

Product Safety and Metrology Bill: E-bike and e-scooter fires

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The Government's Product Safety and Metrology bill was announced in the King's Speech, it seeks (amongst other things) to address the fire risks associated with e-bikes and lithium-ion batteries.

Many fire authorities have reported a significant increase in the number of fires caused by these batteries. Frequently, the batteries are used for e-bikes which are ridden by Deliveroo or Uber Eats riders. As some of the riders live in apartments and store their bikes in the common areas, there have been tragic cases where the batteries have caught light causing fires which have led to deaths of people in the apartments. Some bikes or scooters are charged in escape routes and some riders are not using the correct chargers which can lead to the batteries being overcharged. In turn the batteries become too hot and catch fire.

At a recent event in Shoreditch, the London Fire Brigade delivered a special Deliveroo rider event to get the message across to all riders of the risk these batteries present.

Several riders use converted e-bikes which are standard pedal cycles converted to e-bikes by installing conversion kits bought online. Some batteries are subject to recall for safety reasons but not all riders are aware of the recall.

The London Fire Brigade reported a 78% increase in e-bike fires in 2023 compared with 2022. In 2023 there were 155 e-bike fires and 28 e-scooter fires recorded by the London Fire Brigade. So far this year, there have been 100 e-bike and e-scooter fires recorded in London.

The **Product Safety and Metrology bill** intends to cover nearly all manufactured products and is aimed at addressing the current and emerging threats to consumer safety caused by these batteries.

The framework governing lithium-ion batteries is expected to develop following the publication of the UK's Battery Strategy last November. There are Batteries Regulations in the EU, but they do not apply in the UK. The Bill is likely to align legislation in the UK with the EU.

Whilst the Bill makes its way through Parliament, insurers need to be alive to the risk of product liability claims and litigation arising from lithium-ion batteries. As well as being present in e-bikes and e-scooters, these batteries are present in laptops, smart phones and e-cigarettes. In both the US and Canada there are several class actions against manufacturers, suppliers and retailers as well as a number of well-publicised product recalls such as 53,000 hoverboards being recalled in 2017 in the US after several reported fires.

Several train companies have banned e-bikes and e-scooters from trains and stations due to the risk of fires. The UK Government is considering the production of safe lithium-ion batteries as a priority production item, with the recent Battery Strategy mentioned above emphasising the importance of improved battery design. Alternative products such as sodium-ion batteries are being developed as these are much safer; as well as advancements to make the lithium-ion batteries safer by building in automatic shutdowns when the battery reaches a certain temperature.

Building and property insurers also need to consider the terms of their policies and whether exclusions should be included for loss or injury arising from fires caused by occupiers or tenants' battery use and/or higher premiums to account for these risks. These considerations also need to be taken into account by local authorities when dealing with social housing.

Key contact



Angela Williams

Legal Director

angela.williams@brownejacobson.com

+44 (0)330 045 2785

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