

AGENCY RULEMAKING FISCAL 2016

Agency	Total adopted/ amended	Not in regulatory agenda*	Emergency actions
DCA	11	11	0
DEP	4	0	0
DOB	12	7	0
DOF	5	2	0
DOHMH	12	10	0
DOITT	1	0	0
DOT	7	4	0
DPR	2	2	0
DSNY	2	0	0
FDNY	4	4	0
HPD	6	2	0
HRA	6	6	0
LPC	1	1	0
NYPD	1	1	0
OATH-ECB	5	5	0
SBS	1	1	0
TLC	11	9	0
TOTAL	91	65	0

*In 98% (64 of 65 of rules) of the actions, rules were not included in the agency's regulatory agenda because they were not contemplated at the time. One instance (1 of 65) was an administrative oversight.

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
DCA	Established that it is a deceptive trade practice to collect sales taxes on goods and services that are not subject to such taxes.	6	5	5-41	7/7/2016
DCA	Established that after DCA issues a notice of violation charging a business or individual with engaging in unlicensed activity, that it is assumed, unless proven otherwise, that the unlicensed activity continued every day, without interruption, from the day the unlicensed activity was first identified until the date of the hearing.	6	1	1-19	9/18/2015
DCA	Clarified insurance requirements for sidewalk café licensees and conformed the requirements to citywide standards by raising minimum amounts of coverage.	6	2	2-57(c)	9/2/2015
DCA	Set requirements for second-hand automobile dealers regarding the labeling of used automobiles, products and parts and also for the posting of the total selling price and "add-on" signs.	6	2	2-105	3/23/2016
DCA	Clarified provisions in the Mass Transit Benefits Law, established requirements to implement the law and meet its goals, and provided guidance to employers and employees.	6	8	8-01 through 8-08	11/18/2015
DCA	Clarified that second-hand automobile dealers cannot park, store or display vehicles in public spaces.	6	2	2-103(m)	7/5/2016
DCA	Clarified provisions of the Local Law that requires Pregnancy Services Centers to have prominent signage indicating whether or not they have licensed medical professionals on staff.	6	5	5-266 thru 5-271	3/28/2016
DCA	Allowed general vendors with disabilities that impair their ability to operate a general vending business to use helpers as long as they obtain authorization from DCA.	6	2	2-318	5/26/2016
DCA	Established that a general vendor license may be transferred upon the general vendor's death or disability, and sets forth the standards for the transfer.	6	2	2-317	3/7/2016
DCA	Clarified provisions in the Earned Sick Time Act, established requirements to implement the Act and meet its goals, and provided guidance to covered employers and protected employees.	6	7	7-01 thru 7-17	2/3/2016
DCA	Clarified provisions of the prevailing wage law to provide guidance to covered employees and employers.	6	9	9-01 thru 9-26	5/24/2016
DEP	Amended DEP's in-house adjudication procedure to establish that hearings can be translated into languages other than English unless the hearing relates to the suspension or revocation of an asbestos supervisor or investigator certificate.	15	32	32-01, 32-02	9/28/2015
DEP	Amended the rules governing boilers and water heaters to reflect changes under the new Air Code, including a change in the registration threshold from 2.8 to 4.2 million British thermal units (BTUs).	15	2	2-05	6/13/2016
DEP	Established fees under the revised Air Code, replacing the fee subchapter that was repealed as part of the Air Code revision.	15	34	34-01, 34-02, 34-03, 34-04, 34-05, 34-06	5/6/2016
DEP	Established penalties for violations of the Air Code, replacing the penalty schedule in OATH's rules.	15	43	43-01, 43-02	5/11/2016
DOB	Added new requirements regarding elevator emergency operation and signaling devices – including provisions related to occupant evacuation – in order to establish consistent fire emergency operation and evacuation procedures.	1	3600	3610-03	7/24/2015
DOB	Repealed 1 RCNY 3616-02, 3616-03 and 3616-05, which incorporated National Fire Protection Association ("NFPA") amendments related to elevator hoist-ways, machine rooms, closets and pantries, hydrostatic tests, and exemption from Fire Department connection requirements in one- and two-family residential buildings. The rule also amended 1 RCNY 3616-04 to incorporate updated NFPA provisions regarding the national fire alarm and signaling code and occupant evacuation elevators. The amendment updated the safety requirements to the latest national standard, which will enhance public safety.	1	3600	3616-02, 3616-03, 3616-05 and 3616-04	9/8/2015
DOB	Updated American Society of Mechanical Engineers ("ASME") standard A17.1-2000, section 2.27 to conform to ASME A17.1-2013, which requires additional safety enhancements for multi-compartment elevators during fire emergency operations.	1	3600	3610-04	9/24/2015

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
DOB	Repealed and replaced the Department's regulations regarding cranes and derricks. The rule updates cross references from the 1968 Building Code to account for current standards, clarifies language regarding the definition and scope of what is considered a crane or derrick, and regulates the design, construction, permitting, installation, removal, adjustment, repair, inspection, maintenance, operation, and use of cranes and derricks.	1	3300	3319-01	11/30/2015
DOB	Repealed rules and Reference Standards that are now addressed in the New York City Building or Electrical Codes.	1	Various (6, 8, 27, 400, 4000)	6-01, 8-01, 27-03, 27-04, 403-01, 4000-06; RS 19-1 and 19-4	12/3/2015
DOB	Clarified that special inspectors and special inspection agencies must cooperate with all DOB investigations, including audit investigations. Updated reference standards and cross references in accordance with amendments made by Local Law 141 of 2013.	1	100	101-06, 101-07	2/1/2016
DOB	Removed language regarding high-pressure boiler inspections by DOB because the 2014 Administrative Code amendments transferred this responsibility to building owners.	1	100	103-05	11/30/2015
DOB	Re-established that a number of bathroom and powder room prototypes are acceptable to DOB. This was necessary because revisions to the Building Code in Local Law 141 of 2013 allowed DOB to designate by rule which prototype layouts were acceptable in buildings first occupied on or before March 13, 1991.	1	1100	1101-01	11/30/2015
DOB	Added new infractions to address requirements in Local Law 77 of 2015 regarding the registration, discontinuance, removal, and annual certification of cooling towers. The amendments also expanded an infraction regarding occupancy of buildings without a certificate of occupancy, and added infractions related to the failure to provide pedestrian protection for sidewalks and walkways, and the failure to obey vacate orders.	1	100	102-01	1/19/2016
DOB	Changed several aspects of the construction superintendent's role by, among other things, expanding the type of jobs that require a construction superintendent; requiring that permit holders notify DOB if there is a change in the designated construction superintendent; and requiring that construction superintendents conduct daily inspections, and maintain logs of work, at each job site.	1	3300	3301-02	4/28/2016
DOB	Added two new infractions regarding failure to comply with a law, rule, or Commissioner's order regarding construction and/or equipment safety operations, and amended another infraction regarding the unsafe operation of cranes, derricks, and hoisting equipment.	1	100	102-01(j)	4/15/2016
DOB	Streamlined the solar tax abatement application process by making the process of obtaining tax abatements easier for applicants.	1	100	105-02	6/17/2016
DOF	Revised the rules concerning the conduct of brokers and employees while appearing before DOF in any capacity, to ensure proper behavior when responding to parking summonses while representing companies at the Department's Commercial Adjudication Unit.	19	39	9	8/19/2015
DOF	Gave participants in the SCRIE and DRIE programs additional time to file their renewal applications upon a showing of good cause or extraordinary medical circumstances.	19	52	52-01	6/16/2016
DOF	Allowed a respondent at a Parking Violations Bureau appeals hearing to submit additional or new evidence in the interest of justice.	19	39	39-12, paragraph (a)(2)	6/24/2016
DOF	Set forth the procedures to request administrative review of assessment errors and the types of errors that may be corrected administratively by DOF.	19	53	53-01, 53-02	6/16/2016
DOF	Authorized Department of Homeland Security Federal Protection Service Officers to issue parking summonses in New York City.	19	39	39-01, paragraph (2)	6/24/2016

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
DOHMH	Repealed the requirement to obtain written consent for circumcision performed by direct oral suction.	24	Article 181 of the NYC Health Code	181.21	9/9/2015
DOHMH	Amended the list of fixed penalties for adjudicated violations in Appendix C of Chapter 23 to conform the numbering and descriptions of certain violations with those in the recently amended Article 81 of the NYC Health Code.	24	23	Appendix C	7/9/2015
DOHMH	Repealed and re-enacted NYC Health Code Section 81.50 to make its calorie posting requirements identical to federal requirements.	24	Article 81 of the NYC Health Code	81.5	9/9/2015
DOHMH	Amended of the NYC Health Code to require food service establishments that are part of chains with more than 15 locations in the US to add a warning label to menus and menu boards identifying food items that contain very high levels of sodium.	24	Article 81 of the NYC Health Code	81.49	9/9/2015
DOHMH	Requires signage at swimming pools regarding competitive breath holding.	24	1	1-01 and 1-02	1/15/2016
DOHMH	Authorized the Commissioner's designee to approve inspection of confidential medical reports of birth, spontaneous termination of pregnancy (miscarriages), and death.	24	Articles 201, 203, and 205 of the NYC Health Code	201.07, 203.07 and 205.07	3/15/2016
DOHMH	Established rules for maintenance of cooling towers to minimize potential contamination by Legionella bacteria.	24	8	8-01 through 8-09	4/7/2016
DOHMH	Implements the new Section 1352-e of NYS Public Health Law, which authorizes operators of food service establishments to allow companion or pet dogs to accompany patrons in certain outdoor dining areas of food service establishments subject to control measures approved by a locality's "enforcement agency."	24	32	32-01 through 32-05	3/23/2016
DOHMH	Requires non-clinical laboratories that work with certain biological agents to register with DOHMH and to report incidents involving loss, theft, or release of such agents.	24	Article 13 of the NYC Health Code	13.01, 13.11, and 13.13	6/7/2016
DOHMH	Reduced the nuisance level for PERC vapors found in residential, child-occupied and other occupied buildings emanating from dry cleaning facilities located in the same or adjacent buildings.	24	Article 131 of the NYC Health Code	131.17	6/7/2016
DOHMH	Allowed DOHMH to regulate and issue permits to pet shops that sell dogs or cats, in accordance with new NYS Agriculture and Markets Law Section 407	24	Articles 161 and 5 of the NYC Health Code	161.02, 161.09, and 5.07	6/7/2016
DOHMH	Provides for penalties for building owners found to be in violation of the requirement to record and report the results of their annual inspections.	24	31	31-03 and Appendix 31-A	6/3/2016
DOITT	Amended procedures for micro trenching and repealed outdated public pay telephone rules.	67	1;6	1-02,1-07,6-01,6-02,6-05,6-06; 6-21 through 6-27,6-30 through 6-36, 6-35.1, 6-38.1, 6-38.2, 6-38, 6-40, 6-41, 6-48	8/8/2015
DOT	Set the procedure for an administrative appeal of a determination by DOT to revoke or suspend a Parking Permit for People with Disabilities.	34	4	4-08	11/13/2015
DOT	Required permittees and sub-surface utility owners to limit the areas that are marked with paint to only the affected area instead of the entire street segment.	34	2	2-11	12/20/2015
DOT	Reauthorized and amended the permitting system for overdimensional and/or overweight combinations of vehicles utilized by haulers of bulk milk.	34	4	4-15	7/17/2015
DOT	Created regulatory framework for DOT's pedestrian plazas.	34	4	4-16	6/20/2016
DOT	Decreased the annual rate increase by 15% charged for revocable consents granted to a public service corporation for facilities ancillary to, but not within, a franchise.	34	7	7-04(a)(21) and 7-04(b)	3/5/2016
DOT	Set DOT's procedure for randomly assigning certain bus stops relinquished by a sightseeing bus operator as a result of anti-trust litigation brought against the operator by the US Department of Justice.	34	4	4-10(j)	5/12/2016
DOT	Corrected date and numbering errors in the Bulk Milk Permit rules.	34	4	4-15	2/7/2016

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
DPR	Established user fees for the Parks Department's new Ocean Breeze Track and Field Athletic Complex at Ocean Breeze Park in Staten Island.	56	2	2-13	9/11/2015
DPR	Established new membership fee categories for the Ocean Breeze Park Track and Field Athletic Complex and the City's recreation centers, with a reduced membership fee for veterans and people with disabilities. The rules also create practice fee categories for veterans and people with disabilities at the Ocean Breeze Park Track and Field Athletic Complex.	56	2	2-13, 2-14	6/1/2016
DSNY	Adopted a rule governing source separation and handling requirements for organic waste generated by certain commercial establishments that have their refuse and recycling collected by private carters.	16	1	1-01, 1-11	12/18/2015
DSNY	Amended rules and adopted recycling requirements applicable to commercial establishments and other institutions and residences that have their refuse and recycling collected by private carters.	16	1	1-01, 1-02, 1-08, 1-09, 1-10	2/5/2016
FDNY	Implemented provisions of the 2014 Building Code and 2014 Fire Code, establishing requirements for the design, installation, operation and maintenance of in-building auxiliary radio communication (ARC) systems, communication systems designed to enhance point-to-point communications with firefighters in high-rise buildings. Two existing rules were amended to establish a company certificate for businesses that test ARC systems, and fees for the ARC company certificate and for ARC system acceptance testing by FDNY personnel.	3	5	511-01, 115-01, 4601-01	12/1/2015
FDNY	Implemented provisions of the 2014 Fire Code, requiring entrance door room numbers for dwelling units in apartment buildings and hotels, and lobby and hallway corridor directional signs. Also required "fire emergency markings" on dwelling unit entrance door jambs and stairwell doors in apartment buildings and hotels occupancies with more than eight dwelling units on a floor and that are not protected by a fire sprinkler system. The apartment identification and hallway directional signs will assist firefighter and other emergency responders in locating dwelling units. The fire emergency markings will enable firefighters to identify apartment numbers in smoke conditions that obscure the regular (eye-level) door numbers so that they can conduct search and rescue operations.	3	5	505-01; 505-02	4/29/2016
FDNY	Modified a Fire Code Referenced Standard, National Fire Protection Association (NFPA) Standard 45 (titled "Fire Protection for Laboratories Using Chemicals"), to incorporate fire safety requirements from the latest (2015) edition of the NFPA standard. The NFPA standard was updated to address fire safety concerns in educational laboratories in response to fires in schools.	3	47	4702-01	11/25/2015
FDNY	Established safety procedures for the manual removal of lubricating oil from refrigerating systems that use ammonia, a toxic and flammable material, as a refrigerant. If not conducted properly, manual removal of lubricating oil from such systems poses the public safety threat of an accidental release of ammonia.	3	6	606-01	6/28/2016
HPD	Implemented Local Law 65 of 2014, authorizing HPD to impose a fee to conduct a third complaint-based inspection for a dwelling unit that the agency has inspected twice in the same 12 month period, and amended related rules governing protests of fees and owner inspections.	28	17,25,47	17-01, 17-03, 25-101, 47-01, 47-02	7/21/2015
HPD	Implemented statutory changes (under Local Law 64 of 2014) and amended criteria for participation in HPD's Alternative Enforcement Program, which identifies the most distressed buildings in need of repair and systems replacement, and monitors owners' correction of violations or corrects the violations.	28	36	36-05, 36-06	9/4/2015
HPD	Implemented statutory changes to the Real Property Tax Law regarding eligibility and also made technical changes.	28	31	31-01,31-02,31-05,31-07 through 31-12	8/21/2016

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
HPD	Added a new chapter to implement the extended affordability benefit program adopted by the State Legislature in Chapter 20 of the Laws of 2015, which provided an extended tax exemption for certain projects after their original 421-a exemption expires.	28	49	49-01 through 49-04	5/11/2016
HPD	Implemented legislative changes regarding multiple dwellings that commence construction on or after June 15, 2015. The state law prohibits the isolation of affordable units to a specific floor or area of a building and requires shared common entrances and common areas for all residents. The state law defines common entrances as "any area regularly used by any resident for ingress and egress from a multiple dwelling."	28	6	6-09	4/27/2016
HPD	Local Law 101 of 2015 required DOB to refer to HPD immediately hazardous elevator violations that are found after reinspection to be uncorrected by the owner. The rules provided criteria to assist HPD in making a determination about what action may be necessary to address the inoperable elevator.	28	48	48-01, 48-02	5/27/2016
HRA	Established the CITYFEPS rental assistance programs for families with children in shelter and at risk of entry to shelter.	68	A	8-01 through 8-09	7/16/2015
HRA	Amended the existing Living in Communities (LINC) and CITYFEPS programs, including authorizing HRA to increase the maximum rents in the LINC I, LINC II, LINC III, LINC IV, LINC V and CITYFEPS programs for households with five or more individuals under certain circumstances.	68	7, 8	7-01 through 7-17, 8-01 through 8-09	10/20/2015
HRA	Established the HRA HOME Tenant-Based Rental Assistance (HRA HOME TBRA) program for families in shelter, as well as street homeless adult families, in receipt of disability benefits.	68	9	9-01 through 9-14	11/30/2015
HRA	Established the Special Exit and Prevention Supplement Program (SEPS Program) for single adults and adult families in shelter or at risk of entry to shelter.	68	8	8-10 through 8-16	11/24/2015
HRA	Expanded the existing Living in Communities Family and Friends Reunification Rental Assistance Program (LINC 6 Program), which previously only included families with children, to single adults and adult families in shelter, and allowed households in receipt of LINC 6 to transfer to other LINC programs, CITYFEPS or SEPS if eligible, but for the fact that they do not currently reside in shelter.	68	7,8	7-01 through 7-24	12/30/2015
HRA	Amended existing rule concerning the New York City Identification Card Program (IDNYC Card Program), including expanding the number and types of government-issued documents that can be used to establish identity and residency.	68	6	6-01 through 6-10	3/24/2016
LPC	Allowed installation of Public Communication Structures for free WiFi in historic districts and landmark sites.	63	2	2-21	6/28/2016
NYPD	Directed the manner by which applicants may request U Visa certification, provided a timetable within which NYPD will process such requests, and specified the appeals process for denials of such requests.	38	22	22-01 – 22-04	5/8/2016
OATH-ECB	Allowed hand delivery, in addition to mailing, of decisions and orders and cease and desist orders.	48	3	3-57, 3-71, 3-73, and 3-91	7/10/2015
OATH-ECB	Amended Sanitation Penalty Schedule to create penalties for violations of Chapter 17 of Title 16 of the RCNY related to proper disposal of refrigerants.	48	3	3 - 122	7/10/2015
OATH-ECB	Amended Buildings Penalty Schedule to reflect the 2014 updates to the NYC Construction Codes, which added new requirements and renumbered existing sections of the Construction Codes.	48	3	3-103	12/11/2015
OATH-ECB	Amended Buildings Penalty Schedule to enforce a portion of Local Law 77 related to the regulation of cooling towers, which was enacted in response to the outbreak of Legionnaires' disease.	48	3	3-103	9/29/2015
OATH-ECB	Amended Buildings Penalty Schedule to more clearly and effectively allow DOB to enforce particular sections of law and increased fines related to safe operation of construction equipment.	48	3	3-103	4/15/2016

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Agency	Rule Summary	Title	Chapter	Section	Adoption Date
SBS	Added rules for the administration of a program that provides grants to school bus transportation companies in order to encourage such companies to maintain the wages and benefits of those employees who have had prior experience in the industry.	66	11	11-87	10/29/2015
TLC	Amended the Medallion Taxicab Service rules to extend lease terms beyond the previous 156-week maximum and enable lessees to make smaller weekly payments and cap the total amount that can be charged for the conditional purchase of the vehicle.	35	58, 82	58-21; 58-24; 58-26; 82-26	9/17/2015
TLC	Required that a commuter van decal and a TLC license number decal be displayed on both of the front doors of all licensed commuter vans.	35	61	61A-27 ; 61B-27	7/16/2015
TLC	Added new sections to the existing rules governing the transfer of licenses for Street Hail Livery vehicles.	35	82	82-03 ; 82-11 ; 82-44 ; 82-45	12/3/2015
TLC	Added rules to protect all licensed for-hire vehicle and commuter van drivers from retaliatory actions by licensed base and vehicle owners taken in response to complaints made against those owners by drivers that filed complaints.	35	59, 60, 61, 82	59A-13 ; 59B-13; 60A-12 ; 60B-12; 61A-12 ; 61B-12; 82-16	9/17/2015
TLC	Amended TLC's rules regarding how a portion of the Taxicab Improvement Fund will be distributed to medallion owners who have placed an accessible taxicab into service.	35	51, 53, 58	51-03; 53-03; 58-03 ; 58-21 L; 58-50	10/15/2015
TLC	Allowed licensed livery bases to act as authorized representatives on behalf of street hail livery owners for certain specified transactions related to licensing and the transfer of base and vehicle affiliations.	35	59	59B-04.2	1/21/2016
TLC	Amended certain administrative procedures, such as expanding the window in which licensees are permitted to take the annual drug test, altering the dimensions of the Taxi and Livery Driver Protection stickers, and eliminating Probationary Licenses for TLC-licensed drivers.	35	52, 54, 55, 56, 57, 58, 59, 60, 61, 82	52-40; 54-04; 54-14; 55-04; 55-06; 55-14; 56-06; 57-06; 58-04; 58-32; 59A-29; 59B-29; 60A-19; 60A-28; 60B-28; 61A-19; 61A-27 ; 61B-27; 82-33	1/21/2016
TLC	Repealed the authority for medallion owners to deduct \$0.06 from every fare to go towards driver healthcare services and disability	35	58, 75	58-21; 75-25	2/25/2016
TLC	Repealed the Owner Must Drive requirements for owners of taxicab medallions where those Medallions had Owner Must Drive restrictions.	35	51, 58, 65	51-03; 58-03; 58-05; 58-20; 65-07	2/25/2016
TLC	Amended a variety of agency rules regarding exclusionary zone enforcement for Street Hail Livery fleet, affiliations with suspended bases, certain licensing documentation, including license display, and changes to certain penalties.	35	51, 54, 55, 56, 57, 58, 59, 60, 62, 64, 68, 75, 82, 83	51-03; 54-11; 54-12; 54-14; 55-04; 55-12; 55-14 55-23 56-04; 56-12; 56-14 ; 57-04; 57-12; 57-14 ; 58-04; 59A-08; 59B-06; 59B-12; 59B-19; 60A-04; 60B-04; 62-04; 64-04; 68-02; 68-17; 68-18; 75-04; 82-04; 82-13; 82-22; 83-04	6/23/2016
TLC	Allows medallion owners to install a TLC-approved in-vehicle camera system in lieu of a partition, required that medallion owners file an email address with the Commission, and amended rules specifying when the 496 Accessible Official Taxicab Vehicle waivers may be requested.	35	58, 67	58-23; 58-35; 67-05.1B; 67-10; 67-15	4/21/2016