



NEW YORK STATE SENATOR

Liz Krueger

Brennan / Krueger Bill to Force Correction of Dangerous Construction Violations Signed by Governor Paterson

LIZ KRUEGER July 30, 2009

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A bill to improve construction safety sponsored by Assemblymember Jim Brennan and State Senator Liz Krueger was signed into law on July 29th by Governor Paterson. The legislation, developed out of 2005 and 2008 hearings by the Assembly Cities and Codes committees on construction safety, requires contractors and developers to certify correction of violations posing an imminent threat to public safety or face shutdown of their worksites, as well as significant penalties.

The City Department of Buildings is required to revisit the site of a violation for a dangerous condition within 60 days, and stop work if the condition has not been corrected. In addition, the party responsible for the violation must pay all penalties before the stop-work order is rescinded. The Department must return to the site every 60 days until the condition is abated.

Former Governor Spitzer vetoed similar legislation in 2007 at the request of Mayor Bloomberg just a few weeks before the Deutsche Bank fire in August, 2007. Following the crane accident in 2008, the Assembly conducted another building safety hearing and Mr. Brennan, who chairs the Assembly Cities Committee, negotiated changes to the bill with the

Bloomberg Administration and the Department of Buildings and introduced an amended bill in the spring of 2008. The bill passed both houses of the Legislature this spring.

“I applaud the Governor for signing this bill into law and ensuring the safety of our citizens,” said Senator Krueger. “There have been too many instances where the Department of Buildings lacked the authority to fully ensure that construction sites remain safe which tragically led to crane collapses and numerous other incidents throughout the city. Hopefully this legislation along with other changes made by the Department of Buildings and City Council in the last year will help put an end to this.”

Senator Krueger continued, “This bill creates a major economic incentive for construction companies to correct violations. While the majority of building owners and construction companies are responsible, there are unfortunately some bad actors out there who without the proper motivation will continue to disregard the law and public safety if it means they can make some extra money. Creating enforceable civil penalties should deter these people from making such decisions in the future.”

“I’m pleased that the Mayor, the Governor, the Assembly and the Senate finally all got on the same page to improve construction safety after years of work,” Mr. Brennan said.