

# 1 RCNY §104-02

## CHAPTER 100

### Subchapter D Licensing and Registration of Businesses, Trades and Occupations Engaged in Building Work

#### §104-02 Required Insurance.

**(a) The following categories of licensee are subject to the requirements set forth in this section:**

- (1) Elevator Inspection Agency Director
- (2) General Contractor
- (3) Master Electrician
- (4) Master Fire Suppression Piping Contractor
- (5) Master Plumber
- (6) Oil Burner Equipment Installer
- (7) Rigger (Master/Special/Climber or Tower Crane)
- (8) Safety Registrants
- (9) Sign Hanger (Master/Special)
- (10) Special Electrician (employer's coverage)

**(b) Commercial general liability insurance.**

- (1) Each applicant for and holder of a license shall, at its expense, procure and maintain commercial general liability (CGL) insurance covering the types and scope of work performed under the license, which satisfies the requirements of this subdivision. All CGL insurance policies shall:
  - (i) Be issued by a company or companies that may lawfully issue the required policy and has an A.M. Best rating of at least A-VII or a Standard and Poor's rating of at least A;
  - (ii) Provide coverage at least as broad as set forth in the most recent edition of Insurance Services Office (ISO) Form CG 0001; and
  - (iii) Provide coverage of at least \$1,000,000 (one million dollars) combined single limit per occurrence.
- (2) Each applicant for and holder of a license shall provide proof of CGL insurance by submission of a certificate of insurance in a form satisfactory to the Department that:
  - (i) satisfies the requirements of subdivision (e) of this section;
  - (ii) identifies the insurance company that issued such insurance policy, the policy number, limit(s) of insurance, and expiration date; and
  - (iii) is accompanied by a sworn statement in a form prescribed by the Department from a licensed insurance broker certifying that the insurance certificate may be relied upon as accurate in all respects and that the insurance certificate thereon is in force.
- (3) Any holder of a license who, during the term of the license, is issued any permit of the types set forth in Administrative Code §28-105.2 shall cause the City, together with its officials and employees, to be named as an additional insured on the insurance required under this subdivision with regard to all work to be performed pursuant to all such permits. The City's coverage shall be at least as broad as set forth in the most recent edition of ISO Form CG 2012 or CG 2026.

**(c) Workers' compensation insurance.** Each applicant for and holder of a license shall, at its own expense, procure and maintain workers' compensation insurance, or a waiver of such insurance from the New York State Workers' Compensation Board, and shall submit proof thereof in a form acceptable to the Department and in compliance with subdivision (e) of this section. ACORD forms are not acceptable proof of workers' compensation coverage.

**(d) Disability insurance.** Each applicant for and holder of a license shall, at its own expense, procure and maintain disability insurance, or a waiver of such insurance from the New York State Workers'

Compensation Board, and shall submit proof thereof in a form acceptable to the Department and in compliance with subdivision (e) of this section.

- (e) **Proof of insurance. Requirements for all submitted insurance certificates.** Proof of insurance shall not contain any handwritten corrections and shall contain the following information:
- (1) The applicant's or licensee's license, registration or tracking number(s);
  - (2) With regard to all worker's compensation or disability certificates, the applicant's or licensee's federal Employer Identification Number or social security number, and policy expiration date(s);
  - (3) The policy holder's business address (not a post office box) exactly as it appears on the Department's Buildings Information System ("BIS"); and
  - (4) New York City Department of Buildings, Attn: Licensing Unit, 280 Broadway, 6th Floor, New York, NY 10007 specified as a certificate holder.
- (f) If, at any time after a license has been issued, any policy of insurance required by this section expires, is cancelled or otherwise terminates, the licensee shall notify the Department and procure, at its own expense, a renewal or replacement policy that fully complies with the requirements of this section and, prior to the date of such termination, submit proof thereof in conformity with the requirements of this section.
- (g) Any applicant for or holder of a license shall provide a copy of any insurance policy secured in compliance with this section within thirty (30) days of a request for such policy by the Department or the New York City Law Department.
- (h) A failure by the City or the Department to enforce any of the foregoing requirements shall not constitute a waiver of such requirement or any other requirement.