**Trek Bicycle Public Comments on New York City’s Proposed Updates to Local Law 39 of 2023**

Trek Bicycle Corporation (Trek) appreciates the opportunity to submit comments on the proposed updates to New York City’s Local Law 39 of 2023, addressing the safety of electric bicycles (e-bikes), other e-mobility products, and their batteries and will focus specific attention on the definition of which entities may certify these products.

Trek has been involved in the design, development, and manufacturing of e-bikes for over two decades. We have a long history of participating in, and leading, the development of safety standards for bicycles and e-bikes, and we believe minimum safety standards are essential to ensure continued consumer confidence in, and growth of, these products. For these reasons, Trek supports Local Law 39, which sets minimum safety standards for e-mobility devices in New York City. More specifically, Trek supports the Department of Consumer and Worker Protection’s proposal as written to clarify what an “accredited testing laboratory” is in the context of Local Law 39. Understanding who can certify these products is important to getting e-bikes and other e-mobility products into compliance with safety standards. Additionally, inclusion of all qualified laboratories, will be essential to completing this effort as expeditiously as possible.

While OSHA’s Nationally Recognized Test Laboratory (NRTL) Scheme is an excellent method for accrediting laboratories responsible for evaluating occupational safety and health standards in the United States, it is rather limited in capacity to be solely used for consumer products, such as e-mobility products. Currently, there are 21 laboratories listed in the NRTL database, and there are only a handful of those accredited to perform UL 2849, UL 2272, and UL 2271 testing and certification. However, when you consider accredited laboratories on a global level, the number of labs accredited to perform this testing increases into the hundreds. Given the large number e-mobility devices currently on the market, and an ever-growing number of new products released each year, utilizing the NRTL accreditation system alone is unlikely to provide the necessary capacity, and could result in a bottleneck and delays in certification.

For example, Trek has worked on many battery and e-bike electrical system certifications with NRTL accredited and globally accredited labs alike, and we have found that testing timeframes to be similar: a full system certification to UL 2849 can take approximately 1-2 years, while battery and other component certifications can take between 6-12 months. When these time frames are considered in the context of testing and certifying thousands of e-mobilbity products, it quickly becomes clear that a handful of NRTLs would likely become overwhelmed. This could dramatically increase product development timelines, introduce additional uncertainty/cost in planning and mfg scheduling, and generally make it more difficult to innovate and iterate new technology and safety features. More importantly though, it would severely hamper NYC’s effort to ensure all e-mobility devices are compliant to minimum safety standards, as quickly as possible.

Utilizing the global laboratory accreditation scheme along with NRTLS, provides greater testing and certification capacity. This global scheme utilizes ISO 17025/17065 standards to evaluate laboratory suitability, and these qualification standards are often very similar, if not identical, to the requirements of the NRTL system. Like the NRTL system, the global laboratory accreditation scheme also requires periodic audits by independent accreditation organizations (ILAC, A2LA, etc.), and this is one of the main differences in comparison to the NRTL system, in which OSHA is the primary audit/accreditation organization.

Having a larger pool of accredited labs to work with, also promotes price competition between the labs. This ultimately benefits the consumer, as the costs to test and certify a full e-system and its components currently, can easily be $250,000 - $500,000 in initial costs, plus an additional $20,000-$50,000/year in follow-up services, depending on system architecture and complexity. Of course, these costs are often passed on to consumers in the end product pricing.

Hopefully our insight as an American manufacturer of ebikes, standards development leader, and daily participant in ebike testing and certification, can help support DCWP’s proposal. Thank you for considering our comments.

If you have any questions about our comments, please contact Jeff Jambois, Product Compliance Engineer at the following email address: jeff\_jambois@trekbikes.com.