



## Legislation Details (With Text)

<b>File #:</b>	Int 1431-2017	<b>Version:</b>	A	<b>Name:</b>	Construction Safety - Registration and duties of lift directors.
<b>Type:</b>	Introduction	<b>Status:</b>	Enacted	<b>In control:</b>	Committee on Housing and Buildings
<b>On agenda:</b>	1/18/2017				
<b>Enactment date:</b>	12/31/2017	<b>Enactment #:</b>	2018/014		
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to the registration and duties of lift directors				
<b>Sponsors:</b>	Barry S. Grodenchik, Elizabeth S. Crowley, Deborah L. Rose, Antonio Reynoso, Stephen T. Levin, Rafael L. Espinal, Jr., Carlos Menchaca, Robert E. Cornegy, Jr., Donovan J. Richards, Ben Kallos, (in conjunction with the Mayor)				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Summary of Int. No. 1431-A, 2. Summary of Int. No. 1431, 3. January 18, 2017 - Stated Meeting Agenda with Links to Files, 4. Int. No. 1431, 5. Committee Report 1/31/17, 6. Hearing Testimony 1/31/17, 7. Hearing Transcript 1/31/17, 8. Proposed Int. No. 1431-A - 11/28/17, 9. Committee Report 11/29/17, 10. Hearing Transcript 11/29/17, 11. November 30, 2017 - Stated Meeting Agenda with Links to Files, 12. Hearing Transcript - Stated Meeting 11-30-17, 13. Minutes of the Stated Meeting - November 30, 2017, 14. Fiscal Impact Statement, 15. Int. No. 1431-A (FINAL), 16. Legislative Documents - Letter to the Mayor, 17. Local Law 14				

Date	Ver.	Action By	Action	Result
1/18/2017	*	City Council	Introduced by Council	
1/18/2017	*	City Council	Referred to Comm by Council	
1/31/2017	*	Committee on Housing and Buildings	Hearing Held by Committee	
1/31/2017	*	Committee on Housing and Buildings	Laid Over by Committee	
11/29/2017	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/29/2017	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
11/29/2017	*	Committee on Housing and Buildings	Amended by Committee	
11/29/2017	A	Committee on Housing and Buildings	Approved by Committee	Pass
11/30/2017	A	City Council	Approved by Council	Pass
11/30/2017	A	City Council	Sent to Mayor by Council	
12/18/2017	A	Mayor	Hearing Scheduled by Mayor	
12/31/2017	A	Administration	City Charter Rule Adopted	

Int. No. 1431-A

By Council Members Grodenchik, Crowley, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy, Richards and Kallos (in conjunction with the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to the registration and duties of lift directors

Be it enacted by the Council as follows:

Section 1. The schedule of fees in section 28-401.15 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding a new entry for lift director registration to read as follows:

LICENSE TYPE	INITIAL FEE	RENEWAL FEE	ADDITIONAL FEES
Lift director registration	As provided by dept rules.	As provided by dept rules.	As provided by dept rules.

§ 2. Chapter 4 of Title 28 of the Administrative Code of the city of New York is amended by adding a new article 424 to read as follows:

**ARTICLE 424**  
**LIFT DIRECTOR REGISTRATION**

**§ 28-424.1 Lift director required.** It shall be unlawful for a crane or derrick that requires or possesses a certificate of on-site inspection, or which, in accordance with rules promulgated by the commissioner, is subject to supervision by a licensed master rigger in lieu of a certificate of on-site inspection, to perform any of the following tasks unless a lift director is present at the site during all times when:

1. The crane or derrick is picking a load;
2. The crane is traveling at the site, including but not limited to being moved onto or off of cribbing or up or down a ramp;
3. The crane or derrick is being placed into a parked condition or otherwise being taken out of service;
4. The crane's or derrick's boom/jib is being laid down or jackknifed;
5. The crane's or derrick's boom/jib is being raised from a laid down or jackknifed position; or
6. Other special protective measures for wind are being installed or removed.

**Exception:** The requirement for a lift director does not apply to the assembly or disassembly of a crane or derrick, nor to the use of an assist crane or derrick during assembly/disassembly, provided an assembly/disassembly director is supervising the assembly/disassembly operation in accordance with rules promulgated by the commissioner.

**§ 28-424.2 Registration required.** Eighteen months after the department has established the requirements for the department-approved training course for lift directors as set forth in item 1 of section 28-424.3, it shall be unlawful for any person to act as a lift director or to perform the duties of a lift director unless such person is

registered as a lift director pursuant to this article, or is licensed as a master rigger pursuant to article 404 of this chapter.

**§ 28-424.3 Qualifications.** Applicants for a lift director registration shall submit satisfactory proof establishing that the applicant:

1. Has successfully completed a department approved training course for lift directing that is at least 32 hours in length. Such lift directing training course shall cover topics relating to mobile cranes, tower cranes, and derricks, including but not limited to roles and responsibilities of site personnel, operational planning, weather warnings, conducting on-site meetings, and log and reporting requirements. Successful completion of a lift directing training course shall be based upon passage of a written exam, and evidenced by the issuance of a certificate card that is in accordance with the provisions of item 2.5 of section 3316.9.2 of the New York city building code; and
2. Meets one of the following:
  - 2.1. Possesses a valid certification as a lift director. The certification must be acceptable to the commissioner and be issued by a lift director certification program that is accredited by the National Commission for Certifying Agencies (NCCA) or the American National Standards Institute (ANSI);
  - 2.2. Has at least two years' experience within three years prior to application supervising rigging operations in New York city in accordance with section 3316.9.1 of the New York city building code;
  - 2.3. Has been licensed as a New York city hoisting machine operator for at least three years prior to application;
  - 2.4. Is a master rigging foreman designated in accordance with rules promulgated by the commissioner;  
or
  - 2.5 Such applicant has at least one year of experience as a lift director in New York city in accordance with rules promulgated by the commissioner, prior to the date that registration as a lift director is required pursuant to section 28-424.2.

§ 3. Section 3319.2 of the New York city building code, as added by local law number 33 for the year

2007, is amended to read as follows:

**3319.2 [Operation.** Riggers and hoisting machine operators shall be licensed as required by Chapter 4 of Title 28 of the Administrative Code.] **Personnel.** Personnel shall comply with Sections 3319.2.1 through 3319.2.3.

**3319.2.1 Hoisting machine operators.** The hoisting machine operator shall be licensed as required by Chapter 4 of Title 28 of the *Administrative Code*.

**3319.2.2 Riggers.** Rigging work must be supervised in accordance with Section 3316.9.1 and where required, riggers must be licensed in accordance with Chapter 4 of Title 28 of the *Administrative Code*.

**3319.2.3 Lift directors.** Lift directors shall be designated, and perform the duties assigned to them, in accordance with rules promulgated by the commissioner. Such duties shall include, but not be limited to, ensuring compliance with approved plans, traffic and pedestrian controls, and weather restrictions.

§ 4. Item number 9 of Section 3319.8.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

9. The names and contact information of the licensed master, climber or tower crane rigger, and the rigger foreman, [and the crane safety coordinator or designee,] along with the name and contact information of the company performing the erection, dismantling, climbing and/or jumping work.

§ 5. Section 3319.8.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**3319.8.2 Safety coordination meeting.** The general contractor must hold a safety coordination meeting prior to the initial erection, as well as the dismantling or initial jump down, of a climber or tower crane. No work related to the erection, climbing, jumping or dismantling of the tower or climber crane may be performed without the safety coordination meeting having taken place. The following parties must be present at the safety coordination meeting:

1. General contractor or designee;
2. Professional engineer of record for the crane or designee;
3. Licensed master, tower or climber crane rigger and rigger foreman;
4. [Crane safety coordinator;]
- [5.] Site safety manager or coordinator, if required for the job by Chapter 33 of the code;
- [6.] 5. Licensed crane operator and oiler; and
- [7.] 6. Any other parties the department deems necessary.

§ 6. Section 3319.8.3 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**3319.8.3 Pre-jump safety meeting.** The general contractor must coordinate a pre-jump safety meeting no more than 24 hours prior to each instance of a tower or climber crane jump or climb. No work related to the jumping or climbing of the tower or climber crane may be performed without the pre-jump safety meeting having taken place. The following parties must be present at the pre-jump safety meeting:

1. General contractor or designee;
2. Licensed master, tower or climber crane rigger and rigger foreman;
4. [Crane safety coordinator;]
- [4.] 3. Site safety manager or coordinator, if required for the job by Chapter 33 of the building code;

- [5.] 4. Licensed crane operator and oiler;
- [6.] 5. “Jumping” crew and back-up personnel;
- [7.] 6. Flagman/woman where required;
- [8.] 7. Signalman/woman and communications personnel; and
- [9.] 8. Any other parties the department deems necessary.

§ 7. Item number 1 of Section 3319.8.8 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

- 1. The licensed master, tower or climber crane rigger, and the rigger foreman, [and the crane safety coordinator or designee,] shall be present at the job site during erection, jumping, climbing, and dismantling of the tower or climber crane;

§ 8. Item number 4 of Section 3319.8.8 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

- 4. The approved erection, jumping, climbing, or dismantling procedure and sequence, with weights of assemblies and components clearly marked, shall be given by the [crane safety coordinator] equipment user to the licensed operator of the crane or derrick and to the rigger prior to commencement of the work;

§ 9. This local law takes effect immediately except that this local law shall not apply to the use of a mobile crane at a construction site where a certificate of on-site inspection for the use of such crane at such site is issued prior to July 1, 2017; provided that this exception shall not apply to a mobile crane that is a crawler crane. The terms used in this section shall have the meanings ascribed to such terms in the New York city building code.

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