S T A T E  O F  N E W  Y O R K

4165

2009-2010 Regular Sessions

I N  A S S E M B L Y

January 30, 2009

Introduced by M. of A. BRENNAN, ROSENTHAL, MILLMAN, CYMBROWITZ, MARKEY, GREENE, COLTON, PHEFFER, MAISEL -- Multi-Sponsored by -- M. of A. CANESTRARI, COOK, FARRELL, GOTTFRIED, JOHN, LANCMAN, MAYERSOHN, NOLAN, WEISENBERG -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York and the education law, in relation to reporting certain structural problems to the New York city department of buildings and penalties for noncompliance by licensed engineers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The administrative code of the city of New York is amended by adding a new section 28-216.1.3 to read as follows:

S 28-216.1.3 NOTIFICATION BY OWNER. IF ANY STRUCTURE OR PART OF ANY STRUCTURE IS DISCOVERED OR KNOWN TO BE DANGEROUS OR UNSAFE STRUCTURALLY BY THE OWNER THEREOF, BY ANY AGENT OR EMPLOYEE OF THE OWNER, OR BY ANY LICENSED ENGINEER, SUCH PERSON SHALL NOTIFY THE DEPARTMENT THEREOF WITHIN FIVE BUSINESS DAYS OF SUCH PERSON'S MAKING SUCH DISCOVERY OR ACQUIRING SUCH KNOWLEDGE.

S 2. The education law is amended by adding a new section 6510-a to read as follows:

S 6510-A. ADDITIONAL DEFINITION OF PROFESSIONAL MISCONDUCT; FAILURE OF ENGINEERS TO MAKE CERTAIN REPORTS. ANY LICENSED ENGINEER WHO FAILS TO REPORT A DANGEROUS OR UNSAFE CONDITION AS REQUIRED BY SECTION 28-216.1.3 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK SHALL BE GUILTY OF PROFESSIONAL MISCONDUCT AND SHALL HAVE HIS OR HER LICENSE SUSPENDED UPON A FINDING OF GUILT THEREOF.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

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

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