

8165

I N   S E N A T E

July 6, 2016

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Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to standards for fire hydrant systems; and providing for the repeal of certain provisions upon expiration thereof

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 two  
2 new subdivisions 17 and 18 to read as follows:

3     17. A. STANDARDS FOR FIRE HYDRANT SYSTEMS SHALL REQUIRE:

4     (I) PERIODIC TESTS AS REQUIRED BY THE CODE ENFORCEMENT OFFICIAL,  
5 PROVIDED THAT EACH HYDRANT BE TESTED FOR PROPER FUNCTIONALITY A MINIMUM  
6 OF ONCE PER YEAR; AND

7     (II) RECORDS OF INSPECTIONS PERFORMED ON EACH HYDRANT BE MAINTAINED  
8 FOR A PERIOD OF AT LEAST FIVE YEARS BY THE LOCAL AUTHORITY RESPONSIBLE  
9 FOR CONDUCTING SUCH INSPECTIONS.

10     B. FOR THE PURPOSES OF THIS SECTION, A FIRE HYDRANT SYSTEM SHALL BE  
11 DEFINED AS A SYSTEM OF PIPES AND VALVES SITUATED AND MAINTAINED FOR  
12 FIREFIGHTING PURPOSES DELIVERING A WATER SUPPLY WITH SUFFICIENT PRESSURE  
13 AND FLOW WITH A CONNECTION POINT BY WHICH FIREFIGHTERS CAN ACCESS IT  
14 WITHOUT RESTRICTION AS TO THE USE FOR THAT PURPOSE. THE LOCATION IS SUCH  
15 THAT IT IS ACCESSIBLE FOR IMMEDIATE USE OF THE FIRE AUTHORITY AT ALL  
16 TIMES.

17     18. THE DEPARTMENT OF PUBLIC SERVICE SHALL TRANSMIT A REQUEST FOR  
18 INFORMATION TO EACH WATER-WORKS CORPORATION SERVING FIFTY THOUSAND OR  
19 MORE WATER USERS, WATER AUTHORITY WITHIN THE STATE, AND MUNICIPAL PUBLIC  
20 WORKS DEPARTMENT REQUESTING ANY AND ALL INFORMATION RELATED TO FIRE  
21 HYDRANT MAINTENANCE, SERVICING, TESTING, AND REPLACEMENT.

22     A. THE DEPARTMENT OF PUBLIC SERVICE SHALL SEEK FROM EACH WATER-WORKS  
23 CORPORATION SERVING FIFTY THOUSAND OR MORE WATER USERS, WATER AUTHORITY,  
24 AND MUNICIPAL PUBLIC WORKS DEPARTMENT THE FOLLOWING INFORMATION:

25     (I) ALL INVOICES ASSOCIATED WITH MAINTENANCE, SERVICING, INSPECTION,  
26 OR REPAIR OF FIRE HYDRANTS FOR A PERIOD OF AT LEAST ONE YEAR; AND

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

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1 (II) ALL RECORDS ASSOCIATED WITH THE MAINTENANCE, SERVICING,  
2 INSPECTION, OR REPAIR OF FIRE HYDRANTS FOR A PERIOD OF AT LEAST ONE  
3 YEAR.

4 B. EACH WATER-WORKS CORPORATION SERVING FIFTY THOUSAND OR MORE WATER  
5 USERS, WATER AUTHORITY, OR MUNICIPAL PUBLIC WORKS DEPARTMENT THAT  
6 RECEIVES A REQUEST FOR INFORMATION FROM THE DEPARTMENT OF PUBLIC SERVICE  
7 PURSUANT TO THIS SUBDIVISION SHALL COOPERATE FULLY WITH SUCH DEPARTMENT,  
8 PROVIDE SUCH INFORMATION IN A TIMELY MANNER, AND COMPLY WITH ANY OTHER  
9 REQUESTS AND REQUIREMENTS DEEMED APPROPRIATE BY SUCH DEPARTMENT.

10 C. THE DEPARTMENT OF PUBLIC SERVICE SHALL ISSUE A REPORT ON OR BEFORE  
11 JULY FIRST, TWO THOUSAND SEVENTEEN ON INFORMATION COLLECTED FROM EACH  
12 WATER AUTHORITY AND PUBLIC WORKS DEPARTMENT REGARDING FIRE HYDRANT MAIN-  
13 TENANCE, SERVICING, INSPECTION, OR REPAIR. SUCH A REPORT SHALL INCLUDE A  
14 COMPREHENSIVE ANALYSIS OF THE FREQUENCY OF EACH AUTHORITY'S OR PUBLIC  
15 WORKS DEPARTMENT'S MAINTENANCE AND INSPECTION OF FIRE HYDRANTS. THE  
16 DEPARTMENT OF PUBLIC SERVICE SHALL INCLUDE ANY RECOMMENDATIONS THAT  
17 WOULD ACHIEVE A MORE UNIFORM PERIOD OF HYDRANT MAINTENANCE AND  
18 INSPECTION. SUCH DEPARTMENT SHALL INCLUDE IN THE REPORT THE IDENTITY OF  
19 ANY WATER-WORKS CORPORATION SERVING FIFTY THOUSAND OR MORE WATER USERS,  
20 WATER AUTHORITY, OR MUNICIPAL PUBLIC WORKS DEPARTMENT THAT RECEIVED A  
21 REQUEST FOR INFORMATION FROM THE DEPARTMENT BUT DID NOT PROVIDE INFORMA-  
22 TION IN A TIMELY OR COMPLETE MANNER. IF A WATER-WORKS CORPORATION SERV-  
23 ING FIFTY THOUSAND OR MORE WATER USERS, WATER AUTHORITY, OR MUNICIPAL  
24 PUBLIC WORKS DEPARTMENT IS NOT RESPONSIBLE FOR MAINTAINING AND INSPECT-  
25 ING FIRE HYDRANTS, A STATEMENT INDICATING NO RESPONSIBILITY TO INSPECT  
26 SHALL BE TRANSMITTED TO THE DEPARTMENT OF PUBLIC SERVICE IN RESPONSE TO  
27 ANY REQUEST FOR INFORMATION. SUCH DEPARTMENT SHALL POST A COPY OF THE  
28 FULL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE  
29 SPEAKER OF THE ASSEMBLY, AND EACH MEMBER OF THE LEGISLATURE.

30 S 2. This act shall take effect immediately; provided that the  
31 provisions of subdivision 18 of section 378 of the executive law, as  
32 added by section one of this act, shall expire and be deemed repealed on  
33 the one hundred twentieth day after the department of public service has  
34 submitted its completed report provided, further, that the department of  
35 public service shall notify the legislative bill drafting commission  
36 upon the occurrence of the submission of the completed report in order  
37 that the commission may maintain an accurate and timely effective data  
38 base of the official text of the laws of the state of New York in furth-  
39 erance of effectuating the provisions of section 44 of the legislative  
40 law and section 70-b of the public officers law.