

## SERVICE NOTICE

### **REQUIREMENT: Unlicensed Operation of Articulating Boom Cranes, Mini Cranes, and Rotating Telehandlers Must be Reported**

Site Safety Managers, Site Safety Coordinators, and Construction Superintendents are required to report the unlicensed operation of articulating boom cranes, mini cranes, and rotating telehandlers. Recent rulemaking will require operators of articulating boom cranes, mini cranes, and rotating telehandlers to possess a NYC HMO license.

Beginning November 7, 2024, articulating boom cranes, mini cranes, and rotating telehandlers can only be operated by a person who:

1. Possesses a pending application for a limited HMO license for an articulating boom crane, mini crane, or rotating telehandler, respectively, that was submitted on or before November 6, 2024; **or**
2. Possesses an appropriate HMO license for the operation of the equipment; **or**
3. Is supervised by a NYC HMO in accordance with the provisions of [1 RCNY 104-23 of the Rules of the City of New York](#).

The new licensing requirements apply to use of an articulating boom crane, mini crane, or rotating telehandler to deliver materials to a construction site or move materials around a construction site. This includes the lifting of material with a fork, cradle, jib, or similar device.

### **Exemptions**

The new requirements do not apply to:

- Work that occurs in an industrial or commercial plant or yard, or on a ship or barge.
- Excavation equipment, high reach demolition equipment, tree trimming equipment, and aerial work platforms - this includes rotating telehandlers when configured as an excavator, demolition grapple, tree trimmer, or aerial work platform.
- Articulating boom cranes, mini cranes, or rotating telehandlers that have a manufacturer's rated capacity of 1 ton or less.

See [NYC Administrative Code §28-405.1](#), NYC Building Code [Sections 3316.1 and 3319.1](#) and [1 RCNY 3319-01\(i\)\(1\)](#) for exemption details. To be exempt, the device and operation must comply with all the exemption parameters.

### **Notification Required**

BC 3310.8.2.1 requires site safety managers and site safety coordinators to report the unlicensed operation of cranes at **major** building jobsites for which the site safety manager or coordinator is responsible. BC 3301.13.10 similarly requires construction superintendents to report the unlicensed operation of cranes at **non-major** building jobsites for which the construction superintendent is responsible. As of November 7, 2024, this will include the operation of an articulating boom crane, mini crane, or rotating telehandler by a person not meeting one of the 3 outlined conditions and not otherwise exempt from licensing.

Reporting to DOB **must be made by calling 311**.

### **Failure to Notify May Result in Violations & Disciplinary Action**

Safety managers, site safety coordinators, and construction superintendents who fail to report the unlicensed operation of an articulating boom crane, mini crane, or rotating telehandler at their jobsite on and after November 7, 2024, may be subject to violations and disciplinary action.