

STATE OF NEW YORK

1073

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

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 section 1 of part A
3 of local law number 126 of the city of New York for the year 2021, is
4 amended to read as follows:

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

20 § 2. Section 28-103.14 of the administrative code of the city of New
21 York, as amended by section 1 of part A of local law number 126 of the
22 city of New York for the year 2021, 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.