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I N S E N A T E

May 12, 2016

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to standards for inspections of parking structures

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

1 Section 1. Section 378 of the executive law is amended by adding a new
2 subdivision 17 to read as follows:
3 17. STANDARDS FOR INSPECTIONS OF PARKING STRUCTURES REQUIRING:
4 A. PERIODIC INSPECTIONS OF PARKING STRUCTURES AT LEAST ONCE EVERY FIVE
5 YEARS AND INSPECTIONS WHERE THE STRUCTURAL INTEGRITY OF A PARKING STRUC-
6 TURE IS OR HAS BEEN COMPROMISED BY A STORM, FLOOD, COLLISION, ACCIDENT
7 OR OTHER NATURAL OR MANMADE OCCURRENCE, OR WHERE A PARKING STRUCTURE HAS
8 KNOWN DEFICIENCIES. SUCH INSPECTIONS SHALL:
9 (I) INCLUDE A STRUCTURAL INTEGRITY EVALUATION OF THE STRUCTURAL AND
10 FOUNDATION SYSTEMS, WHICH SHALL INCLUDE AN ANALYSIS OF:
11 (1) TO THE EXTENT PRACTICABLE, THE DESIGN, DESIGN AS-BUILT PLANS, AND
12 STRUCTURAL ALTERATIONS OR MAINTENANCE REPAIRS THAT HAVE BEEN MADE;
13 (2) CODE CHANGES SINCE THE TIME OF ORIGINAL DESIGN;
14 (3) THE LIVE LOAD CAPACITY RATING IN ACCORDANCE WITH ACCEPTED ENGI-
15 NEERING PRACTICES; AND
16 (4) ANY DETERIORATION OF OR MODIFICATION TO THE ORIGINAL STRUCTURE;
17 (II) INCLUDE A TEN YEAR LIFE CYCLE PROJECTION, TO ESTIMATE THE SCOPE
18 AND COST OF MAINTENANCE, REPAIR AND REHABILITATION IN ORDER TO PROVIDE
19 COMPREHENSIVE PARKING STRUCTURE SAFETY;
20 (III) INCLUDE A REVIEW OF THE MOST RECENT INSPECTION REPORT;
21 (IV) BE PERFORMED BY A LICENSED PROFESSIONAL ENGINEER WHO SHALL MEET
22 THE QUALIFICATIONS FOR PARKING STRUCTURE DESIGN, CONSTRUCTION OR
23 INSPECTION EXPERIENCE AS PRESCRIBED BY THE COUNCIL;
24 (V) INCLUDE A RATING BASED ON A RATING SYSTEM ESTABLISHED BY THE COUN-
25 CIL THAT REFLECTS THE STRUCTURAL INTEGRITY AND SAFETY OF THE PARKING
26 STRUCTURE;

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

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1 (VI) BE REPORTED ON FORMS PRESCRIBED BY THE COUNCIL, SUBSCRIBED BY THE
2 INSPECTING ENGINEER AND FILED WITH THE COUNCIL WITHIN SIXTY DAYS OF THE
3 COMPLETION OF THE INSPECTION;
4 (VII) BE MADE AVAILABLE TO THE PUBLIC;
5 B. MAINTENANCE GUIDELINES FOR PARKING STRUCTURES;
6 C. GUIDELINES FOR THE CONSPICUOUS POSTING OF A PARKING STRUCTURE'S
7 LIVE LOAD CAPACITY RATING;
8 D. PROCEDURES FOR THE TEMPORARY CLOSING OF AN UNSAFE PARKING STRUC-
9 TURE; AND
10 E. SUBMISSION TO THE COUNCIL OF REASONABLY AVAILABLE PAST PARKING
11 STRUCTURE INSPECTION REPORTS.
12 S 2. Section 372 of the executive law is amended by adding a new
13 subdivision 20 to read as follows:
14 20. "PARKING STRUCTURE" MEANS ANY BUILDING OR STRUCTURE, OR PART THER-
15 EOF, IN WHICH A STRUCTURAL LEVEL OTHER THAN A SLAB ON GRADE IS USED FOR
16 PARKING OR STORAGE OF MOTOR VEHICLES.
17 S 3. This act shall take effect on the ninetieth day after it shall
18 have become a law.