



# UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION

## MINUTES OF COMMISSION MEETING

### **Decisional Matter: Notice of Proposed Rulemaking: Safety Standard for Lithium-Ion Batteries Used in Micromobility Products and Electrical Systems of Micromobility Products Containing Such Batteries**

(Briefing package dated January 8, 2025;  
Correction package dated March 26, 2025, OS No. 0351)

April 30, 2025

Acting Chairman Feldman convened the April 30, 2025, meeting of the U.S. Consumer Product Safety Commission in open session at 10:00 am. Commissioners Hoehn-Saric, Richard Trumka Jr., Mary T. Boyle and Douglas Dziak were also in attendance.

Acting Chairman Feldman made welcoming remarks and introduced the decisional matter before the Commission and staff members in attendance to address questions from the Commission, which were Duane Boniface, Assistant Executive Director, Office of Risk Reduction and Daniel Vice, Assistant General Counsel, Office of the General Counsel.

Acting Chairman Feldman advised that each Commissioner would have five minutes to ask questions of staff, with multiple rounds as necessary, followed by consideration of motions and amendments. Before the initial round of questions, Acting Chairman Feldman stated that it is not appropriate to ask questions that address the agency's legal authority or legal advice in an open session.

Acting Chairman Feldman called for questions for staff. The Commissioners did not have any questions for staff; however, Commissioner Trumka used his questioning session to describe the dangerous fire scenarios and hazard patterns associated with the use of lithium-ion batteries and subsequent injuries, deaths and property damage suffered by consumers.

The Acting Chairman then excused staff and commenced consideration of the draft proposed rule to establish a safety standard for lithium-ion batteries used in micromobility products and electrical systems of micromobility products containing such batteries, as well as any amendments or motions to the proposed rule. Acting Chairman Feldman advised that each Commissioner would be recognized by order of seniority and would have three minutes to explain any motions or amendments, followed by five minutes of questions from Commissioners.

Acting Chairman Feldman then recognized himself for a motion to direct staff to submit the draft NPR to the Office of Information and Regulatory Affairs (OIRA) pursuant to Executive Order 14215, *Ensuring Accountability for All Agencies* (Feb. 18, 2025) and Office of Management and Budget (OMB) memorandum M-25-24. Acting Chairman Feldman called for a second, and Commissioner Dziak seconded the motion.

The Commissioners engaged in a discussion and expressed their respective positions on the motion. Acting Chairman Feldman and Commissioner Dziak opposed the agency moving in a direction contrary to guidance provided in Executive Order 14215 and OMB memorandum M-25.24 and stated that doing so could expose the subject rulemaking to significant legal risk for challenges and unnecessary Congressional review. Acting Chairman Feldman and Commissioner Dziak urged their colleagues to submit the draft NPR to OIRA for review as prescribed by the aforementioned executive order and OMB memo. They further expressed that advancing the NPR now, while a similar bipartisan bill is being considered by Congress, is not a prudent path forward.

Commissioners Hoehn-Saric, Trumka, and Boyle disagreed with this position. They shared their common view that advancing the NPR for publication is in accord with, rather than a deviation from, established statutory provisions of the Consumer Product Safety Act and well within procedural requirements associated with rulemaking activity. They further relied upon the Commission's authority as an independent regulatory agency with the statutory authority to issue regulations without impediments dictated by executive orders or otherwise.

After the discussion and hearing no further questions, Acting Chairman Feldman called for a vote on his motion. The Commission voted (3-2) to not adopt the motion. Commissioners Hoehn-Saric, Trumka, and Boyle voted to not approve the motion. Acting Chairman Feldman and Commissioner Dziak voted to approve the motion. The proposed motion is attached.

Acting Chairman Feldman called for any other motions or amendments and, hearing none, asked if there was a motion to approve the draft proposed rule to establish a safety standard for lithium-ion batteries used in micromobility products and electrical systems of micromobility products containing such batteries, and publication of the same in the *Federal Register*. Commissioner Trumka moved to do so, and Commissioner Hoehn-Saric seconded the motion. The Commission voted (3-2) to approve the draft proposed rule and to publish the same in the *Federal Register*. Commissioners Hoehn-Saric, Trumka, and Boyle voted to approve the draft proposed rule and to publish it in the *Federal Register*. Acting Chairman Feldman and Commissioner Dziak voted to not approve the draft proposed rule for publication in the *Federal Register*.

Acting Chairman Feldman stated that each Commissioner would have up to 10 minutes for closing remarks and recognized each Commissioner for closing remarks.

There being no other business, Acting Chairman Feldman adjourned the meeting at 10:33 am.

For the Commission:

*Alberta E. Mills*

Alberta E. Mills

- Attachments: 1. Motion introduced by Acting Chairman Feldman (not adopted by the Commission)  
2. Statement by Commissioner Hoehn-Saric  
3. Statement by Commissioner Trumka  
4..Statement by Commissioner Boyle

**FELDMAN MOTION 1**

Direct CPSC staff to submit the attached draft NPR to the Office of Information and Regulatory Affairs pursuant to Executive Order 14215, *Ensuring Accountability for All Agencies* (Feb. 18, 2025) and Office of Management and Budget memorandum M-25-24.



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

**COMMISSIONER ALEXANDER D. HOEHN-SARIC**

**Statement of Commissioner Alexander Hoehn-Saric on Commission Approval of a Notice of Proposed Rulemaking Establishing a Safety Standard for Lithium-Ion Batteries in Micromobility Products**

April 30, 2025

I am pleased that we have moved this proposed rule forward today and that it will be published in the Federal Register for public comment.

In 2023, the CPSC held a forum on lithium-ion battery fires in micromobility products. The forum focused attention on a growing market of cheap, shoddily made batteries – mostly from foreign manufacturers – that create unnecessary risks to American consumers. At that event, the New York Fire Commissioner spoke about the devastating impact of lithium-ion battery fires in the city, including deadly fires that devastate entire apartment buildings. The consensus among participants was that mandatory standards were necessary to save lives and CPSC staff began to work toward this proposed rule.

Last month in California, the need for this rule came into stark perspective once again. Three people died in a house fire ignited by a lithium-ion battery in an e-bike. The victims included a six-year-old girl and two members of her extended family. The little girl left behind her parents and a twin sister.

I expect that there will be a robust comment period on this rule, but I am hopeful that staff will be able to move quickly to review those comments, make changes as needed, and send a final rule package up for our consideration. Publication of this proposed rule is overdue, and I look forward to consideration of a final package.

It has been suggested that we should wait for Congress to pass legislation to address this hazard. While I support Congressional action, an all-hands approach is needed to address this hazard. Congress can be capricious, and a single Senator can delay a bill's progress. Our action today creates a second path to address the deadly hazard of e-bike battery fires. And while I hope Congress will be able to pass a law, the CPSC should not slow down its work as Americans continue to die in preventable fires.

What we do at this agency matters and it can save lives. And when we delay, we put lives at risk. We have a lot on our docket this year and I look forward to continuing to do the work of the Commission. No twin should have to grow up alone because of a defective consumer product.

*\* The views expressed in this statement are solely the views of Commissioner Hoehn-Saric and do not necessarily reflect the views of the Commission.*



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

**STATEMENT OF  
COMMISSIONER RICH TRUMKA JR.**

**APRIL 30, 2025**

**CPSC ADVANCES PROPOSED SOLUTION TO DEADLY LITHIUM-ION BATTERY  
FIRES FROM E-BIKES AND SIMILAR PRODUCTS**

Ticking time bombs. Lithium-ion batteries can be ticking time bombs, and it's leaving people on edge across the country. The fires start without warning, spread fast, and burn for a long time.

It's a threat that's left scores of people dead.<sup>1</sup> And you don't even have to own one to fear being harmed by one. People in apartment buildings are worried that their *neighbor's* e-bike could burn down the entire building. And that's not a hypothetical concern...it's happening. A fire broke out on the 20<sup>th</sup> floor of a 37-story New York apartment building. It hurt 43 people, and for those living in floors above the fire, firefighters had to repel down from the roof to save them through their windows.<sup>2</sup>

Today, CPSC did something about it. We advanced a proposed solution to the deadly lithium-ion battery fires that have terrified the nation. Any delay would have condemned more Americans to gruesome deaths. So, it wasn't a close call—it was our duty to advance this rule. And in doing so, we've answered the call for action that's been coming from consumers, fire fighters, bipartisan members of Congress, and even the industry that makes these batteries for e-bikes, e-scooters, and hoverboards.

---

<sup>1</sup> CPSC Staff Briefing Package, *Safety Standard for Lithium-Ion Batteries Used in Micromobility Products and Electrical Systems of Micromobility Products Containing Such Batteries* (Mar. 26, 2025), available at [https://www.cpsc.gov/s3fs-public/Package-Corrections-to-Draft-Proposed-Rule-to-Establish-a-Safety-Standard-for-Lithium-Ion-Batteries.pdf?VersionId=fhpnWvJVNIRL1dMRP3ByUYel0xPJf\\_kH](https://www.cpsc.gov/s3fs-public/Package-Corrections-to-Draft-Proposed-Rule-to-Establish-a-Safety-Standard-for-Lithium-Ion-Batteries.pdf?VersionId=fhpnWvJVNIRL1dMRP3ByUYel0xPJf_kH).

<sup>2</sup> Dave Carlin, *FDNY: Lithium-ion battery caused fire on 20th floor of Midtown high-rise, dozens injured*, CBS News (Nov. 6, 2022), <https://www.cbsnews.com/newyork/live-updates/midtown-manhattan-high-rise-fire-lithium-ion-battery-fdny-dramatic-rescue/>.

Why is a CPSC rule so overwhelmingly popular? It's because nobody wants to see more tragedy if we can stop it. Just last month, happy, healthy, twin 6-year-old girls went to sleep in their home in San Leandro, California. One of those girls never saw the morning. The fire that burned down their house claimed her life, along with the lives of her grandmother, and her great-grandmother.<sup>3</sup> *Three generations of that family* were lost. The kind of unimaginable pain that family is reeling from must be stopped. Today, I proudly voted to stop it and I am proud that a solution is moving forward.

The solution we advanced today would make lithium-ion batteries safer in e-bikes, e-scooters, hoverboards, and similar products. Requirements would include:

- Battery management systems would prevent charging or discharging when the battery's temperature is too hot to safely charge or when limits are exceeded on cell voltage or current;
- Protections to ensure safe operation after wear and tear;
- Protection against incompatible chargers that could trigger fires; and
- Making battery packs tamper-resistant, so that people cannot open them and swap cells, which can lead to fires. To accomplish this, they will have to be both ultrasonically welded and unable to be opened with common household tools.

We still need your help to strengthen these protections even further. In the next few days, a comment period will open up and it will stay open for the next two months. We're looking for comments from fire departments and from the public. Fire departments are in the best position to share information on lithium-ion battery fires in their jurisdiction, and I would welcome that information. And I am also particularly interested in thoughts on whether we should include:

- **“Check battery” indicators.** Like the “check engine” light in a car, a “check battery” light on the bike itself could act as an early warning system to indicate when a battery or any of its cells is unstable and at risk of failure. Would this be a useful addition, particularly for situations where people are using aftermarket batteries in their bikes?
- **Automatic shut-offs in both the batteries *and* the chargers.** The battery management systems in batteries should automatically shut off while charging when there is a fire risk. But not all consumers use the original charger or battery that came with their e-bike. Would adding an auto shut-off to the chargers, as well, add another valuable layer of protection, in case consumers are unknowingly using a battery without a working battery management system?
- **Focus on the state of battery health.** Under the proposal, batteries would have to shut down when limits for voltage, current, or temperature are exceeded. Should they also check the state of health of the battery, including degradation and damage, as another means to alert consumers of possible danger before it is too late?

---

<sup>3</sup> Anser Hassan, *Family confirms 6-year-old twin, grandma and great-grandma died in San Leandro house fire*, ABC 7 News (Mar. 14, 2025), <https://abc7news.com/post/san-leandro-fire-family-confirms-6-year-old-twin-grandma-great-dead/16024235/>.

- **Fire-proof identification plates.** Lithium-ion battery fires are incredibly destructive. In their aftermath, it is often very difficult for fire investigators to identify the products that may have caused the fire because they are completely destroyed. Could identification plates be affixed to the products that could survive the fire and help investigators determine their cause?

Even in the most challenging of times, CPSC is still driving forward safety solutions for the American people.

Yours in Safety,

Richard L. Trumka Jr.



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814  
COMMISSIONER MARY T. BOYLE

**STATEMENT OF COMMISSIONER MARY T. BOYLE TO ADVANCE  
PROPOSED RULEMAKING ON LITHIUM-ION BATTERIES IN  
MICROMOBILITY PRODUCTS  
APRIL 30, 2025**

First, I want to extend my heartfelt thanks to all of the staff who have worked on this package in particular and to the entire staff of this agency who have continued to perform their jobs with dedication and professionalism in extraordinarily difficult circumstances.

Today we took an important step forward to protect consumers from a well-documented safety hazard: fires caused by lithium-ion batteries found in e-bikes, e-scooters, hoverboards, and other micromobility products that continue to proliferate on our streets and roads. We voted to seek public comment on a proposed safety standard that is rooted in industry consensus and expert evaluation by Commission staff. Our action underscores the critical imperative that safety keep pace with innovation. There is no reason for delay.

Dozens of fatalities and scores of injuries have occurred as a result of electric shock, fires, explosions, burns, overheating, and smoke inhalation from the lithium-ion batteries in these micromobility products. Not only that, many of the victims were not direct users of the products. Unsuspecting residents of apartment buildings, for example, have perished in fires started by an e-bike in a neighboring unit. People using these products range from seniors who are choosing e-bikes over traditional bicycles to delivery workers to children and teens who are embracing the battery-powered devices to get to school or to hang out with friends.

I am proud to have voted in favor of the proposed rule, and believe this action represents a common-sense safety solution that embraces a new technology while at the same time imposing needed guardrails for its safe use.

I began urging the Commission to take decisive action on lithium-ion battery fires early in my tenure as a CPSC Commissioner. On December 9, 2022, I issued a statement about the urgent need to address this issue, calling specific attention to the lithium-ion battery fires occurring in e-bikes and micromobility devices in my native New York City and across the country. On the heels of my call to action, CPSC enforcement staff issued a letter later that month to more than 2000 manufacturers and importers urging compliance with UL safety standards. Although that action was a step in the right direction, fires continued apace. Unfortunately, it is clear that industry did not heed staff's message urging compliance with the UL standards. Two years after the letter was issued, CPSC staff found a

compliance rate of just 45% across all micromobility products and a dismal rate—below 11%—for e-bikes.

Central to the proposed rulemaking the Commission advanced today are these same UL standards, recommended by our technical staff along with several other elements to bolster safety. As always, the development of voluntary standards plays an important role in the CPSC rulemaking process and today's proposal reflects the importance the Commission places on those standards. But the industry obligation is twofold: not only must industry develop strong standards, it must comply with them.

The CPSA compels the Commission to rely on a voluntary standard if the standard would adequately reduce the risk of injury and there will be substantial compliance with the standards. Absent compliance, a strong standard amounts to no standard. Here, even if the voluntary standards committee were to adopt the additional elements the Commission proposes today, the evidence in the staff package demonstrates an abysmal level of industry compliance with the voluntary standard, necessitating mandatory action by the Commission

The rulemaking process we have followed historically—and today—is designed for fairness to all stakeholders as we seek to apply legal, scientific and policy expertise to decisions that are laser-focused on the CPSC mission: protecting people from injury and death.