

# STATE OF NEW YORK

2039--A

Cal. No. 247

2021-2022 Regular Sessions

## IN ASSEMBLY

January 14, 2021

Introduced by M. of A. DILAN, HEVESI, D. ROSENTHAL, SAYEGH, COOK, ABINANTI, PICHARDO, REYES, HYNDMAN, McDONOUGH, WILLIAMS, GLICK, FERNANDEZ, COLTON, HUNTER, DICKENS, TAYLOR, BRAUNSTEIN, SEAWRIGHT -- Multi-Sponsored by -- M. of A. DE LA ROSA, SIMON -- read once and referred to the Committee on Labor -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the administrative code of the city of New York, in relation to modular construction work

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter 5 of title 28 of the administrative code of the city of New York is amended by adding a new article 506 to read as follows:

### ARTICLE 506

#### MODULAR UNITS WITH ELECTRICAL, PLUMBING, AND FIRE SUPPRESSION ASSEMBLIES

##### § 28-506.1 Definitions. As used in this article:

1. "Modular unit" shall mean component parts assembled at a location other than the construction site which are to be transported to the construction site for installation as part of a manufactured building.

2. "Component parts" shall mean any sub-system, sub-assembly, or other system or fabrication designed for use in or as part of a structure, which may include woodwork, cases, cabinets or counters and the fabrication of electrical, plumbing, heating, cooling, ventilation, fire protection, exhaust duct systems, and mechanical insulation, or other systems affecting health and safety, designed and engineered for installation in the construction, repair, or renovation of a manufactured building.

3. "Manufactured building" shall mean a structure consisting of one or more transportable modular units built within a manufacturing facility

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 or facilities, where such building is designed to be greater than six  
2 stories in height.

3 § 28-506.2 Off-site electrical, plumbing, and fire suppression work.  
4 All electrical, plumbing, and fire suppression work during off-site  
5 assembly of a modular unit shall be performed by an applicable licensee  
6 pursuant to chapter four of this title with employees under the  
7 licensee's supervision.

8 § 28-506.3 Records demonstrating compliance. Each licensee performing  
9 off-site assemblies pursuant to this article shall maintain records  
10 demonstrating compliance of such modular unit pursuant to the provisions  
11 of this title with respect to the type of work being performed. Such  
12 records shall be maintained for at least six years from the date of the  
13 issuance of the final certificate of occupancy for the manufactured  
14 building.

15 § 28-506.4 Licensee certification. Prior to the transportation of any  
16 modular unit to the construction site for installation, each licensee  
17 shall submit a signed and sealed certification to the department attest-  
18 ing to the compliance of such modular unit pursuant to the provisions of  
19 this code with respect to the type of work being performed. Each modular  
20 unit transported to the construction site shall be accompanied with a  
21 copy of the applicable certifications required pursuant to this section.  
22 Such certifications shall be submitted to the department, in a form and  
23 manner as determined by the department, and all inspectors prior to  
24 installation of the modular unit and shall be maintained at the jobsite  
25 until the completion of the manufactured building.

26 § 28-506.5 Owner certification. Prior to the issuance of any work  
27 permits associated with the on-site construction of a manufactured  
28 building, the owner of such manufactured building shall certify to the  
29 department that he or she hired the appropriate licensees pursuant to  
30 chapter four of this title to perform all electrical, plumbing, and fire  
31 suppression work for such modular unit with employees under the licen-  
32 sees' supervision.

33 § 28-506.6 On-site construction. All electrical, plumbing, and fire  
34 suppression work necessary for installing or connecting the modular  
35 units on the construction site shall be performed by an applicable  
36 licensee pursuant to chapter four of this title with employees under the  
37 licensee's supervision, pursuant to a work permit covering such instal-  
38 lations and connections.

39 § 2. This act shall take effect immediately.