§ 955. Powers of the commissioner. 1. The commissioner shall have the authority to inspect, or cause to be inspected, ongoing or completed conveyance projects and to conduct an investigation thereof upon the commissioner's own initiation or upon receipt of a complaint by any person or entity. However, nothing in this subdivision shall permit the commissioner to enter a private residence.

2. If, upon receipt of a complaint alleging a violation of this article, the commissioner reasonably believes that such violation exists, he or she shall investigate as soon as practicable to determine if such violation exists. If the commissioner determines that no violation or danger exists, the commissioner shall inform the complaining person or entity. If, upon investigation, the commissioner determines that the alleged violation exists, the commissioner may deem such violation to create a dangerous condition for purposes of section two hundred of this chapter only and may issue a notice thereunder prohibiting further work.

3. The commissioner may, after a notice and hearing, suspend or revoke a license issued under this article based on any of the following violations:

(a) any false statement as to a material matter in the application;

(b) fraud, or misrepresentation, in securing a license;

(c) failure to notify the commissioner and the owner or lessee of a conveyance of any condition not in compliance with this article;

(d) a violation of section nine hundred fifty-two of this article; or

(e) a finding by the commissioner that a license holder has violated this article or any rule or regulation promulgated thereunder twice within a period of three years, or that a license holder has violated a provision of this article and such violation resulted in a serious threat to the health or safety of an individual or individuals. The commissioner may, in addition to ordering that such license be revoked, bar such license holder from being eligible to reapply for such license, or any other license under this article, for a period not to exceed two years.

4. (a) Except as provided in paragraph (b) of this subdivision, if the

commissioner finds, after notice and hearing, that an individual has violated any provision of this article, such commissioner may impose a civil penalty not to exceed ten thousand dollars for each such violation. The commissioner may impose civil penalties on a contractor or any party that employs or otherwise utilizes unlicensed mechanics. Upon a second or subsequent violation within three years of the determination of a prior violation, the commissioner may impose a civil penalty not to exceed twenty thousand dollars per violation. The commissioner shall submit a quarterly report to the board on violations found pursuant to this subdivision.

(b) The penalty provided for in paragraph (a) of this subdivision may be increased to an amount not to exceed five thousand dollars if the violation resulted in a serious threat to the health or safety of an individual or individuals provided, however, that such penalty may be increased to an amount not to exceed twenty-five thousand dollars if the violation resulted in the death of any individual or individuals.

5. The commissioner may bring an action in a court of competent jurisdiction to enjoin any conduct that violates the provisions of this article.

6. The board shall examine the various state and local requirements and industry standards and practices with respect to elevator inspections in this state and shall provide recommendations to the commissioner for coordinating existing state, local, and private inspections to ensure that elevators are being inspected by licensed inspectors.

7. The commissioner may promulgate rules and regulations necessary to carry out and effectuate the provisions of this article.