

Back from the Future: Hoverboards are Real "Fire Hazards" According to the CPSC and NFPA

New Tech Toys and Products Task Force

With more and more new tech fads popping up (and perhaps not too coincidentally sparking fires), Cozen O'Connor's Subrogation & Recovery Team has formed a new Tech Toys and Products Task Force to monitor trends and developments related to these devices and how they impact the field of subrogation. Whether it is an exploding e-cigarette, a toy drone battery catching fire, or a charging hoverboard shooting sparks, fires appear on the rise from a variety of new tech gadgets and toys used in everyday life. Cozen O'Connor's team is keeping a watchful eye on these trending fires with the formation of a new Tech Toys and Products Task Force, which is chaired by David Brisco and Joe Rich of the Subrogation & Recovery Group.

In this Alert, we discuss hoverboards and recent advisories in response to fire trends associated with hoverboards by the Consumer Product Safety Commission (CPSC) and National Fire Protection Association (NFPA). As this field develops for all tech toys, gadgets and newly developed consumer products, we will keep the recovery community informed with periodic alerts.

Yes, McFly, Hoverboards Are Real ... Real Fire Hazards

When one hears hoverboard, it may generate images of Marty McFly in *Back to the Future Part II* cruising around the streets of downtown Hill Valley in October 2015 (the film's version of the future) on a pink and white hoverboard. But, let's be honest, the Marty McFly hoverboard doesn't really exist and never has in our "future." In the documentary *Back in Time*, director Robert Zemeckis explained how he had jokingly commented in interviews that the boards were real and parent groups were keeping them out of the public. But the reality is our hoverboards are much different and present fire hazards from a variety of potential issues.

The hoverboard we have today in our version of the future is a self-balancing, two wheeled electronic device that is made by various manufacturers, both foreign and domestic, with lithium batteries and chargers that are not always interchangeable. There's no scene in *Back to the Future Part II* where Marty charges his hoverboard, but, if there had been, we certainly hope it would not have totaled Doc Brown's tricked out, time traveling DeLorean from a fire and ruined the film (of course, if it had, there would have been good recovery potential). But our reality is that more and more news reports in the real world keep showing us that the fire hazards for hoverboards are a problem and now agencies who warn the public are taking note.

Life Is Not Imitating Art: The Dangers and Warnings Are Real

Simply stated, life is not imitating art when it comes to hoverboards and *Back to the Future Part II*. Rather than affording cool cruising devices like the one used by Marty McFly, our hoverboards present fire hazards.

On February 18, 2016, the CPSC issued a letter to all manufacturers, importers and retailers of hoverboards urging them to comply with Underwriters Laboratories' (UL) safety standard 2272 – *Outline of Investigation for Electrical Systems for Self-Balancing Scooters*, including standards for all lithium ion battery products.¹ Critically, the CPSC recognized that these devices that do not meet standards "pose an unreasonable risk of fire to consumers" and urged companies to review their product lines and ensure all of them are in compliance with safety standards. The CPSC went further to comment that many reported fires would have been prevented if the devices were made in compliance with safety standards. Whether companies who make these gadgets will comply remains to be seen and is something that recovery personnel need to keep in mind when presented



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with a hoverboard fire.

Two months before the CPSC letter, the NFPA also issued [safety tips and guidelines](#) for hoverboards noting that while these have “quickly become the latest fad,” “many hoverboards have been linked to fires.” A series of guidelines for use are listed on the alert and, like the CPSC, the NFPA noted that the device should have signs it was tested by an independent lab. The NFPA goes further to make a critical point that is sometimes overlooked by recovery personnel in these fire losses that “[s]ome hoverboard fires have involved Lithium-Ion battery or charger,” which are sometimes the more critical components for recovery professionals to keep in mind. Therefore, it is important to look beyond the tech toy itself and consider its battery and charger and their roles in the fire.

Conclusion

Whether it is the CPSC, NFPA, airlines with restrictions on carrying hoverboards or using e cigarettes, or places like San Francisco State University, which recently banned the use of hoverboards in public, it is clear the public and agencies are recognizing the fire hazards associated with hoverboards and like devices. So, while we have not quite caught up to the technology in *Back to the Future Part II* and, in some respects, we have to come back “from” the future and recognize that these devices may present fire hazards, we can control the future of recovery cases by recognizing that hoverboards and other tech fads present fertile ground for exploration of recoveries now and in the future.

Cozen O'Connor stands ready to assist with any questions you may have regarding issues discussed in this Alert.

¹ Prior to UL's creation of a UL standard for hoverboards, numerous hoverboard manufacturers placed a “UL” label on the packaging, representing that the hoverboard was UL approved even though UL had not even created a standard for hoverboards at that time.