

New York City Fire Department

Local Law 40 of 2023

2025 Submission



Eric Adams
Mayor

Robert S. Tucker
Fire Commissioner

LL 40 of 2023 – 2025 Submission

I. Bureau of Fire Investigation – Overall Investigations for 2024

Year	Investigations	Injuries	Deaths	Structural	Non-Structural
2024	279	99	6	144	135

Investigations Broken Down by Borough

	Bronx	Brooklyn	Manhattan	Queens	Staten Island
Investigations	71	87	54	61	6
Fatalities	2	2	1	1	0

II. Review of New York City Fire Code and Administrative Code

As indicated in the Department’s *2024 Submission* related to Local Law 40 of 2023, the New York City Fire Department evaluated potential topics of legislation such as appropriate penalties for violations and cross-enforcement authority. Since that time, the City Council enacted Local Law 50 of 2024, which amended Section 20-610 of the administrative code of the city of New York, as added by local law number 39 of 2023, to increase civil penalties for violations of such section, and authorized the Fire Department “to enforce the provisions of section 20-610 of the administrative code, which, in part, prohibits the distribution, sale, lease, or rental of powered bicycles and powered mobility devices, as defined in that section, unless the storage batteries and electrical systems of such devices have been certified by an accredited testing laboratory, as defined in the rules of the Department of Consumer and Worker Protection.”

In connection with its periodic review of the Fire Code pursuant to Local Law 26 of 2008, the Fire Department continues to evaluate opportunities to mitigate fire risks posed by powered mobility devices. Potential topics for legislation could include new requirements for battery charging/storage cabinets and clarifying indoor versus outdoor requirements for storage and charging.

III. Summary of Relevant Inspection & Enforcement Actions by the Bureau of Fire Prevention's Special Inspections Unit

The Bureau of Fire Prevention's leg of the E-safety Task Force is headed by the Special Inspections Unit (SIU). Together with our partners from the Bureau of Fire Investigation (BFI), the task force responds to complaints received regarding lithium-ion mobility batteries within 12 hours. Our complaints are sourced from 311 calls/emails as well as referrals from other FDNY units. In addition, the Fire Department Operations Center can request an immediate response from the task force for potentially hazardous conditions.

Upon discovery of conditions which violate FC 309.3, a variety of enforcement options are utilized. All locations receive a Violation Order, aka a Department Order to correct violating conditions. These orders require a re-inspection in order to cure and allow the Task Force to revisit problematic locations more frequently to ensure compliance. In addition, they may receive a FDNY Summons and/or a Criminal Summons depending on the severity of the violations. Criminal Summons are more likely to be issued when Inspectors observe batteries under repair or modification.

In addition to violations, BFP provides Fire Code guidance and education regarding all areas of fire and life safety. Regarding E-Safety, Inspectors provide copies of the applicable code sections upon request and will assist owners/managers by walking them through code requirements.

In 2024, SIU performed a total of 585 Lithium-Ion related inspections. These inspections led to the issuance of the following:

- FDNY Summons – 426
- Violation Orders – 138
- Criminal Summons – 32
- FDNY + DOB Vacates – 7

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The above numbers reflect all violations discovered due to E-Safety Inspections, many of which were for non-lithium-ion related issues. These inspections have led to many serious conditions being discovered, including a hidden apartment in a building's basement with an entry door disguised as a storage cabinet.

We continue to work with our sister agencies and bureaus to continue bringing locations into compliance. We partner with DCWP on a consistent basis and assist them with serving Seal orders to locations that are continually non-compliant.