

Senate Transportation Committee

Sophie Walsh 271-3469

SB 430, relative to establishing a commission to study the impacts of electric vehicles, lithium-ion batteries, and e-mobility devices on first responder response, the environment, building and fire codes, and life and safety property protection.

Hearing Date: January 16, 2024

Time Opened: 1:04 p.m.

Time Closed: 1:21 p.m.

Members of the Committee Present: Senators Ricciardi, Watters, Ward, Gendreau and Fenton

Members of the Committee Absent: None

Bill Analysis: This bill establishes a commission to study the impacts of electric vehicles, lithium-ion batteries, and e-mobility devices on first responder response, the environment, building and fire codes, and life and safety property protection.

Sponsors:
Sen. Birdsell

Who supports the bill: Adam Schmidt (NH Association of Fire Chiefs), Sean Toomey (NH State Fire Marshal's Office), Dan Bennett (NH Automobile Dealers Association), Sen. Birdsell, Susan Liebowitz, Bruce Berk, Catherine Bushueff, Richard DeMark, Patricia Beffa-Negrini, Daniel Richardson, Jerry Beck, Lois Cote, Margaret Longley, Nick Paul (Clean Energy NH), Patricia Martin, Donna Reardon

Who opposes the bill: Virginia Riege-Blackman, Janet Lucas, Ian Blackman

Who is neutral on the bill: Mike Fitzgerald (NH DES)

Summary of testimony presented:

Senator Regina Birdsell, Senate District 19

- Senator Birdsell explained that this bill establishes a commission to study the impacts of electric vehicles, e-mobility devices, and lithium-ion batteries on first responder response, the environment, building and fire codes, and life and safety protection.
- Senator Birdsell said that she has attended meetings during which concerns have been raised regarding how first responders will respond to incidents involving electric vehicles. She said at this time, there is no procedure set in stone.

- Senator Watters inquired about line 11 of the bill, asking for Senator Birdsell's thoughts on how it would go through the House of Representatives. He explained that according to recently passed legislation, commissions must contain a majority of legislators.
- Senator Birdsell said that we do not have enough legislators to have a majority, and added that the bill could be amended.
- Senator Watters remarked that he has been setting up advisory groups and councils with no legislators.
- Senator Birdsell said that this work needs to be done, and this group can do it well with or without legislators.

Sean Toomey, New Hampshire State Fire Marshal's Office

- Marshal Toomey said that the Fire Marshal's Office has established an informal stakeholder group on electric vehicles. He explained they are asking the legislature to formalize this group.
- Marshal Toomey explained that there are growing fire safety concerns regarding electric vehicles and batteries, as incidents are becoming more frequent.
- Marshal Toomey asked the committee to support this bill, explaining that there is a lot of research going on at the national level and this group will be an important step in bringing state agencies together with outside groups.
- Senator Gendreau asked if it was true that electric vehicles are four times more likely to catch fire.
- Marshal Toomey explained that there has been no data found to support these claims. He emphasized the need for better data to make informed decisions.
- Marshal Toomey said there is an initiative to collect data in New Hampshire, and it has been found that of the roughly 400 vehicle fires per year in the state, approximately two involve electric vehicles.
- Senator Gendreau asked if it was true that electric vehicle fires last longer than others.
- Marshal Toomey confirmed that when batteries catch fire, they take a longer time to burn out. He explained that when it is safe to do so, first responders will let the vehicle burn.
- He also expressed concerns about electric vehicle fires that may occur in places like parking garages attached to residential space.
- Senator Ricciardi remarked that it makes sense to have a commission, so these answers can be identified.
- Senator Watters referenced lines 5 and 6 of the bill, asking if it would make more sense to phrase it as electric vehicles and e-mobility devices associated with lithium-ion batteries. He expressed concern regarding the wide range of usages and impacts that lithium-ion batteries have themselves.
- Marshal Toomey responded that because vehicles and e-mobility devices are the focus of this commission, he would be willing to change the phrasing.

- Senator Watters noted that if this potential phrasing is used, the commission may be able to study new battery types in the future.
- Marshal Toomey noted that in regards to the scope of the commission, there are environmental impacts of lithium-ion batteries that should be addressed. He used the example of deciding to let batteries burn and the effects that could have on air versus using large quantities of water to put out fires.

Mike Fitzgerald, Assistant Director of the Air Resources Division at New Hampshire Department of Environmental Services

- Mr. Fitzgerald explained that the Department of Environmental Services does not normally take positions on legislative commissions, but they support the remarks of Marshal Toomey.
- Mr. Fitzgerald explained that in the House of Representatives there are currently five pieces of legislation pertaining to electric vehicles.
- He asked the committee to consider these bills for interim study in consideration of this commission. He said that these issues need to be studied more before the legislature takes drastic action.