



Legislation Text

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Proposed Int. No. 298-A

By Council Member Kallos, Constantinides, Crowley, Gentile, Reynoso, Chin, Koo, Lancman, Maisel, Miller, Eugene, Richards, Levine, Rose, Menchaca, Rosenthal, Mendez, Koslowitz, Espinal, Rodriguez and Ulrich

A Local Law to amend the New York city building code, in relation to rigging.

Be it enacted by the Council as follows:

Section 1. Section 3302.1 of the New York city building code is amended by adding a new definition for “CLIMBER CRANE,” in appropriate alphabetical order, and by amending the definition of “MOBILE CRANE,” as added by local law number 33 for the year 2007, to read as follows:

**CLIMBER CRANE.** A crane erected upon and supported by a building or other structure and which may be raised or lowered to different floors or levels of the building or structure.

**MOBILE CRANE.** A commercial truck mounted crane, crawler crane, wheel mounted crane (multiple control stations), or wheel mounted crane (single control station).

**Exception:** This term shall not include climber cranes.

§2. Exception 3.4 of section 3316.9.1 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

3.4 The article being hoisted or lowered is not [a boiler or tank;] one of the following:

3.4.1 A boiler or tank; or

3.4.2 Permanent mechanical, electrical or plumbing equipment, or a major component thereof, in weighing in excess of 2,000 pounds (907 kg); and

§3. Section 3316.9.2 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**3316.9.2 Certification or training.** All individuals who attach or detach articles from the hook of hoisting equipment in conjunction with the hoisting or lowering of an article outside of a building the [supervisor of] competent person supervising such individuals, and signalpersons communicating with such individuals, shall,

eighteen months after the effective date of this section, [either:

1. Possess a valid certification for both rigging and signaling from an organization acceptable to the commissioner and accredited by the National Commission for Certifying Agencies (NCCA) or the American National Standards Institute (ANSI). The certification shall be valid for a term of no more than five years before it has to be renewed and shall cover areas including, but not limited to, the inspection and use of rigging hardware, basic rigging techniques, signaling, and hazards associated with rigging. The certification for a supervisor shall, in addition to the foregoing, include calculations and problem solving with respect to rigging; or

2. Have] have completed an initial department-approved training course, and four years following the completion of the initial training course, and every four years thereafter, complete a department-approved refresher course. The courses shall be in accordance with the following:

[2.1] 1. The initial training course for individuals who attach or detach articles from the hook of hoisting equipment and signalpersons communicating with such individuals shall be, at a minimum, 16 hours long, with the refresher course, at a minimum, 8 hours long. The initial training course for a supervisor shall be, at a minimum, 32 hours long, with the refresher course, at a minimum, 16 hours long.

[2.2] 2. The training course shall be conducted by a registered New York State Department of Labor apprenticeship training program or by an educational institution or school chartered, licensed or registered by the New York State Department of Education or by a provider approved by the department and presented by an instructor acceptable to the commissioner.

[2.3] 3. Training courses and refresher courses shall cover areas including, but not limited to, the inspection and use of rigging hardware, basic rigging techniques, signaling, and hazards associated with rigging. The training course and refresher course for a supervisor shall, in addition to the foregoing, include calculations and problem solving with respect to rigging. The training course and refresher course, both for crew members and supervisors, shall include a significant portion of hands on training.

[2.4] 4. Successful completion of the initial training course and refresher course shall be based upon passage of a written and a practical exam.

[2.5] 5. Successful completion of the initial training course and refresher course shall be evidenced by a wallet size certificate card issued by the training provider and acceptable to the commissioner. Such certificate card shall be readily available to the commissioner upon request and shall contain, at a minimum, the following information:

[2.5.1] 5.1 The name of the individual to whom it was issued;

[2.5.2] 5.2 A photograph of the individual to whom it was issued; and

[2.5.3] 5.3 Any other information required pursuant to rules promulgated by the commissioner for a department approved training course.

[2.6] 6. For individuals who fail to complete the required refresher course within any 4 year period, a refresher course shall be considered timely if completed within 1 year after the expiration date of the last previously completed initial or refresher course. During such period, such individual shall not

perform or supervise any activity for which the lapsed training is required to perform or supervise such activity until such individual has successfully completed such refresher course. Where more than 1 year has lapsed, such individual shall be required to successfully recomplete the initial training course.

**Exceptions:** Training [or certification] is not required for:

1. Individuals working under the direct and continuing supervision of a licensed rigger or sign hanger.
2. The loading or unloading of a building material delivery truck provided the material is loaded or unloaded only between the ground and the truck, or vice versa, and also provided that the material is not raised more than 12 feet (3658 mm) above the bed of the truck during the loading or unloading process.
3. The use of vehicle-mounted hoisting equipment that has a boom not exceeding fifty feet in length (15 240 mm) and a manufacturer's rated capacity of 2,000 pounds (907 kg) or less.

§4. Section 3316.9.3 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**3316.9.3 Industrial rope access.** Any person using industrial rope access methods to descend or ascend outside a building, including the individual supervising such, [must be] shall be under the direct and continuing supervision of a licensed master rigger, or a foreman designated by such licensed master rigger in accordance with rules promulgated by the department, certified by either the Society of Professional Rope Access Technicians ("SPRAT") or the Industrial Rope Access Trade Association ("IRATA"), or an equivalent acceptable to the department. Only hand tools, securely attached to a person, may be carried by such person during the use of industrial rope access methods. Any other tools or equipment must be separately hoisted or lowered.

§5. This local law shall take effect on October 1, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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