

1 RCNY §48-03

CHAPTER 48 CONSTRUCTION SUPERINTENDENTS

§48-03 Registration of Construction Superintendents.

(a) *Effective Date.* On or after the 180th day following the effective date of this rule, all individuals serving as construction superintendents for jobs must be registered with the Department, except as otherwise provided in subdivision f of this section.

(b) *Registration with Department.* The Department shall register all construction superintendents who meet the qualifications herein.

(c) *Form and manner of registration.* An application for registration shall be submitted in a form and manner determined by the Commissioner, including electronically, and provide such information as the Commissioner may require.

(d) *Qualifications.* The Department shall issue a Construction Superintendent registration to an individual who shall, at the time of his or her application, submit proof that he or she:

(1) is at least 18 years of age;

(2) is able to read and write the English language; and either

(3) is a New York State Licensed Professional Engineer or Registered Architect or a Department certified site safety manager and has completed within three years immediately preceding the application:

(i) a seven-hour Site Safety Manager course approved by the Department; or

(ii) a 10-hour Occupational Safety and Health Standards for the Construction Industry course; or

(4) within the 10 years immediately preceding the application, has worked for five years in the capacity of construction superintendent as verified by employer or union affidavit and has completed within three years immediately preceding the application:

(i) a seven-hour Site Safety Manager course approved by the Department; and

(ii) a 10-hour Occupational Safety and Health Standards for the Construction Industry course; or

(5) within the 10 years immediately preceding the application, has five years of on-site experience in the construction industry as a carpenter, mason, or inspector of building construction as verified by employer or union affidavit and has satisfactorily completed within three years immediately preceding the application:

(i) a 40-hour Site Safety Manager course approved by the Department; and

(ii) a 10-hour Occupational Safety and Health Standards for the Construction Industry course; or

(6) has satisfactorily completed such equivalent course(s) approved by the Commissioner, including those in electronic format.

(e) *Audits.* Applications for registration are subject to audit at any time. Such audit may also be made at any time upon receipt of complaints or evidence of falsification.

(f) *Incumbent application deadlines.*

(1) Notwithstanding the provisions of subdivision a of this section, where, within six (6) months prior to the effective date of this rule, an individual has been designated on a demolition, alteration 1 or new building permit as a construction superintendent and is actively performing the duties of a construction superintendent on the effective date of this rule, he or she may continue to perform such duties without complying with the foregoing if, within one hundred eighty (180) days after the effective date of this rule, application for registration is made to the Department. In such case all necessary evidence, such as course completion certificates and employment affidavits, shall be furnished within one year of such effective date.

(2) One year after the effective date, all individuals serving as job construction superintendents must be registered as such with the Department. All incumbents who are not registered as of that date shall be deemed disqualified from that position and, unless replaced by a registered construction superintendent within a period of five (5) business days from the date of such disqualification, all job permits on which the incumbent has been designated since the effective date, shall be deemed revoked.

(g) *Registration term.* Registrations issued under this rule are valid for three years from the date of issuance.

(h) *Registration Fees.* The initial fee for registration in accordance with these rules is one hundred dollars (\$100.00).

(i) *Renewals.*

(1) Renewal applications shall be submitted between thirty (30) and sixty (60) days prior to the expiration date of the registration.

(2) The fee for timely renewal is fifty dollars (\$50.00). Renewals not submitted in a timely manner shall be subject to a late surcharge of fifty dollars (\$50.00).

(3) Timely renewal applications shall be accompanied by proof that the applicant has, during the one-year prior to renewal, successfully completed:

(i) a seven-hour Site Safety Manager course approved by the Department; or

(ii) any equivalent course(s) approved by the Commissioner, including those in electronic format.

(4) Renewals not filed within one year of registration expiration shall be subject to the requirements of subdivision d of this section.