

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2008**

No. 44

Introduced by Council Member Lappin (in conjunction with the Mayor), Comrie, Gentile, James, Koppell, Monserrate, Nelson, Palma, Recchia Jr., Seabrook, Stewart, Weprin, Gerson, Jackson, Dickens, White Jr., Liu, Garodnick, Mealy and Sears. (Passed under Mayor's Message of Necessity)

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to training for tower and climber crane workers and riggers.

Be it enacted by the Council as follows:

Section 1. The building code of the city of New York is amended to add a new section 3319.10 to read as follows:

3319.10 Worker training.

3319.10.1. Training Requirements. *All workers engaged in the erection, jumping, climbing, rigging, or dismantling of a climber or tower crane, including the licensed rigger and the rigger foreman, shall have satisfactorily completed a department-approved training course of not less than thirty hours. Such course shall, at a minimum, include instruction on fall protection, crane assembly and disassembly, pre-lift planning, weights and materials, the use of slings, lifting/lowering loads, signaling and other proper means of communication with the crane operator, crane and hoist inspections, rigging requirements, and generally how to avoid accidents with cranes and hoists. The commissioner may by rule identify additional types of cranes for which such training is necessary. Any person who, within the three years prior to the effective date of this section, has successfully completed at least a thirty-hour training course need not take a second thirty-hour course, provided such person can provide to the department a*

dated certificate as set forth in this section evidencing completion of such a training course. Such person shall, however, take a department-approved eight-hour re-certification course within three years of the initial course and every three years thereafter. Successful completion of the training or re-certification course shall be evidenced by a dated certificate issued by the provider of the training or re-certification course. The certificate shall include such information as specified by the department by rule. The certificate, or a valid wallet card version thereof, shall be readily available to the commissioner upon request.

3319.10.1.1 Training providers. Such training or refresher course shall be conducted (i) pursuant to a registered New York state department of labor training program, or (ii) by a provider approved by the department.

3319.10.2. Certification. *Prior to erecting, jumping, climbing or dismantling the climber or tower crane, or other crane type the commissioner specifies by rule, the master, climber or tower crane rigger shall certify in the meeting log, described in Section 3319.8.6, that the rigger foreman and all other members of the “jumping crew” and back-up personnel have satisfactorily completed all training requirements.*

§2. Section 28-404.3 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§28-404.3 Additional qualifications. Applicants for a rigger license shall have the additional qualifications as set forth in sections 28-404.3.1 through 28-404.3.3.

§28-404.3.1 Master rigger qualifications. All applicants for a master rigger license shall submit satisfactory proof establishing that the applicant:

1. Has had at least five years of practical experience in the hoisting and rigging business within the seven years prior to application; [and]

2. Has knowledge of and is able to explain the risks incident to such business and precautions to be taken in connection therewith, safe loads and computation thereof, types of rigging, size and strength of ropes, cables, blocks, poles, derricks, [sheerlegs] *shear legs* and other tools used in connection with such business[.]; *and*

3. Has satisfactorily completed a department-approved training course of not less than thirty hours. Any person who, within the three years prior to the date of the application, has successfully completed at least a thirty-hour training course need not take a second thirty-hour course, provided such person can provide to the department a dated certificate as set forth in this section. Such person shall, however, take a department-approved eight-hour re-certification course within three years of the initial course and every three years thereafter. Successful completion of the training or re-certification course shall be evidenced by a dated certificate issued by the provider of the training or re-certification course. The certificate shall include such information as specified by the department by rule. The certificate, or a valid wallet card version thereof, shall be readily available to the commissioner upon request.

4. Training providers. Such training or refresher course shall be conducted (i) pursuant to a registered New York state department of labor training program, or (ii) by a provider approved by the department.

§28-404.3.2 Special rigger qualifications. All applicants for a special rigger license shall submit satisfactory proof establishing that the applicant:

1. Has had at least one year of practical experience in the hoisting and rigging business within the three years prior to application; [and]

2. Has knowledge of and is able to explain the risks incident to such business and precautions to be taken in connection therewith[.]; and

3. Has satisfactorily completed a department-approved training course of not less than thirty hours. Any person who, within the three years prior to the date of the application, has successfully completed at least a thirty-hour training course need not take a second thirty-hour course, provided such person can provide to the department a dated certificate as set forth in this section. Such person shall, however, take a department-approved eight-hour re-certification course within three years of the initial course and every three years thereafter. Successful completion of the training or re-certification course shall be evidenced by a dated certificate issued by the provider of the training or re-certification course. The certificate shall include such information as specified by the department by rule. The certificate, or a valid wallet card version thereof, shall be readily available to the commissioner upon request.

4. Training providers. Such training or refresher course shall be conducted (i) pursuant to a registered New York state department of labor training program, or (ii) by a provider approved by the department.

§28-404.3.3 Climber or tower crane rigger qualifications. All applicants for a climber or tower crane rigger license shall submit satisfactory proof establishing that the applicant:

1. Has had at least five years of practical experience in the climber or tower crane rigging business within the seven years prior to application; [and]

2. Has knowledge of and is able to explain the risks incident to such business and precautions to be taken in connection therewith, including connecting pins, cables, anchorage, platform or pad, plumb of mast, torque of bolts, supervision of rigging and hoisting of loads, placement of components, and coordination of sequencing[.]; *and*

3. Has satisfactorily completed a department-approved training course of not less than thirty hours. Any person who, within the three years prior to the date of the application, has successfully completed at least a thirty-hour training course need not take a second thirty-hour course, provided such person can provide to the department a dated certificate as set forth in this section. Such person shall, however, take a department-approved eight-hour re-certification course within three years of the initial course and every three years thereafter. Successful completion of the training or re-certification course shall be evidenced by a dated certificate issued by the provider of the training or re-certification course. The certificate shall include such information as specified by the department by rule. The certificate, or a valid wallet card version thereof, shall be readily available to the commissioner upon request.

4. Training providers. Such training or refresher course shall be conducted (i) pursuant to a registered New York state department of labor training program, or (ii) by a provider approved by the department.

§3. This act shall take effect one hundred eighty days after enactment or one hundred eighty days after the department approves courses required by this act, whichever is later.

The City of New York, Office of The City Clerk, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 4, 2008 and approved by the Mayor on September 22, 2008.

Michael McSweeney, First Deputy City Clerk
Acting City Clerk, Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW § 27

Pursuant to the provisions of Municipal Home Rule Law § 27, I hereby certify that the enclosed Local Law (Local Law 044 of 2008, Council Int. No. 794-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on September 4, 2008:
49 For, 0 Against, 0 Not Voting
Was signed by the Mayor on September 22, 2008
Was returned to the City Clerk on September 23, 2008.

Jeffrey D. Friedlander, Acting Corporation Counsel.