

STATE OF NEW YORK

3038

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Labor

AN ACT to amend the administrative code of the city of New York, in relation to the department of buildings keeping records regarding fatal construction accidents

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

1 Section 1. The opening paragraph of section 28-103.21 of the adminis-
2 trative code of the city of New York, as amended by local law number 78
3 of the city of New York for the year 2017, is amended to read as
4 follows:

5 The commissioner shall, by January 2018 and monthly thereafter, post
6 on the department's website, in a machine-readable format, a list of
7 every incident, including those where no threat to public safety
8 existed, reported to the department in accordance with section
9 28-103.21.1 of this article, that occurred on every construction site
10 where construction work subject to permitting by the commissioner
11 resulted in (i) a fatality to any individual, including a member of the
12 general public or a construction worker, or (ii) an injury to any indi-
13 vidual, including a member of the general public or a construction work-
14 er, that requires transport by emergency medical services or requires
15 immediate emergency care at a hospital or offsite medical clinic,
16 regardless of whether such incident involved a violation of this code or
17 any other law or rule. Such list shall identify, at a minimum, the
18 following information for each incident that the department is required
19 to report on pursuant to this section:

20 § 2. Section 28-103.14 of the administrative code of the city of New
21 York, as added by local law number 33 of the city of New York for the
22 year 2007, is amended to read as follows:

23 §28-103.14 Department records. The department shall keep official
24 records of applications received, permits and certificates issued, fees

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

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1 collected, reports of inspections, every incident, including those where
2 no violation or threat to public safety existed, that occurred on every
3 construction site within the city of New York that resulted in a fatali-
4 ty, and notices and orders issued. Such records shall be retained in the
5 official records for the period required for retention of public
6 records.

7 § 3. This act shall take effect immediately.