

## NEW YORK CITY DEPARTMENT OF BUILDINGS

### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of Buildings (DOB) is proposing to amend its rules regarding course providers.

**When and where is the hearing?** DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11 a.m. on January 30, 2025.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/6c724ed8-c575-4b60-bf9d-04bf46ad484d@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/6c724ed8-c575-4b60-bf9d-04bf46ad484d@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

Alternatively, open the Teams app and select **“Join a meeting”**. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select **“Join meeting”**.

Meeting ID: 243 012 502 692

Passcode: Rb66Tq2F (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: +1 646-893-7101

Phone Conference ID: 569 483 404#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov) by January 23, 2025 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

**Is there a deadline to submit comments?** Yes, you must submit comments by January 30, 2025.

**What if I need assistance to participate in the hearing?** You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by email at [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov). Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by January 16, 2025.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).

**What authorizes DOB to make this rule?** Sections 643 and 1043(a) of the City Charter and Chapter 4 of Title 28 of the City Administrative Code authorize DOB to make this proposed rule. This proposed rule was included in DOB's regulatory agenda for this Fiscal Year.

**Where can I find DOB's rules?** DOB's rules are in Title 1 of the Rules of the City of New York.

**What rules govern the rulemaking process?** DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

### **Statement of Basis and Purpose of Proposed Rule**

Since the enactment of Local Law 196 of 2017, which mandated construction site safety training, the course provider program has expanded and the costs of administering the program, including contract costs and staffing needs, have increased. In 2017 there were approximately 40 course providers.

Today there are over 150, significantly increasing the Department's workload in terms of approving the providers, requiring the imposition of registration fees. Under section 1 of this proposed rule, Rule 101-03 is amended to include a new initial registration fee of \$3,250 and a new renewal registration fee of \$3,185.

Under section 2, Rule 105-03 is amended to improve compliance by course providers. Specifically, the rule:

- Creates a registration for course providers as of July 1, 2025 and subjects them to the suspension and revocation provisions of Section 28-401.19 of the Administrative Code.
- States that the Department may refuse to renew a registration pursuant to Section 28-401.19 of the Administrative Code.
- Provides that course provider approvals issued prior to July 1, 2025 will continue to be valid and that course providers may continue to offer Department-approved courses after July 1, 2025, provided they submit an application to register by June 30, 2025.
- Adds language about investigations and audits.
- Clarifies recording-keeping requirements.
- Provides guidance on how providers can advertise.
- Provides guidance on how to conduct non-traditional course/class formats.
- Removes sections that are no longer relevant because the deadlines have passed or the described processes are no longer followed.
- Creates a requirement for providers to upload data to DOB's online platform.
- Adds a requirement that a course provider upload certificates of completion prior to withdrawing from the course provider program.

In addition, two sections of Chapter 3300 of Title 1 of the Rules of the City of New York - sections 3301-03, regarding construction worker safety information signs, and 3321-01, regarding construction site safety training - are repealed, as their provisions are currently in effect and covered by Section 3321 of the Building Code.

The Department of Buildings' authority for this proposed rule is found in sections 643 and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (\*\*\*) indicate ellipses, i.e., unamended text.

**Section 1.** Section 101-03 of subchapter A of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following entry at the end of the table set forth in that section:

<u>Course provider registration</u>	<u>Initial:</u> <u>\$3,250</u>	<u>Renewal:</u> <u>\$3,185</u>
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**§2.** Section 105-03 of subchapter E of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

**§105-03 Course Provider Registration and Department-Approved Courses.**

(a) **[Scope.** This section outlines the requirements for Department-approved courses required by the Administrative Code and Department rules for training, license qualification and licensee continuing education. Unless otherwise authorized under the Administrative Code or Department rules, only Department-approved courses may be offered to fulfill Department course requirements] **Registration.** Beginning on July 1, 2025, no course provider may offer Department-approved courses unless such course provider is registered with the Department in accordance with this section. Such registration is valid for one year from the date of registration.

- (1) Current course providers may continue to offer courses until July 1, 2025, provided they apply for registration between the effective date of this section and July 1, 2025, in accordance with the provisions of subdivision (b) of this section. Providers who fail to apply must complete any course currently being offered and upload the certificates as provided in this section but may not offer any additional courses.
- (2) Once the department approves the application, the provider will be considered registered as of that date.
- (3) In the event the department denies the application, the applicant may reapply or may challenge the determination in accordance with the provisions of Section 28-401.21 of the Administrative Code. The provider may continue to operate until the reapplication or challenge is decided.

**(b) Course Provider Application and Renewal Process.**

- (1) The course provider applicant must submit:
  - (i) an application form provided by the Department;

(ii) proof that the applicant has met the requirements of paragraph (2) of subdivision [(e)](f) of this section; [and]

(iii) a statement attesting that the applicant will ensure that all instructors comply with the requirements of subdivision [(d)](e) of this section and, if applicable, subdivision [(g)](h) of this section[. Course providers who are already approved as of the effective date of this subparagraph must comply with its provisions by January 1, 2020.]; and

(iv) a fee as set forth in section 101-03 of these rules.

(2) [A listing of the providers of the approved courses will be available through the Department's website.] Incomplete [or inaccurate] applications will be rejected.

(3) [Incomplete or inaccurate applications will be returned to the applicant and may be resubmitted once complete or corrected] Applications for renewal must be accompanied by the renewal fee and such additional information as the commissioner may require. Such applications must be made at least 30 days but not more than 60 days prior to the expiration of the applicant's registration.

**(c) Investigation of applicant.** The Department or its designee will conduct an investigation of each applicant to determine its qualification to become a course provider. The burden of proving that an applicant meets the required qualifications is on the applicant. An applicant's failure to meet the requirements specified by the Administrative Code or by the Department's rules, and/or an applicant's refusal to cooperate with an investigation will result in denial of the application.

**(d) Approved Courses.** Unless otherwise authorized under the Administrative Code or Department rules, only Department-approved courses may be offered to fulfill Department course requirements. A listing of registered providers of approved courses is available on the Department's website. The course provider must ensure compliance with the provisions of this subdivision [(c)].

(1) Course Requirements.

(i) All courses must comply with the Department's course curricula published on its website, which lists the relevant citations for statutory or other requirements listed in this paragraph.

(ii) No more than four (4) hours of any curriculum may consist of course materials or credits to be applied to multiple license types.

Exception: Subparagraph (ii) does not apply to course curricula for Master and Special Electrician, Master Plumber and Master Fire Suppression Piping Contractor.

(iii) All curricula must include the following information as applicable to the relevant construction trade:

(A) Business practices;

(B) Relevant Building Code provisions, rules, and policy and procedure notices enacted or promulgated by the Department;

- (C) Administrative Code provisions, rules and policy and procedure notices enacted or promulgated by any other City agency;
- (D) Overview of Occupational Safety and Health Standards (“OSHS”) for the Construction Industry;
- (E) Relevant Department of Buildings filing and inspection requirements;
- (F) Safety/hazardous materials;
- (G) New technology;
- (H) Corruption prevention standards; and
- (I) Other subjects identified by the Commissioner.

(iv) All courses must reflect any changes in the Department’s published course curricula or any applicable laws, rules and regulations within ninety (90) days.

(2) Notification of Approved Courses. [(i)]The course provider must have [a]its own website and must publish course schedules on its website, including dates, times, locations, the cost of the training and whether such cost includes the cost of issuing the identification card or site safety training card required by this section, the cost of such card if it is not included in the training cost, and must [otherwise make] submit all course schedules [available in writing] to the Department [upon request]. The course provider must also notify the Department of any changes to a scheduled course at least three (3) business days prior to it being offered. All information on the course provider’s website, including the location of courses and the courses taught, must be current.

[(ii) The course provider must notify the Department of any changes to the course within fourteen (14) days of such change.]

(3) Course Review. At the end of each course, the instructor(s) must conduct a review of the materials taught. The Department may require that a hands-on or written performance evaluation be given to attendees.

(4) Course Facilities. The course facilities must:

(i) Have sufficient room to accommodate all expected attendees and the equipment needed to perform hands-on exercises where required as part of the course;

(ii) Make provisions for the presentation of training material in all media types (e.g., computer, projectors, video/DVD players); and

(iii) Comply with all applicable laws, rules and regulations relating to occupancy, zoning, egress, fire detection, fire suppression, light, ventilation, cleanliness, sanitary facilities, emergency notification and evacuation procedures.

(5) Attendance Record. The course provider must have in place fraud- resistant procedures for confirming the identity and attendance of individuals taking any course(s), including logs reflecting those in attendance at different times during the course, and be able to produce the logs and any other documentation demonstrating that an attendee attended the course(s). The logs must include:

(i) The student’s full name (printed);

- (ii) The student's signature;
- (iii) The name of the course;
- (iv) The name of instructor(s);
- (v) The time the course began;
- (vi) The time the course ended;
- (vii) The time of a break (if any), including when the break began and when the break ended;
- (viii) The address where the class/course or course was conducted; and
- (ix) The format in which the class was conducted: in-person, virtual, webinar, hybrid online/in-person training (for hands-on training courses).

(6) Course Completion.

(i) [For training courses, the course provider must issue a wallet-size identification card to attendees upon course completion. Such card must contain the following information:

- (A) The name of the person to whom it was issued;
- (B) A photograph of the person to whom it was issued;
- (C) The name and address of the issuing organization;
- (D) The date of issuance;
- (E) An indication of the type of training and the number of credit hours completed; and
- (F) The signature of the course provider.

(ii) For qualification and continuing education courses, the] The course provider must issue a certificate of completion to the attendees upon course completion. The course provider must also upload a photograph of the person and a digital copy of the certificate of completion to the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers. The course provider must upload the certificate within 60 days of course completion. Such certificate must contain the following information:

- (A) The name of the course;
- (B) The name of the person to whom it was issued;
- [(B)] (C) The name and address of the issuing organization;
- (D) The certificate number;
- [(C)](E) The date of issuance and expiration (if any);

[(D)](F) An indication of the type of course and the number of credit hours completed; [and]

[(E)](G) The name and signature of the course provider;

(H) The name of the instructor; and

(I) The course provider ID number.

[(iii)](ii) For training courses, the course provider must issue an identification card to attendees upon course completion. Such card must be issued using the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers and can found at <https://dob-trainingconnect.cityofnewyork.us/>.

[(iv)](iii) The course provider must maintain a record of all the information required on the identification cards and the certificates of completion for a minimum period of seven (7) years from the date of completion. The course provider must make these records available to the Department upon request.

(7) Department Observation and Evaluation. The Department may observe any Department-approved course without prior notification to the course provider or instructor. The Department may evaluate courses taught by course providers through audit or other means at such intervals as it deems necessary and may require additional information as it deems necessary.

(8) Audits. The Department may periodically audit the course provider to ensure compliance with this section and any rules or other Department requirements related to such training.

(9) Cooperation. The course provider must cooperate with investigations related to the course provider's compliance with the requirements of this rule or other applicable law.

**[(d)](e) Course Instructor(s).** Course providers must require that course instructor(s) demonstrate that they are credentialed or trained in instructional methods and learning processes. Course providers must also require that the instructor(s) successfully demonstrate their ability to solve or resolve problems relating to the subject matter by possession of a recognized degree, certificate, licensure or professional standing, or by extensive knowledge, training, and experience, in the subject matter being taught. To the extent that the course instructor(s) holds, or has held, a trade license issued by the Department, such license must be in good standing and not be surrendered to, suspended by or revoked by the Department.

(1) For Supported Scaffold, Suspended Scaffold and Mast-Climber training courses, the instructor(s) must also be authorized by the Occupational Safety and Health Administration ("OSHA") as a trainer(s) for its Construction and Outreach Program.

(2) For Hoisting Machine Operator courses, the instructor(s) must also hold a valid New York City Hoisting Machine Operator's license or hold a national certification for crane operation.



(3) For Master and Special Electrician courses, the instructor(s) must demonstrate credentials or training in instructional methods and learning processes through licensure or certification, including but not limited to, certification as an electrical course provider in jurisdictions following the National Electrical Code/NFPA 70.

(4) The course instructor(s) must comply with all applicable Federal, State and local laws, rules and regulations.

(5) The course instructor(s) must be in compliance with the Department's Industry Code of Conduct.

**[(e)](f) Course Provider Requirements.**

(1) The course provider must be a sole proprietorship, a partnership or a corporation that provides training, an educational institution, a governmental agency or authority, a trade union, or a trade association, provided that a governmental agency or authority need not comply with paragraph (2) of this subdivision.

(2) The course provider must provide proof that it is:

(i) approved by or licensed as an educational institution by the New York State Department of Education;

(ii) registered as a New York State Department of Labor vocational, trade or apprenticeship program;

(iii) accredited by an accrediting organization recognized by the United States Department of Education or the Council for Higher Education Accreditation; or

(iv) certified by an organization accredited by the American National Standards Institute (ANSI) as a Standards Developing Organization with published standards for continuing education and training.

For alternative Mast-Climbing work platform training course provider requirements to those listed in paragraph (2) of subdivision [(e)](f), herein, see section 3314-01(m).

(3) Course providers must continuously maintain the qualifications required by paragraphs (1) and (2) of this subdivision and by subdivision [(h)](i), if applicable, and must provide a copy of such approval, license, accreditation or certification to the Department upon request. The course provider must immediately notify the Department of any lapse or expiration of its approval, license, accreditation or certification, including any qualification required by subdivision [(h)](i).

(4) The course provider must comply with all applicable Federal, State and local laws, rules and regulations.

(5) The course provider must notify the Department of any changes to the course provider's name within fourteen (14) days of such change.

(6) Course providers must ensure that all their instructors comply with all applicable provisions of this section.

(7) Course providers must be in compliance with the Department's Industry Code of Conduct and Course Provider Program Handbook.

(8) Course providers must notify the Department within thirty (30) days if the course provider makes changes to its business name, its website, or the owner/director of the business by submitting a new application for provider approval with supporting documentation. The provider may continue to offer courses under its current name pending approval of the new application.

(9) Course providers must collect, process and retain student data records as set forth herein. Course providers must implement privacy and data security practices to guard against the unauthorized access, fraud, theft, and other misuse of such information. Course providers may not use the data collected pursuant to this rule for any other purpose, including but not limited for advertisements, without the student's consent. Course providers must comply with all applicable City, State, and federal laws relating to personally identifying information and to privacy, including but not limited to those included in the New York State General Business Law.

**[(f)](g) Department as course provider.** Notwithstanding the foregoing, the Department may act as a provider, or the sole provider, of any course offered to fulfill a Department course requirement. A listing of available Department courses will be posted on the Department's website.

**[(g)](h) Site Safety Training (SST) Course Instructors.** For the purposes of providing training in accordance with section 3321.1 of the Building Code and this section 105-03, a site safety training (SST) provider, as defined in item 1 of the definition of "Site Safety Training (SST) Provider" in section [3302.1]202 of the Building Code, means a course instructor as used in this section 105-03. In addition to the foregoing requirements for course instructors, an SST course instructor must meet one of the following requirements:

- (1) has successfully completed all applicable OSHA or Department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and is authorized to conduct such classes, except that such course instructor is not required to possess a degree, certificate, licensure or demonstrate any professional standing as required by subdivision [(d)](e), beyond what is required in this paragraph;
- (2) is providing training through a 100-hour training program; or
- (3) is approved by the Department to conduct a 40-hour Site Safety Manager training course in accordance with article 402 of Chapter 4 of the Administrative Code.

**[(h)](i) Site Safety Training (SST) Course Providers.** A site safety training (SST) provider as defined in item 2 of the definition of "Site Safety Training (SST) Provider" in section [3302.1]202 of the Building Code must comply with the requirements for course providers in this section 105-03 as well as with the applicable requirements of this subdivision [(h)].

(1) If a not-for-profit organization or a governmental agency or authority is an SST provider, it must meet the standards set forth by the Department instead of the requirement in paragraph (2) of subdivision [(e)](f).

(2) [Not later than March 1, 2021, an] An SST provider must certify to the Department that it has a language access plan that complies with requirements established by another City agency or office designated by the Mayor, as required by item 2.1 of the definition of SST provider in section 202 of the Building Code.

(3) Training may be conducted in person or in an actively proctored online format and must comply with the following:

(i) If conducted in person in a classroom setting, the SST provider must confirm the identification of the individual taking such training and must ensure that the site of such training is actively observed for the duration of the training.

(ii) If the online training is not performed in person, the SST provider must confirm the identification of the individual prior to providing secure access to the online training. The individual must attest that he/she is the individual who received the online access and will complete the training without assistance. The online program must have secure access and monitor participation during the course of training to ensure that the individual receiving the training is present for the entirety of the training.

(4) Upon completion of the SST course, the SST provider [or, if applicable, a third party,] must issue an SST card in accordance with subdivision [(i)](i) of this section. [The provisions of paragraph (6) of subdivision (c) of this section do not apply to SST courses.]

(5) If the SST provider is not the provider of the OSHA course that is required for an SST card, as defined in section [3302.1]202 of the Building Code, the SST provider must ensure that the OSHA course was conducted either in person or, if online, was actively proctored before issuing an SST card as provided in subdivision [(i)](i) of this section.

(6) The SST provider [or, if applicable, a third party,] must accept documentation, including identification cards or certificates of completion, from [a Department-approved] registered course providers. Course providers must accept SST course equivalent, as set out on the Department's website, and must apply such course hours to satisfy the training requirements of this section and section BC 3321 of the Building Code.

[(7) Beginning October 1, 2019, and on January 1, April 1 and October 1 of each year thereafter, the course provider must report the number of SST, temporary SST, limited SST and supervisory SST cards issued each quarter in a format required by the Department.]

**[(i)](i) SST cards to be issued upon course completion.** [The Department may require SST course completion cards to be issued by a third party. Until such time as a third party process is instituted, an] An SST provider must, upon completion of the SST course, issue a temporary SST card, [limited SST card,] SST card, or SST supervisor card, in accordance with subdivision [(h)](i), this subdivision and section [3302.1]202 of the Building Code. Such card must be issued using

the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers.

[(1) Such card must be wallet-sized and must conform to the guidelines posted on the Department's website.

(2) Any SST card issued prior to the effective date of this rule must conform to the guidelines posted on the Department's website. The course provider who issued such SST card must replace non-conforming cards by April 1, 2020 with cards that comply.]

**[(j)](k) Record-keeping and verification of SST Cards.**

[(1)] The SST course provider [or, if applicable, a third party,] must maintain a record of all temporary SST cards, [limited SST cards,] SST cards, or SST supervisor cards issued for a minimum of seven years. The SST course provider [or, if applicable, a third party,] must make these records available to the Department or its designee upon request.

[(2) The SST course provider or, if applicable, a third party, must maintain a secure online verification system containing an up-to-date list of the name of the card holder, the unique identification card number, and the issuance and expiration date of the card. Such verification must be available to the City, including the Department or its designee, and contractors, to enable readily accessible confirmation of the names of SST card holders who have completed the SST training through the particular course provider.]

**(l) Advertising.** Course providers may only advertise courses/classes that they are authorized by the Department to deliver.

**(m) Third Parties.** The course provider may not delegate or outsource any of its duties, responsibilities or functions to any third party that is not registered with the Department. The course provider must maintain full accountability for its operations and ensure that all services provided are conducted in compliance with all applicable Federal, State and local laws, rules and regulations.

**(n) Nontraditional Format Courses/Classes.**

(1) The course provider may conduct training in a non-traditional format. A non-traditional format is any format other than the traditional in-person classroom format. Non-traditional formats may include virtual classrooms, webinars, on-demand training, or hybrid virtual classroom/in-person training for hands-on courses.

(2) Training conducted in a non-traditional format must comply with the following:

(i) The non-traditional format course must be approved by the Department.

(ii) The provider must confirm the identification of the individual taking such training by adhering to the actively proctored online format requirements.

(iii) The provider must ensure that participants have their web-cameras activated and are on-camera for the duration of classes conducted virtually.

(iv) For courses that include hands-on training, providers may deliver the hands-on portion of the training in-person and the remaining portion through either a live virtual classroom or live webinar.

(v) The provider must notify the Department when the hands-on portion of the course/class is scheduled.

(vi) All students must be scheduled at the same time to receive the hands-on training.

**(o) Denial of Registration Renewal.** The department may, following notice and an opportunity to be heard, refuse to renew a registration on any grounds on the basis of which it could deny, suspend or revoke such registration pursuant to Section 28-401.19 of the Administrative Code.

**[(k)](p) Suspension and Revocation of [Approval] Registration.**

(1) [Following notice and an opportunity to be heard, the] The Department may, in accordance with the provisions of Section 28-401.19.1 of the Administrative Code, take corrective action, including probation, suspension, or revocation of a course provider's [authority to conduct classes and to distribute course completion cards] registration, for failure to comply with the requirements of this section or with the requirements of any applicable law, rule, or regulation. However, when the public safety may be imminently jeopardized, the Commissioner may, pending [an opportunity to be heard and Department determination] a hearing and determination of charges, suspend [approval] registration for a period not exceeding [thirty (30)] fifteen (15) days.

(2) The basis for the suspension or revocation of a course approval may form the basis for the suspension or revocation of any or all of that course provider's approved courses.

(3) The Department will post on its website that the approval of a course or course provider registration has been suspended or revoked.

**(q) Withdrawal.** The course provider must notify the Department and its students at least 30 days prior to its withdrawal from the course provider program. The course provider must be in compliance with the record-keeping provisions of this rule, including uploading certificates of completion into the Department's online platform, Training Connect, before its withdrawal.

**§3.** Section 3301-03 of Chapter 3300 of Title 1 of the Rules of the City of New York regarding construction worker safety information signs and section 3321-01 of Chapter 3300 regarding construction site safety training are REPEALED.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Rules Relating to Construction Site Safety Training**

**REFERENCE NUMBER: DOB-193**

**RULEMAKING AGENCY: Department of Buildings**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Lisa Taapken  
Mayor's Office of Operations

December 3, 2024  
Date

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Construction Site Safety Training

**REFERENCE NUMBER:** 2024 RG 104

**RULEMAKING AGENCY:** Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: December 2, 2024