

UPCOMING LICENSING CHANGES

PRESENTED BY

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PRESENTATION OVERVIEW

This presentation will cover upcoming proposals and developments in licensing. These developments include:

- Proposed changes to the New York City General Contractor Licensing scheme.
- New York State and New York City Elevator Licenses
- Ongoing enhancements allowing for online processing for new and renewal license applications.





NYC GENERAL CONTRACTOR LICENSE PROPOSAL





NEW LICENSED GENERAL CONTRACTOR: PROPOSED

An individual who has satisfied the qualification requirements of this chapter for the general contractor license, who has been issued a license, and who is authorized under the provisions of this chapter to perform general contractor work in the city of New York





GOALS OF NEW GENERAL CONTRACTOR LICENSE

Create one streamlined license for General Contractor work

- Experience Requirements
- Structure
- Background Checks
- Accountability and Discipline





GENERAL CONTRACTOR REQUIREMENTS IN OTHER JURISDICTIONS

Of the 50 largest cities in the US, a licensed or registered general contractor is required for major construction work in 40 cities (80%).

- 1. Albuquerque, NM
- 2. Atlanta, GA
- 3. Baltimore, MD
- 4. Boston, MA
- 5. Charlotte, NC
- 6. Chicago, IL
- 7. Colorado Springs, CO
- 8. Columbus, OH
- 9. Dallas, TX
- 10. Denver, CO

- 11. El Paso, TX
- 12. Fresno, CA
- 13. Fort Worth, TX
- 14. Indianapolis, IN
- 15. Jacksonville, FL
- 16. Las Vegas, NV
- 17. Long Beach, CA
- 18. Los Angeles, CA
- 19. Louisville, KY
- 20. Memphis, TN

- 21. Mesa, AZ
- 22. Miami, FL
- 23. Nashville, TN
- 24. New Orleans, LA
- 25. Oakland, CA
- 26. Oklahoma City, OK
- 27. Omaha, NE
- 28. Philadelphia, PA
- 29. Phoenix, AZ
- 30. Portland, OR

- 31. Raleigh, NC
- 32. Sacramento, CA
- 33. San Diego, CA
- 34. San Francisco, CA
- 35. San Jose, CA
- 36. Seattle, WA
- 37. Tucson, AZ
- 38. Virginia Beach, VA
- 39. Washington, DC
- 40. Wichita, KS





GENERAL CONTRACTOR REQUIREMENTS IN OTHER JURISDICTIONS

Scope of GC License in Other Jurisdictions

- Several of the jurisdictions require a GC license for any work that requires a permit
- Some jurisdictions have a dollar amount threshold in determining whether a GC license is required
 - (Range: \$500 in Philadelphia, \$7,500 for residential projects or \$50k for commercial projects in Louisiana)
- A few jurisdictions require GC License only for certain work (typically residential projects) such as in NYC
- License/registration can be suspended or revoked
- Homeowners, trade licenses (plumbers, electricians, etc.) usually exempted
- Qualifications range:
 - Basic: Application, insurance
 - In-depth: Plus experience, exam, training





CURRENT NYC REQUIREMENTS

- General Contractor Registration for 1-, 2-, 3- family new building permits
- Safety Registration Number for all other new building construction, demolition, or large alteration work permits
- Insurance Tracking Number for minor alteration work and for all other non-trade specific work permits
- Home Improvement Contractor License required for those who construct, repair, remodel, or perform other home improvement work costing more than \$200 in any residential building or land in New York City
 - License issued by NYC Department of Consumer of Affairs





CURRENT ADMINISTRATIVE CODE REQUIREMENTS: GENERAL CONTRACTOR

NYC Administrative Code Section 28-418 sets forth the requirements for a General Contractor Registration

General Contractor Registration applicants must provide:

- Business documentation, including records disclosing names of owners and officers
- Proof of Insurance (General Liability, Workers Compensation and Disability Insurance)
- Proof of Financial Solvency (three months of banks statements reflecting contractor business has a balance of at least \$25,000)
- NYC Administrative Code Section 28-418.4 and 28-418.5 also requires General Contractor Registrants to provide warranties to home buyers, provide subcontractor information to the Department and maintain technical reports





CURRENT ADMINISTRATIVE CODE REQUIREMENTS: GENERAL CONTRACTOR

General Contractor Registrants are additionally subject to:

NYC Administrative Code Section 28-401 General Licensing Provisions

- Must be at least 18 years old, able to read and write in the English language and be of good moral Character
- 3 Year License Terms
- Background investigations and government fines/penalties checks
- Individual registrant must be an officer in the General Contractor business





GC LICENSE PROPOSAL: GENERAL CONTRACTOR BUSINESS

Proposed GC Business Definition:

A sole proprietorship, partnership or corporation authorized by the commissioner to conduct general contractor work ... under a designee who is a licensed general contractor. The term "general contractor business" shall not be construed to mean a city agency that performs general contractor work.

General Contractor License applicants will be required to provide all such documentation/information requested by the Department to register their company/employer as a General Contractor Business. This information will include:

Requirements for all GC Businesses (Including Sole Proprietorships)

- Proof of financial solvency (Bank Statements/Bank Letters)
 - City Agencies are exempt from this requirement
- Proof of insurance as required by section 28-401.9





GC LICENSE PROPOSAL: GENERAL CONTRACTOR BUSINESS

Additionally:

If the Business is a Corporation

- Corporate name and other business information on a form provided by the Department
- Name and personal contact information of corporate officers and registered agents and any person owning an interest of 10% percent or more in the corporation, on a form provided by the Department

If the Business is a Partnership

 The names and personal contact information of all partners on a form provided by the Department





GC LICENSE PROPOSAL: GENERAL CONTRACTOR LICENSEE

Any individual conducting business as a general contractor or performing general contractor work, which includes any work requiring a DOB permit to construct, enlarge, alter, repair, demolish, or remove any building or structure in the city, or change the use or occupancy of such building or structure or an open lot or portion thereof, must obtain a General Contractor License.

In addition to satisfying general licensing requirements, applicants for a General Contractor License must have:

- SST Supervisor Card
- Experience Requirement (must satisfy one)
 - Bachelor degree (engineering, architecture, construction management) and one year of practical field experience in general construction
 - Five years of practical experience in construction with at least three of such years in general construction on buildings
 - Professional Engineer or Registered Architect in Good Standing with NYS and NYC DOB for the three years prior to application





GC LICENSE PROPOSAL: DESIGNEE

Proposed GC Designee Definition

A licensed general contractor who has sole authority and full responsibility for all general contractor work performed in conjunction with a general contractor business, or performed by employees of a city agency, and for the direct supervision of all employees of the business or city agency who perform such work.

- Every General Contractor Business or City Agency performing GC work must name one GC
 License holder to serve as the Designee
- Designee's name and license number are listed on all corresponding permits issued to the General Contractor Business or City Agency
- Designee must be for:
 - Sole Proprietorship: Individual Owner
 - Partnership: General Partner
 - Corporation or Limited Liability: Officer, Member or Shareholder owning 10% or more
 - City Agency: Employee



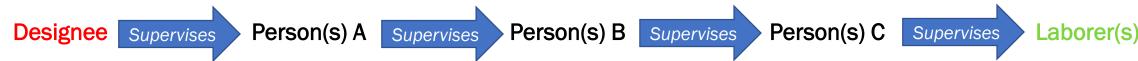


GC LICENSE PROPOSAL: DESIGNEE

Designee Duties

- Full Responsibility over General Contractor Work
- Direct supervision of business operations
- Direct supervision of work, up to three levels, performed by GC Business or City Agency and by their subcontractors

EXAMPLE



- General Contractor Business or City Agency must notify DOB before a planned change to the Designee.
 - In unforeseen instances, the General Contractor Business or City Agency must notify DOB immediately of the need to change the Designee.





GC LICENSE PROPOSAL: OVERVIEW

- GC License required to obtain any Construction, Alteration or Demolition Work Permit
- All GC Licensees will be subject to the Qualification and Disciplinary measures of NYC Admin. Code 28-401.19
 - Background checks, good moral character requirement, OATH trials, etc.
- Increased responsibilities for individual contractor/designee
- Training and experience requirements for GC Licensees





The law will take effect 3 years after passage

- During the 3-year period current active GC Registrants and Safety Registrants can continue to file for permits until their scheduled renewal
- Active GC and Safety Registrations will convert to GC Licenses on the Effective Date
- On renewal, a GC Registrant or Safety Registrant will be issued new GC Licenses without a new application but must meet the following requirements
 - New education/experience requirements for a GC License set forth in the law
 - Existing applicants that have held a Registration for 5 years or more will be considered to have satisfied this requirement.
 - Subject to OATH fines/penalties and criminal background checks (no background fee for existing applicants)





(continued)

- SST Supervisor certification
- Individuals currently holding a GC registration will automatically become the Designee of the GC Business or City Agency on the effective date of the law.
- Safety Registration businesses must appoint a Designee in order to be issued a new GC License on renewal.
- Insurance Tracking Number holders must apply for the GC License and meet all experience and training certification requirements





HYPOTHETICAL EXAMPLES/SCENARIOS Using an Effective Date of January 1, 2025 Bob's GC Registration expires on March 12, 2026.

- On January 1, 2025, Bob's GC Registration will be automatically converted to a GC License
- On March 12, 2026, Bob applies to renew his license.
 - Bob must demonstrate that he meets the experience and training requirements for a GC License by submitting a simplified application
 - If Bob has held his registration for over 5 years and has a SST card, he has satisfied these requirements and his GC License can be renewed





HYPOTHETICAL EXAMPLES/SCENARIOS Using an Effective Date of January 1, 2025

Cameron's Safety Registration expires on April 15, 2027.

- Before January 1, 2025, Cameron must notify DOB of the person who will serve as the designee of his construction business
 - Cameron designates himself and on January 1, 2025, Cameron's Safety Registration is converted to a GC License
 - Before January 1, 2025, Cameron must notify DOB of the person who will serve as the designee of his construction business
- On April 15, 2027, Cameron applies to renew his license
 - In order to maintain his GC License, Cameron must demonstrate that he meets the experience and training requirements for a GC license by submitting a simplified application
 - Cameron has held his registration for over 5 years and has a SST card
 - Cameron has satisfied these requirements and his GC License can be renewed





HYPOTHETICAL EXAMPLES/SCENARIOS Using an Effective Date of January 1, 2025

Dana holds an Insurance Tracking Number

- On January 1, 2025 all of Dana's existing permits expire
- Dana must apply for and obtain a GC License in order to continue to file for work permits

Eric does not have a license and plans on operating his own GC business

- If Eric applies prior to January 1, 2025, he may apply for a General Contractor Registration or Safety Registration
 - Eric's registration will convert to a GC License on January 1, 2025 and he will be subject to the application process on renewal.
 - If Eric applies on or after January 1, 2025, he must apply for a GC License
 - In order to qualify, Eric must obtain a SST card and meet one of the three experience qualification bases.





ON THE EFFECTIVE DATE OF THE LAW & BY RULE OF THE DEPARTMENT

General Contractor Registrants

New GC License number will appear on permits belonging to active former GC registrants

Safety Registrant

- New GC License number will appear on permits belonging to active former Safety Registrants who have previously notified the Department of their Designee
- Permits will expire for Safety Registrants who do not notify the Department of their Designee

Insurance Tracking Numbers:

- Cannot work unless GC License is obtained
- All current permits will expire
- No permits issued for pending applications





OVERVIEW OF THE NEW YORK STATE ELEVATOR SAFETY ACT:

- Article 33 of the NYS Labor Law
- NYC Elevator Licenses





NEW YORK STATE ELEVATOR SAFETY ACT

PASSED January 2, 2020 | EFFECTIVE January 1, 2022

- Requires NYS license for all persons performing design, construction, inspection, maintenance or repair work on elevators, escalators or any other automated people moving conveyances
 - Exemption: PEs and RAs
 - Exemption: Work involving the outfitting, removal, refinishing, or replacement of interior finishes, including wall panels, drop ceilings, handrails and flooring, removal or replacement of interior lighting, recladding of doors, transoms and front return panels, finishing or ornamental work on car operating panels. Dismantling and removal of elevators/conveyances is also exempt from elevator licensing requirements.
- Requires those who engage in elevator work within the City of New York to obtain the applicable NYC license
- For Elevator Technician and Restricted Elevator Technician licenses, the NYS equivalent will be required as a prerequisite to the DOB-issued license





Article 33 Section 952 of the NYS Labor Law

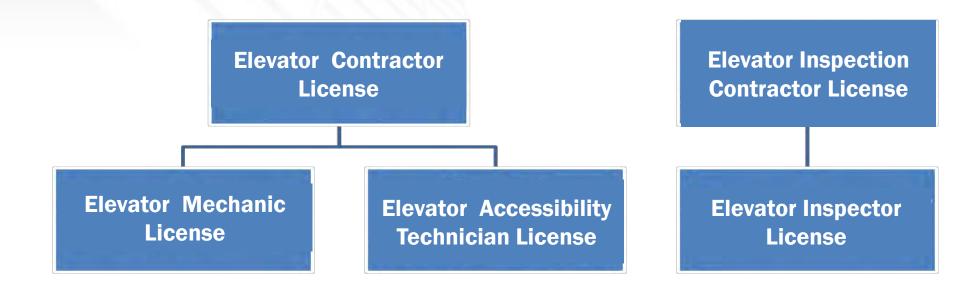
Effective January 1, 2022, the **Elevator Safety Act** requires elevator workers to obtain a NYS License to engage in elevator work

- Elevator Contractor License Required to engage in elevator and conveyance work or accessibility lift work
- Elevator Mechanic License Required to engage in elevator and conveyance work. Must work for an Elevator Contractor Licensee
- Elevator Accessibility Technician License Required to engage in accessibility lift work. Must work for an Elevator Contractor Licensee
- Elevator Inspection Contractor License Required to engage in elevator and conveyance inspections
- Elevator Inspector License Required to engage in elevator and conveyance inspections. Must work for an Elevator Inspection Contractor Licensee





NYS Elevator Licensing Structure







Article 33 Section 954 of the NYS Labor Law - QUALIFICATIONS

Elevator Contractor License

Must employ licensed elevator mechanics and prove compliance with insurance requirements

Elevator Mechanic License

- Certified Elevator Technician (CET) certification, or
- A certificate of successful completion and successfully passing the mechanic examination, or
- A certificate of successful completion of the state registered apprenticeship programs or
- Work on elevator construction, maintenance or repair with direct and immediate supervision in NYS for a period of not less than four years immediately prior to January 1, 2020; or
- Successful completion of an examination established by the New York state civil service commission or a municipal civil service commission, and
- Work on elevator construction, maintenance, mechanics, inspection, or repair, with direct and immediate supervision in this state for a period of not less than four years immediately prior to January 1, 2020





Article 33 Section 954 of the NYS Labor Law – QUALIFICATIONS (continued)

Elevator Accessibility Technician License

- Certification issued by the National Association of Elevator Contractors (NAEC) as a certified accessibility and private residence lift technician (CAT) program or an equivalent certification recognized by the NYS DOL, or
- Alternative qualifications listed under "Elevator Mechanic License"

Elevator Inspection Contractor License

 Must be a licensed elevator inspector or employ licensed elevator inspectors and prove compliance with insurance requirements

Elevator Inspector License

 Certification issued by the Qualified Elevator Inspector Training Fund (QEITF) or by the National Association of Elevator Safety Authorities (NAESA) as a qualified elevator inspector (QEI); OR an equivalent license recognized by the NYS DOL





CURRENT NYC ELEVATOR LICENSE REQUIREMENTS

NYC DOB currently licenses only private elevator inspection agency inspectors and private elevator inspection agency directors

Private Elevator Inspection Agency Director License – NYC Administration Code 28-421.1 thru 28-421.4

- Perform elevator inspections and/or witness inspections or tests or enter into contracts to perform such work
- Must employ and designate one licensed director to supervise all operations and work

Private Elevator Inspection Agency Inspector License – NYC Administration Code 28-422.1 thru 28-422.3

- Perform and/or witness inspections for a private elevator inspection agency.
- Work must be performed under the direct and continuing supervision of the licensed private elevator inspection agency director

Private Elevator
Inspection Agency
Director License

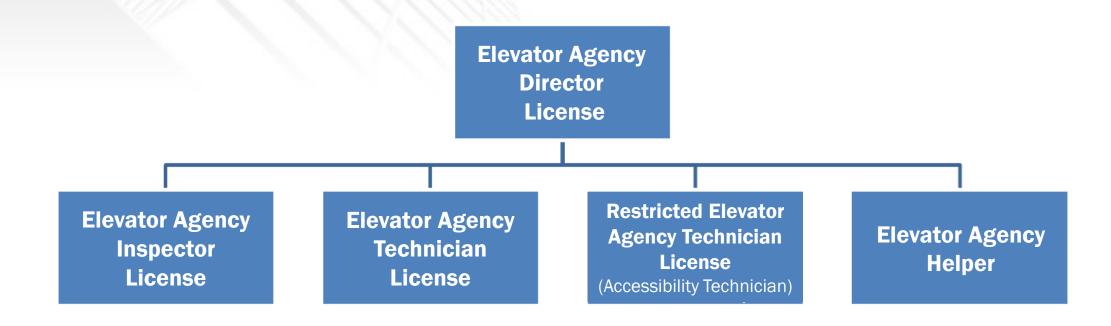
Private Elevator
Inspection Agency
Inspector License





NEW NYC ELEVATOR LICENSE REQUIREMENTS

New NYC Elevator Licensing Structure







NEW NYC ELEVATOR LICENSES & REQUIREMENTS

Effective January 1, 2022, individuals performing elevator work must also obtain a NYC License. State law amends the **NYC Administrative Code**

Elevator Agency Director License – 28-421.1 through 28-421.4

- Renamed from Private Elevator Inspection Agency Director License
- Responsible for all elevator inspection work as well as elevator mechanical work
- 30-hour OSHA Training Course requirement added for new applicants

Elevator Agency Inspector License - 28-422.1 and 28-422.2

- Renamed from Private Elevator Inspection Agency Inspector License
- Work pursuant to this license continues to be performed under the direct and continuing supervision of the licensed Elevator Agency Director
- 10-hour OSHA Training Course requirement added for new applicants





NEW NYC ELEVATOR LICENSES & REQUIREMENTS

(continued)

Elevator Agency Technician License – 28-425.1 & 28-425.3

- Required to perform elevator work which includes the alteration, assembly, installation, maintenance, repair, replacement and modernization of elevators
- Work must be performed under the direct and continuing supervision of the licensed Elevator Agency Director

Restricted Elevator Agency Technician (Accessibility Technician) License - 28-425.2 & 28-425.3

- Restricted license limited to work on platform lifts including those installed in private homes
- Work must be performed under the direct and continuing supervision of the licensed Elevator Agency Director

Elevator Agency Helper - 28-426.1

 Required to perform elevator work under the direct and continuing supervision of an Elevator Agency Director





NEW NYC ELEVATOR LICENSE REQUIREMENTS

- Elevator Agency Technicians and Restricted Elevator Agency Technicians performing elevator work in NYC must obtain both a NYS and a NYC Elevator License
- NYC-specific license qualification requirements for Elevator Agency Technician, Restricted Elevator Agency Technician and Elevator Agency Helper as well as application forms, continuing education/training requirements and fees are to be determined prior to the effective date
- License Terms
 - Elevator Agency Technician and Restricted Elevator Agency Technician License 2 years
 - Elevator Agency Director and Elevator Agency Inspector License 3 years
 - At renewal, all elevator licensees will be required to submit proof of completion of a continuing education course of at least 8 hours





NYC ELEVATOR LICENSE: ADDITIONAL REQUIREMENT

Article 427 of Title 28

- Applications/permits issued to elevator contractors will appear on DOB's website within 48 hours of their issuance
- The information to be published includes the date of issuance, the work covered by the permit, the elevator contractor or contractors involved and location and type of work to be performed
- DOB will maintain and publish a registry listing all licensed elevator agency helpers, technicians, and inspectors, doing business in the City of New York
- This registry will be posted on DOB's website







NEW DOB LICENSING PROCESSES

Current and Future Online Submissions





BACKGROUND: LICENSING & EXAMS UNIT

The Licensing & Exams Unit monitors compliance with the NYC Administrative Code and various rules and regulations by administering all aspects of construction trade licensing.

Functions include

- New License issuance
- Renewals
- Updates (changes) to Licenses
- Required insurance updates
- License ID Card issuance
- License examinations
- Background checks





BACKGROUND: LICENSING & EXAMS UNIT

Scope

- 19 Categories of Licenses
- **37** Specific License Types
- **31,400+** Active Licenses





DOB LICENSING: ONLINE SUBMISSIONS

DOB NOW: Licensing



BIS Options







DOB NOW: Licensing



DOB NOW: *Licensing* launched in November 2018 as the planned future platform for all Licensing processes

- Current initial application submissions for:
 - Gas Work Qualifications
 - Journeymen
 - Welders
- Renewal application submissions for
 - Welders
- Must create a DOB NOW profile specific to each individual license





DOB NOW: Licensing



Initial application submissions for Welder Licenses, Journeymen Registrations, Gas Work Qualifications, as well as Welder renewals, must be done online via DOB NOW: Licensing.

- Applicants must create a DOB NOW: Licensing account
- No forms to complete
 - Applicant information can be input directly
 - Required documentation uploaded
 - Fee payment online
- Application status available online
- Email status alerts after review
- Visit <u>www.buildings.nyc.gov/licensing</u> and select DOB NOW: *Licensing*

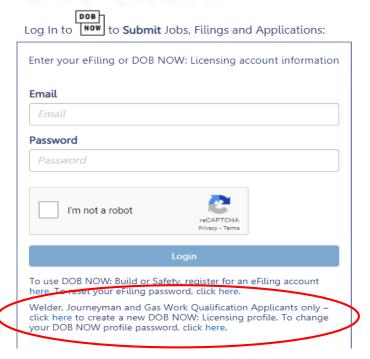


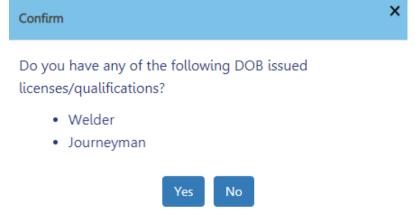


DOB NOW: Licensing



To create a DOB NOW: Licensing profile, you must the select the section for Welders, Journeymen and Gas Work Qualifications.



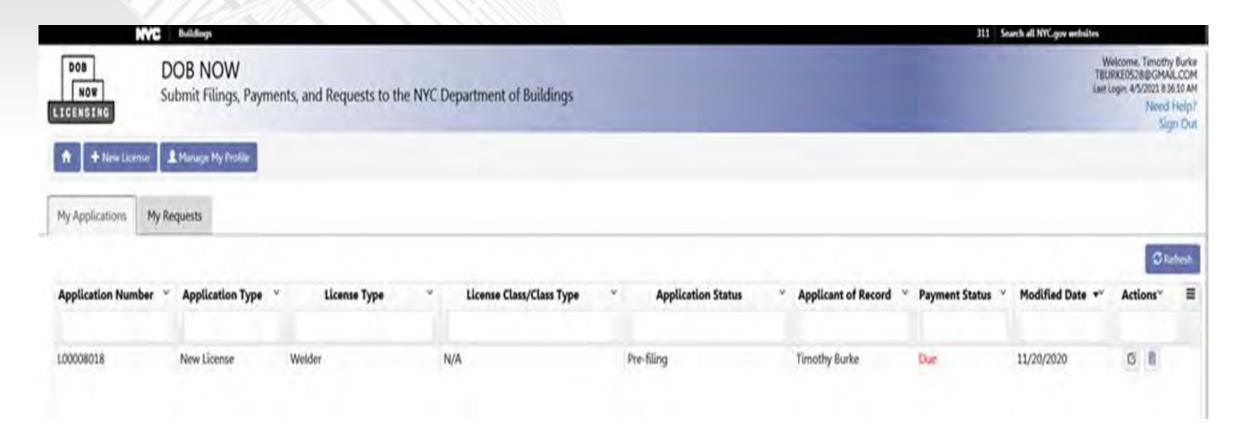


NOTE: If you do not choose the correct section you may create the wrong type of account and hinder the application process





DOB NOW: Licensing







Online License Renewals



- Launched in May 2020
- All Licenses must now be renewed online
 - Except SIAs and CTLs
- Applications, forms and other documentation
 - Completed, scanned and uploaded in PDF for review
 - Fee payment online
- Application status available online
- Email status alerts after review
- NO APPOINTMENTS NECESSARY



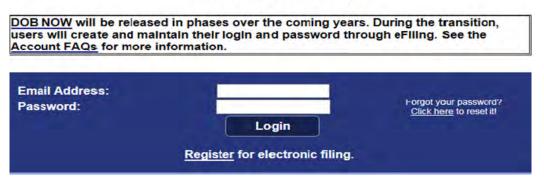


Online License Renewals



- An eFiling account must be created and authenticated for each individual license type
 - Allow enough time in advance of renewal submission for eFiling process

Welcome to eFiling



- eFiling authentication process is now 100% online
- Once an eFiling account has been created and authenticated, a licensee can proceed to create a renewal application via the BIS OPTIONS in DOB NOW





Online License Renewals

- Renewal applications must be submitted between 60 and 30 days
 - Required by Rule of the Department
 - Late fees assessed below 30 days
- Create renewal application submission
 - Submit specific license application form and all required documentation
 - Be sure application is complete before submitting
 - Make required payments

NOTE: Payment is not the final step

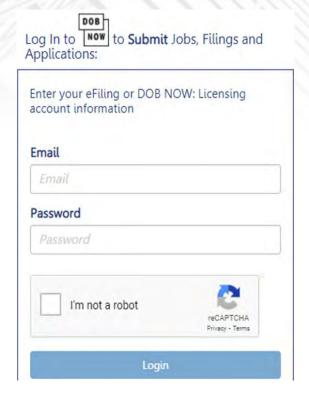
Preview to File then SUBMIT to complete the renewal process

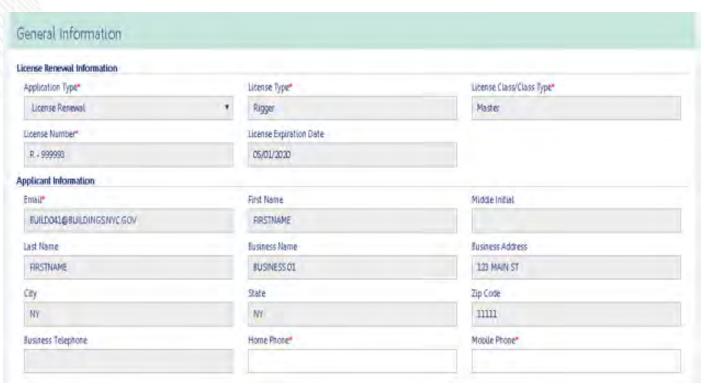




Online License Renewals: Renewal Application Page Preview











INSTRUCTIONS FOR APPLICATION SUBMISSIONS

New & Renewal Applications

- Prior to submitting an initial application or renewal application, check the Licensing page on the DOB website to confirm you are submitting all required documentation.
 - Instructions are specific to the type of License







COMMON ISSUES THAT DELAY APPLICATION APPROVAL

- Incomplete Application (missing all required forms and documents)
 - The Child Support form is always required
 - Scanned forms and documents are not legible
 - Incomplete or wrong documentation submitted
 - Missing required signatures and notarizations
- LIC application form missing required information
- Changes to previously submitted licensee, corporate or business information on record not supported by appropriate documentation.
 - Make updates/changes to a License as they occur. Waiting until renewal to make updates/changes to a license can delay timely renewal.





LICENSING APPLICATION FORMS

Application Type					_	Renewals, and Reiss	
	Issue (Lost/Stolen) C	Change (ie: Address/Business/Deactivations)					
Reinstatement.		and the contract					
License Type							
	ntionary O Portable	Rigger Sign Hanger Site Safety Welder Master Fire S	OMaster OSp OMaster OSp OManager OCo Suppression Piping Co	ecial ordinator		oncrete Safety Manage onstruction Superintend	
Applicant Information Requir	ed for all applications.						
First Name:		Middle Initial: Last Name:					
Home Address				Home Telephi			
Date of Birth (m/d/v/)	State:	Social Securit		Mobile Telepho			
		AND DESCRIPTION	I IIV.	E4			
Primary Business Informatio	n				-	ise Use	
Business Name			Bus. E-mail:			se One:	
Office Address: City:	State: Zig		Bus. Phone:			dual/Sole-Proprietor shalf of a Corporation	
				_		shalf of a Partnership	
Secondary Business Informa	ition (if applicable)				On Bo	shalf of a City Agency	
Business Name			Bus E-mail:		_	mployee?	
Office Address: City:	State: Zic		Bus. Phone:	_	Yes	No 🗌	
ury.	state: 24	K.					
Partner or Officer Information	n (must list all partners or o	flicers)					
Name:			Name:				
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Title(s):			Title(s):				
Licensing History							
List all licenses, certifications, o	or registrations issued to you	, by any City	or State.				
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		+					
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	licenses or privileges grant					of Buildings or any oth elated business(es) eve	
Yes No governme	nt entity ever been rescinde ualified from performing ins						

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a Application Type		1b Registration Number			
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2 Registration Use		Towns and			
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3 Primary Principal Required to	all applications. Business fax and mobile	felephone are optional.			
Last Name	First Name	Middl	e Initial		
Social Security No	% Control	Date of Birth (m/d/y)			
Hame Address		Home Tele	ephone		
City	State New York Zip	Mobile Telephone			
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COMING SOON . . .

New License Applications Online

- Application forms and documentation completed and uploaded
- Fee payments online
- Track progress of application online
- Email status alerts after review
- NO APPOINTMENTS NECESSARY







THANK YOU

