

# STATE OF NEW YORK

4994

2023-2024 Regular Sessions

## IN SENATE

February 21, 2023

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

AN ACT to amend the public authorities law, in relation to metropolitan transportation authority contracts involving industrial painting and industrial coatings

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

1 Section 1. The public authorities law is amended by adding a new  
2 section 1265-c to read as follows:

3 § 1265-c. Contracts involving industrial painting and industrial coat-  
4 ings. 1. Any authority contract for the application of industrial paint-  
5 ing or industrial coating shall include provisions regarding contractor,  
6 subcontractor and worker certification as follows:

7 a. Contractors and subcontractors doing work involving industrial  
8 painting and industrial coating shall certify that all work completed  
9 meets the minimum standards established under this section by the comp-  
10 troller regarding industrial painting and industrial coating.

11 b. Contractors and subcontractors doing work involving industrial  
12 painting and industrial coating that require the disturbance of lead-  
13 based paint or other hazardous materials shall certify that all work  
14 conducted on the project meets the minimum standards established under  
15 this section by the comptroller.

16 2. Any certifications required by this section shall be kept current  
17 for the duration of the contract.

18 3. The comptroller, in coordination with the office of general  
19 services, shall establish guidelines concerning the procurement of  
20 industrial paints and industrial coatings as well as the qualifications  
21 required for the application of industrial paints and industrial coat-  
22 ings by contractors and subcontractors pursuant to section twenty-eight  
23 hundred seventy-nine-a of this chapter. Such guidelines shall implement  
24 a certification process with minimum standards for contractors and

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

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1 subcontractors to file with the authority upon completion of a project.  
2 When establishing guidelines related to industrial paints and industrial  
3 coatings, the comptroller shall consider industry standards set forth by  
4 the Association for Materials Protection and Performance (AMPP) or other  
5 similar associations that set industry standards for protective coatings  
6 and shall consult with affected contractors and subcontractors to  
7 consider environmental impact as well as the impact on public health and  
8 safety. The comptroller shall establish contractor and subcontractor  
9 requirements for employees working on industrial painting and industrial  
10 coating projects including, but not limited to, requiring specific  
11 trainings or certifications for individual employees.

12 § 2. This act shall take effect on the one hundred eightieth day after  
13 it shall have become a law and shall apply to any metropolitan transpor-  
14 tation authority contracting opportunities advertised on or after such  
15 date and shall exclude contracts for which an invitation for bid,  
16 request for proposal, or similar solicitation has been issued prior to  
17 the effective date of this act.