



Comments Received by the Department of
Consumer and Worker Protection on

Proposed Rules related to Space Heaters

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THE CITY OF NEW YORK
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39TH DISTRICT

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Testimony of Council Member Shahana Hanif to the Department of Consumer and Worker Protection - October 26th, 2022

Good morning. I am Council Member Shahana Hanif. Thank you to the Department of Consumer and Worker Protection for holding this hearing and for granting me the opportunity to speak.

I'm excited to speak on the proposed added rules to Local Law 64, the first law that I introduced and passed as Council Member alongside Council Members Oswald Feliz and Pierina Sanchez. Local Law 64 was in response to the tragic and avoidable Twin Parks fire on January 9th, 2022 that killed 17 people including 8 children. This fire was caused, in part, by a space heater that was on for a prolonged period of time and then overheated. This space heater did not have an automatic shut-off setting.

Incidents like this are a leading cause of fires. According to the Consumer Product Safety Commission, portable heaters are involved in about 1,700 fires per year nationwide, resulting in about 80 deaths and 160 injuries. Unfortunately, we know we cannot eliminate space heater usage in New York City. Landlords have an obligation to their tenants to provide adequate heating, and we must continue to hold them to keeping tenants warm and safe, but we know that this obligation is often not met and residents are forced to resort to using heaters to stay warm. Local Law 64 will ensure that electric heaters are as safe as possible in order to prevent future tragedies by requiring all sold in New York City to be equipped with:

1. A thermostat;
 2. An automatic function that disables the heater upon overheating or tipping over;
- And,
3. A safety certification from a nationally recognized testing laboratory.

Local Law 64 and the proposed rules of today's hearing also issue a schedule of penalties for businesses that continue to sell unsafe space heaters. These penalties are structured in a way that will protect small businesses. A business would not incur a fine for its first violation, giving them

the opportunity to immediately rectify. For subsequent violations, the fines are based on the number of stock-keeping units of illegal heaters that the store has. This ensures that larger chain stores will pay higher penalties than smaller mom-and-pops.

As the colder months approach, Local Law 64 and these proposed rules are more important than ever in keeping New Yorkers safe from potential fires caused by space heaters. This will require the collaboration of not only our lawmakers and residents but also our business owners and landlords. Alongside this legislation, I will continue to fight to keep our landlords accountable to the New York City Heat Law so that all homes are properly and safely heated in the brutal winter months and tenants don't need to resort to using space heaters to stay warm.

I look forward to continuing to work with DCWP to oversee the implementation of Local Law 64 and make New York City a safer, dignified place to live. I encourage the Department to conduct in-person education and outreach and send informational mailers to relevant businesses so that they are fully aware of this new law. This outreach and awareness should be language-accessible and culturally competent so that our immigrant small business owners have the resources they need to comply with the law. Please let me and my colleagues in the City Council know how we can best support these efforts. We want to be proactive partners.

Thank you for your time and consideration.