN 15194 standard typically have a CE mark, which means tests may be performed by independent 3rd party labs or performed by the manufacturer themselves.

3) The testing process for compliance with EN standards, and the entities that perform such testing (e.g., third-party laboratories, manufacturers, etc.).

PRBA Response:

- For EN standards self-declaration by the manufacturer is sufficient and therefore the manufacturer may perform testing in-house or at an independent third-party laboratory. The manufacturer decides themselves which tests are applicable. There are different modules for the conformity assessment. Some of them require testing in accredited labs and/or audits of the manufacturer.

4) How consumers, the Department, and the Fire Department can reliably identify if products are tested to EN or other standards in the consumer marketplace.

PRBA Response:

- Products certified to UL standards by an independent ISO 17065 accredited laboratory or an NRTL (Nationally Recognized Testing Laboratory) bear the certification logo of the laboratory. The standards to which a product is certified is available to view under the product certification directory on the website of such laboratories. Examples: https://www.intertek.com/directories/, https://productiq.ulprospector.com/en/search, https://www.certipedia.com, https://www.tuvsud.com/en-us/resource/certificate-finder, etc.

- CE mark implies that the product has been self-certified by a manufacturer to an EN standard.

* * *

Thank you for taking our comments into consideration. Please contact me at 202.719.4109 or gkerchner@wiley.law with questions regarding our comments.

Sincerely

George Kerchner

George Kerchner

From:	Matt Moore
To:	rulecomments (DCWP)
Cc:	Ashley Lovell; Noah Miterko; Rebecca Lamorte
Subject:	[EXTERNAL] PeopleForBikes Comment Regarding Local Law 39
Date:	Thursday, May 1, 2025 10:02:40 PM
Attachments:	DCWP Comment - Local Law 39 - Testing Standards.pdf

Please consider our attached Comment with respect to the rukemaking proceeding on adding the EN 15194 safety standard to Local Law 39.

Regards, Matt Moore

--

Matt Moore
General and Policy Counsel
(he/him)

PeopleForBikes Coalition
P.O. Box 2359 / Boulder, CO 80306
EMAIL: [redacted]
MOBILE: [redacted]
PeopleForBikes.org

peopleforbikes

P.O. BOX 2359 BOULDER, CO 80306
PeopleForBikes.org | 303.449.4893

May 2, 2025

To: Department of Consumer and Worker Protection
42 Broadway, 8th Floor
New York, NY 10004

Submitted via: Rulecomments@dcwp.nyc.gov

Comment on Petition of PeopleForBikes to Add EN 15194 Testing Standard to Local Law 39

Dear Commissioner Vera Mayuga,

PeopleForBikes Coalition, the national trade association for manufacturers of bicycles and electric bicycles, submits this comment in response to the Notice of Opportunity to Comment with respect to certification standards required for the sale of powered bicycles, powered mobility devices, or storage batteries. More specifically, this Comment is submitted in support of our Petition to add the prevailing global safety standard for electric bicycles, EN 15194, as an alternative means of compliance with Local Law 39.

PeopleForBikes strongly urges the Department to grant the relief requested in the Petition and add EN 15194 as an accepted standard for electric bicycles. While there are some differences between EN 15194 and the only other standard used for electric bicycles, UL 2849, those differences have not been proven by experience to result in increased risk of thermal runaway or battery fires. **There is simply no factual basis upon which to conclude that use of the EN 15194 standard to design, test and manufacture electric bicycles will not protect the public from fire risks associated with lithium ion batteries used to power electric bicycles.** To the contrary: far more safe electric bicycles have been produced using the EN 15194 standard than the UL standard.

Importantly, the EN 15194 standard is primarily used for lower speed Class 1 pedal-assisted electric bicycles, which include e-bikes used by consumers for transportation and electric mountain bikes used on off-road trails. Class 1 electric bicycles are rarely used in New York City for delivery work and are not the type of e-bike that has been implicated in battery fires. Adding EN 15194 to Local Law 39 will again allow these safe electric bicycles to be sold by retailers in New York City.

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 300 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.

Since 2015, PeopleForBikes has worked state-by-state to create modern, harmonized standards for regulation of electric bicycles throughout the United States. PeopleForBikes developed the Three-Class Model Law to better define and regulate the various types of electric bicycles, which has now been adopted in whole or part by 43 states (including New York) and the federal government. PeopleForBikes recently published an E-Bike Owner's Manual for use by the industry with new electric bicycles, as well as additional educational content for consumers who purchase and use electric bicycles. We also publish a Battery Owner's Manual in 14 languages that contains important safety information for consumers. PeopleForBikes is the voice of the U.S. bicycle industry with regard to regulatory standards and safety.

EN 15194: A Time-tested Safety Standard for 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. **In 2024 over 5 million electric bicycles tested to EN 15194 were sold in Europe, adding to the many millions already in use.** 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 the 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. These underlying standards for such components as lithium ion batteries and chargers include international electrical standards, UL standards, and other standards that are widely used to demonstrate the safety of lithium ion traction batteries, chargers and associated electrical componentry.

Most 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 millions of e-bikes and batteries in use, reports of battery fires are minimal and those that have occurred are often caused by "conversion kits" purchased online and used to convert a conventional bicycle into a motor-powered device.

In the absence of any U.S. standards 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 standards.[1] To date, millions of electric bicycles have been manufactured and sold around the globe that have drive systems and batteries tested and certified by manufacturers to EN 15194. Because many PeopleForBikes members distribute their products in multiple markets, including Europe, 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[2] 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 battery fires.

Comparison of UL 2849 and EN 15194

The EN 15194 standard predates the UL 2849 standard by eleven years, and has been revised every five years to incorporate new requirements based upon risk experience and technological developments. The approach used in EN 15194 was considered during the subsequent development of UL 2849, which took over two years. This newer standard did not start from scratch. Electrical engineers employed by PeopleForBikes members who participated on the committee that created the UL 2849 standard have stated that there is about an 85% overlap between EN 15194 and UL 2849 in terms of the multiple supporting electrical substandards (known as "reference" standards) used in each.

The overall purpose achieved by each standard 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 electric bicycles. Both standards accomplish this in an 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.

The Notice of Opportunity to Comment requests detailed information regarding the technical differences between EN 15194 and UL 2849. The most comprehensive

---

[1] 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 features of an electric bicycle are subject to 16 C.F.R. 1512, the federal bicycle safety standard.

[2] PeopleForBikes is aware that the Fire Department of New York (FDNY) has collected investigative information regarding battery fire incidents in the city, and believes that information shows that few, if any, of these fires have been related to electric bicycles tested to EN 15194.

comparison of the two standards was recently published by the U.S. Consumer Product Safety Commission in conjunction with their proposed rules for lithium ion batteries used in micromobility products. While the CPSC has proposed[3] to adopt UL 2849 as a mandatory safety standard for electric bicycles, it has also invited public comment on whether EN 15194 is an appropriate standard for some electric bicycles. Additionally, the CPSC regards UL 2849 as being inadequate to protect against all hazards associated with lithium ion batteries and proposes to add three additional requirements in the final rule.

This makes clear that both UL 2849 and EN 15194 are continually evolving and being revised and improved through their respective technical committees, with a new version of EN 15194 published in 2023, while UL 2849 has not been revised since 2020.

The Notice also requests comment on the differences between EN 15194 with respect to "product surveillance." It is PeopleForBikes position that the factory inspections incorporated in UL 2849 are unnecessary, or at least have not been shown to provide any proven additional level of safety. Such inspections are not required under EN 15194 and no adverse safety impacts have occurred. What these visits *do* accomplish is to provide a significant revenue stream to the for-profit testing company[4] that performs the visit at the manufacturers expense. The same is true of "listing and labeling" requirements that are often advanced by testing organizations as a means of proving compliance, but require ongoing license fees paid by manufacturers to testing companies for use of their registered trademarks and labels.

Local Law 39 already requires that independent, accredited third-party laboratories conduct the testing needed to show compliance with the specified standards. Local Law 39 also requires that information about the testing laboratory be provided on the product, the battery, or product documentation for verification and enforcement purposes, as well as to inform consumers about the product they are purchasing. This approach provides assurance that the required testing has in fact been performed should EN 15194 be added to Local Law 39. A manufacturer falsifying this important safety information would be in violation of Local Law 39, and also be committing serious consumer fraud under New York law. Because the testing equipment required to perform the long list of tests required by EN 1519 is expensive

---

[3] At a decisional meeting on April 30, 2025, the Commission approved publication of the proposed rule for public comment. It remains unclear whether this rulemaking will proceed in light of Executive Orders requiring review and approval of proposed regulations by the Office of Management and Budget (OMB) and reduction of agency regulations whenever a new rule is issued. Congress is also considering legislation that would direct the CPSC to issue a mandatory safety standard that includes UL 2849 as a standard for electric bicycles.

[4] UL Solutions (ULS) is the leading global testing company and is an $11B for-profit publicly traded corporation controlled and largely owned by UL Standards & Engagement (ULSE), a non-profit standards development organization that publishes UL 2849 and hundreds of other safety standards.

and complicated, virtually all manufacturers rely on third party laboratories to perform this work. The DCWP should therefore conclude that the use of third party accredited laboratories as required by Local Law 39 will provide adequate assurance that electric bicycles tested to EN 15194 are safe.

The question that should be asked is not whether these standards are the same, or whether the current version of one standard is better than the other, but whether adopting EN 15194 will protect citizens from the risks posed by batteries used in electric bicycles. PeopleForBikes submits that it will.

Uniformity With New York State Law

On July 19, 2024, New York enacted S154F/A4938D, which requires that electric bicycles be certified by an accredited laboratory for compliance with either UL 2849 or EN 15194, and that their batteries also be tested to defined standards. There does not appear to be any reasoned basis for New York City to continue to ban electric bicycles and batteries for those bicycles that the State of New York regards as safe. These products are now and will continue to be lawfully sold in greater New York without creating undue risk for the public. California recently passed legislation that adopts both the UL and EN standards for electric bicycles, and similar legislation is under consideration in Illinois.

Conclusion

PeopleForBikes strongly urges the Department to exercise its authority under Local Law 39 to add EN 15194: the only existing alternative safety standard for electric bicycles. Doing so will allow the continued availability of safe electric bicycles with drive systems that are certified to the leading global powered bicycle electrical system safety standard. Adding EN 15194 to Local Law 39 would also harmonize local law with New York state law. Manufacturers, retailers and consumers should have consistent e-mobility device safety standards both within New York City and in greater New York.

Respectfully submitted,

Matt Moore
Policy Counsel, PeopleForBikes

From: Heather Mason
To: rulecomments (DCWP)
Subject: [EXTERNAL] Comments- Local Law 39 of 2023 – Certification Standards for Powered Bicycles, Powered Mobility Devices, and Storage Batteries
Date: Thursday, May 1, 2025 8:53:02 PM
Attachments: image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
DCWPNBDA.pdf

Dear DCWP,

On behalf of the National Bicycle Dealers Association (NBDA), we respectfully submit the following comments regarding Local Law 39 of 2023 and DCWP's request for feedback on certification standards for powered bicycles, powered mobility devices, and storage batteries. The NBDA represents over 1,200 independent bicycle retailers and industry partners across North America. Our mission is to strengthen the specialty bicycle retail channel through education, advocacy, and community. We have long supported measures that prioritize consumer and worker safety, particularly as it relates to e-mobility devices and lithium-ion battery systems. We applaud DCWP's proactive stance on ensuring that devices sold in New York City meet the highest safety standards.

Below are our comments addressing key questions posed by DCWP:

---

1. Differences Between UL 2849 and EN 15194 – Electrical Safety Testing

UL 2849 (U.S.) and EN 15194 (EU) are both widely recognized standards for electric bicycle system safety. However, critical differences exist that have direct implications for fire risk and product safety:

- UL 2849 includes comprehensive electrical safety tests for temperature control, isolation resistance, dielectric strength, locked rotor, overload, and single-fault conditions.
- EN 15194, particularly the 2017 version, is less rigorous in these testing criteria. It does not mandate the use of EN 50604-1, a standard specifically designed for lithium-ion batteries in light electric vehicles, unlike the updated 2023 amendment.

These gaps increase the risk that products certified only to EN 15194 (without EN 50604-1) may not withstand the stress conditions that lead to thermal runaway or fire. Moreover, EN 15194 applies only to pedal-assist e-bikes (EPACs) and excludes throttle-based (Class 2)

models common in NYC. UL 2849, on the other hand, covers all e-bike types, ensuring broader consumer protection.

---

2. Component Requirements – Safety-Critical Differences

UL 2849 and EN 15194 differ in component requirements such as:

- Fire-resistant enclosures
- UV and corrosion resistance
- Permanent safety markings
- Spacing of electrical circuits

UL 2849 explicitly addresses these design elements and requires flame-retardant materials for high-heat areas. This greatly reduces the risk of ignition or propagation during failure.
In contrast, EN 15194 allows more design flexibility, which can introduce variability in fire safety performance depending on the manufacturer's interpretation.

---

3. Surveillance and Quality Control – Ensuring Ongoing Safety

A significant differentiator is in how production surveillance is maintained:

- UL 2849-certified products undergo quarterly unannounced audits by ISO 17065-accredited Nationally Recognized Testing Laboratories (NRTLs). Any change in design, materials, or components must be re-evaluated before implementation.
- EN 15194-compliant products may bear a CE mark based on self-declaration by the manufacturer. Tests may be conducted in-house or through third-party labs, with no mandated regular audits unless the manufacturer chooses a more rigorous conformity module.

This difference means UL-certified products offer far more consistent safety assurance post-certification, reducing the chance of substandard products entering the market.

---

4. Testing and Certification – Understanding the Process

Under EN standards, manufacturers may self-certify compliance without third-party validation. While voluntary use of external labs is permitted, it is not required, and the scope of testing is left to the manufacturer's discretion.
In contrast, UL certification requires all testing to be done by an independent lab, and certification is only granted if all required tests are passed. This third-party oversight is essential to minimize consumer risk.

---

5. Market Identification – Helping Consumers and Enforcement

- UL-certified products bear a recognizable certification mark from NRTLs (e.g., UL, Intertek) and are listed in publicly searchable directories:
    - UL Product iQ
    - Intertek Directory
    - TÜV SÜD Certificate Finder
- CE-marked products may appear similar but only indicate compliance with European legislation—not with the more stringent North American electrical safety practices. The CE mark does not guarantee third-party testing or surveillance.

---

6. CPSC Involvement

On January 8, 2025, the U.S. Consumer Product Safety Commission (CPSC) published its Decisional Package - Draft Proposed Rule to Establish a Safety Standard for Lithium-Ion Batteries and Micromobility Products, underscoring the differences between UL 2849 and EN 15194. CPSC's review supports the conclusion that UL 2849 provides a more comprehensive framework for fire prevention, especially in high-density urban environments such as NYC.

Recommendation:

The NBDA strongly supports the inclusion of UL 2849 and UL 2271 as minimum safety certification standards for all powered bicycles and lithium-ion battery systems sold in New York City. We recommend against substituting or accepting EN 15194 as an equivalent, unless it is updated to include EN 50604-1 and includes mandatory third-party surveillance. Ensuring robust, enforceable standards is critical to protecting New York's consumers, delivery workers, and first responders from the growing threat of e-bike and battery fires. Thank you for the opportunity to comment and for your continued leadership in advancing micromobility safety.
Respectfully,

Heather Mason
Executive Director, National Bicycle Dealers Association

Phone: [redacted] | Email: [redacted]
Web: www.NBDA.com
3972 Barranca Pkwy, Ste J-423, Irvine, CA 92606

Comments from the National Bicycle Dealers Association (NBDA)
RE: Local Law 39 of 2023 – Certification Standards for Powered Bicycles, Powered Mobility Devices, and Storage Batteries
To: NYC Department of Consumer and Worker Protection (DCWP)

May 1, 2025

Dear DCWP,

On behalf of the National Bicycle Dealers Association (NBDA), we respectfully submit the following comments regarding Local Law 39 of 2023 and DCWP's request for feedback on certification standards for powered bicycles, powered mobility devices, and storage batteries.

The NBDA represents over 1,200 independent bicycle retailers and industry partners across North America. Our mission is to strengthen the specialty bicycle retail channel through education, advocacy, and community. We have long supported measures that prioritize consumer and worker safety, particularly as it relates to e-mobility devices and lithium-ion battery systems. We applaud DCWP's proactive stance on ensuring that devices sold in New York City meet the highest safety standards.

Below are our comments addressing key questions posed by DCWP:

---

1. Differences Between UL 2849 and EN 15194 – Electrical Safety Testing

UL 2849 (U.S.) and EN 15194 (EU) are both widely recognized standards for electric bicycle system safety. However, critical differences exist that have direct implications for fire risk and product safety:

- UL 2849 includes comprehensive electrical safety tests for temperature control, isolation resistance, dielectric strength, locked rotor, overload, and single-fault conditions.
- EN 15194, particularly the 2017 version, is less rigorous in these testing criteria. It does not mandate the use of EN 50604-1, a standard specifically designed for lithium-ion batteries in light electric vehicles, unlike the updated 2023 amendment.

These gaps increase the risk that products certified only to EN 15194 (without EN 50604-1) may not withstand the stress conditions that lead to thermal runaway or fire. Moreover, EN 15194 applies only to pedal-assist e-bikes (EPACs) and excludes throttle-based (Class 2) models

common in NYC. UL 2849, on the other hand, covers all e-bike types, ensuring broader consumer protection.

---

2. Component Requirements – Safety-Critical Differences

UL 2849 and EN 15194 differ in component requirements such as:

- Fire-resistant enclosures
- UV and corrosion resistance
- Permanent safety markings
- Spacing of electrical circuits

UL 2849 explicitly addresses these design elements and requires flame-retardant materials for high-heat areas. This greatly reduces the risk of ignition or propagation during failure.

In contrast, EN 15194 allows more design flexibility, which can introduce variability in fire safety performance depending on the manufacturer's interpretation.

---

3. Surveillance and Quality Control – Ensuring Ongoing Safety

A significant differentiator is in how production surveillance is maintained:

- UL 2849-certified products undergo quarterly unannounced audits by ISO 17065-accredited Nationally Recognized Testing Laboratories (NRTLs). Any change in design, materials, or components must be re-evaluated before implementation.
- EN 15194-compliant products may bear a CE mark based on self-declaration by the manufacturer. Tests may be conducted in-house or through third-party labs, with no mandated regular audits unless the manufacturer chooses a more rigorous conformity module.

This difference means UL-certified products offer far more consistent safety assurance post-certification, reducing the chance of substandard products entering the market.

---

4. Testing and Certification – Understanding the Process

Under EN standards, manufacturers may self-certify compliance without third-party validation. While voluntary use of external labs is permitted, it is not required, and the scope of testing is left to the manufacturer's discretion.

In contrast, UL certification requires all testing to be done by an independent lab, and certification is only granted if all required tests are passed. This third-party oversight is essential to minimize consumer risk.

---

5. Market Identification – Helping Consumers and Enforcement

- UL-certified products bear a recognizable certification mark from NRTLs (e.g., UL, Intertek) and are listed in publicly searchable directories:
  - UL Product iQ
  - Intertek Directory
  - TÜV SÜD Certificate Finder
- CE-marked products may appear similar but only indicate compliance with European legislation—not with the more stringent North American electrical safety practices. The CE mark does not guarantee third-party testing or surveillance.

---

6. CPSC Involvement

On January 8, 2025, the U.S. Consumer Product Safety Commission (CPSC) published its Decisional Package - Draft Proposed Rule to Establish a Safety Standard for Lithium-Ion Batteries and Micromobility Products, underscoring the differences between UL 2849 and EN 15194. CPSC's review supports the conclusion that UL 2849 provides a more comprehensive framework for fire prevention, especially in high-density urban environments such as NYC.

Recommendation:

The NBDA strongly supports the inclusion of UL 2849 and UL 2271 as minimum safety certification standards for all powered bicycles and lithium-ion battery systems sold in New York City. We recommend against substituting or accepting EN 15194 as an equivalent, unless it is updated to include EN 50604-1 and includes mandatory third-party surveillance. Ensuring robust, enforceable standards is critical to protecting New York's consumers, delivery workers, and first responders from the growing threat of e-bike and battery fires. Thank you for the opportunity to comment and for your continued leadership in advancing micromobility safety.

Respectfully,
Heather Mason
Executive Director, National Bicycle Dealers Association (NBDA)
[redacted]