

## 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 rule 101-06 regarding special inspectors and special inspection agencies.

**When and where is the hearing?** DOB will hold a public hearing on the proposed rule. The public hearing will take place at 11am on 4/17/23. The public hearing will only be held online.

- 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://tinyurl.com/Buildings202304Special>

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://tinyurl.com/Buildings202304Special>

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: 282 459 207 810

Passcode: t3atGt (Code is case sensitive)

- Join via phone only:

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

Phone: 646-893-7101  
Phone Conference ID: 228 736 705#

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.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at 212-566-3843.
- **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 4/10/23 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.

**Is there a deadline to submit comments?** Yes, you must submit comments by 4/17/23.

**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 4/3/23.

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 Article 115 of Title 28 of the New York City Administrative Code authorize DOB to make this proposed rule.

**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. The proposed rule was included in the agency's regulatory agenda.

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

Chapter 17 of the New York City Building Code ("BC" or "Building Code") sets out when special inspections are required. The New York City Department of Buildings ("DOB") adopted rules that specify the structure of the special inspection agency and the qualification of the special inspector in section 101-06 of Title 1 of the Rules of the City of New York. This rule would amend 1 RCNY 101-06 to align it with changes made as part of the 2022 updates to the Building Code pursuant to Local Law 126 of 2021 ("2022 Building Code"). The proposed amendments would also include editorial changes to clean up some of the existing language in the rule.

More specifically, this rule would:

- Amend certain BC section references due to the new numbering system adopted by ICC, as reflected in the 2022 Building Code.
- Amend inspection names to reflect new names in the 2022 Building Code.
- Add new inspections to match those added to the 2022 Building Code. These new inspections are included in Appendix A along with the relevant qualifications for inspectors. These inspections include:
  - Open-web Steel Joists and Joist Girders (BC 1705.2.7)
  - Wood – Seismic Resistance (BC 1705.5.5)
  - Construction Utilizing CLT or SCL, Type IV (BC 1705.5.6)
  - Prestressed Rock and Soil Anchor (BC 1705.8)
  - Designated Seismic Systems (BC 1705.12.1)
  - Access Floors (BC 1705.12.2)
  - Plumbing, Mechanical, Fuel Gas, and Electrical Components (BC 1705.12.3)
  - Anchorage of Storage Racks (BC 1705.12.4)
  - Construction Operations Influencing Adjacent Structures (BC 1705.25.2)
  - Tenant Protection Plan Compliance (BC 1705.26)
  - Non potable Water Systems (BC 1705.38)
  - Exhaust and Vent Systems in plenums and ducts (BC 1705.39)
- Add Class 3 references to categories 2, 3 and 4 in Appendix A to make clear that Class 3 requirements are applicable to all categories.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and Article 115 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (\*\*\*) indicate unamended text.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 101-06 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

**(a) Definitions.** For the purposes of this section, the following terms [will] have the following meanings:

- (1) *Accreditation.* Evaluation of agencies, including testing and calibration laboratories, fabricators and inspection bodies, against internationally acceptable standards to demonstrate their performance capability. Such accreditation is required to be conducted by a nationally recognized accreditation agency accrediting to ISO 17020-12 international standard, the requirements of this [rule] section, and approved by the department.

\* \* \*

- (3) *Approved Construction Documents.* [For the purpose of this rule approved construction documents will include any] Any and all documents that set forth the location and entire nature and extent of the ["work"] proposed work with sufficient clarity and detail to show that the proposed work conforms to the provisions of this code and other applicable laws and rules. Such documents [will] include but are not [be] limited to shop drawings, specifications, manufacturer's instructions and standards that have been accepted by the design professional of record or such other design professional retained by the owner for this purpose.

\* \* \*

- (8) *Floor Area, Gross.* This term has the same definition as established in section [1002.1] 202 of the Building Code.

- (9) *Full Demolition.* This term has the same definition as established in section [3302.1] 202 of the Building Code (Demolition, Full).

\* \* \*

- (11) *Major Building.* This term has the same definition as established in section [3302.1] 202 of the Building Code.

\* \* \*

- (13) *New York City Construction Codes.* The New York City Plumbing Code, the New York City Building Code, the New York City Mechanical Code, the New York City Fuel Gas Code, the New York City Energy Code, and Title 28, chapters 1 through 5 of the Administrative Code. Any reference to "this code" or "the code" [will be] is deemed a reference to the New York City Construction Codes as here defined.

\* \* \*

- (15) *Partial Demolition.* This term has the same definition as established in section [3302.1] 202 of the Building Code (Demolition, Partial).

\* \* \*

- (21) *Special Inspection Agency.* An approved inspection agency employing one (1) or more persons who are special inspectors and that has met all requirements of this [rule] section.
- (22) *Special Inspection Category.* The specific type(s) of special inspection(s) that a special inspection agency may perform in accordance with Appendix A of this [rule] section.
- (23) *Special Inspector.* An individual employed by a special inspection agency, who has the required qualifications set forth in this [rule] section to perform or witness particular special inspections required by the code or by the rules of the department, including but not limited to a qualified registered design professional.
- (24) *Supervise/Supervision.* With respect to a designated [Primary Inspector] primary inspector or [Inspection Supervisor as indicated in] inspection supervisor as provided for in Appendix A of this section, [supervision will mean] oversight and responsible control by [a registered design professional] such primary inspector or inspection supervisor having the necessary qualifications and relevant experience to perform responsibilities associated with the special inspection. Such supervision will include ensuring training and/or education necessary to qualify the special inspector for his or her duties, including continued training and education necessary to keep pace with developing technology.

Field supervision by the primary inspector or inspection supervisor[, per] as required by Appendix A of this section, [will include] includes responsibility for determining competence of special inspectors for the work they are authorized to inspect and on-site monitoring of the special inspection activities at the job site to ensure that a qualified special inspector is performing his or her duties when work requiring inspection is in progress.

With respect to a primary director or technical director of a [Special Inspection Agency] special inspection agency, [supervision will mean] oversight and responsible control by [a registered design professional] such primary director or technical director who [must] ensure that qualified inspectors are dispatched for special inspections, that such special inspectors properly document their activities, and that reports and logs are prepared in accordance with section 28-114.2 of the Administrative Code. Such supervision [will include] includes ensuring training and/or education necessary to qualify the special inspector for his or her duties, including continued training and education necessary to keep pace with developing technology.

[If the primary director or technical director of a special inspection agency is not a registered design professional, that special inspection agency shall be limited to performing only those special inspections, per Appendix A, that the special inspection agency's primary director or technical director possesses a department-issued license to perform.]

- (25) *Technical Director.* An individual possessing one or more of the following licenses: Master Electrician, Master Fire Suppression Piping Contractor, Oil Burning Equipment Installer, Master Plumber, or Registered Design Professional and

designated as “Technical Director” in the Department’s Special Inspection Agency registration.

- (26) *Technician*. A person employed by the special inspection agency assigned to perform the inspection or testing of construction activities or materials used in construction or both. See ASTM E [329-14, paragraph 3.1.8] 329-21.

\* \* \*

**(b) Duties.**

- (1) Availability and Compliance. A special inspector [and/]or special inspection agency [shall have] has the responsibilities [as] set forth in chapter 17 of the New York City Building Code and elsewhere in the codes where special inspections are required. The responsibilities of the special inspector or special inspection agency at a special inspection [shall] include those tasks and standards set forth in chapter 17 of the code, the reference standards and elsewhere in the code, this [rule] section or any rule of any agency in connection with the work that is the subject of such special inspection.

\* \* \*

- (3) Approved Construction Documents. The special inspector [and/]or special inspection agency [shall]:
  - (i) Examine all approved construction documents that relate to the work that is the subject of the special inspections.
  - (ii) Confirm that the documents are sufficient to enable the proper performance of the special inspection.
  - (iii) Confirm that the documents are acceptable to the registered design professional of record or another design professional retained by the owner and who prepared the documents for the construction of the job. Acceptance shall be demonstrated in writing by the design professional on the documents.
  - (iv) Confirm that the work that is the subject of the special inspection is in compliance with all relevant approved construction documents and with chapter 17 of the New York City Building Code or elsewhere in the construction codes or their referenced standards.]

must comply with all applicable provisions in section 1704.1.1.2 of the Building Code that relate to approved construction documents.

- (4) Documentation. A special inspection agency [shall] must maintain records of special inspections on a job-by-job basis for at least six (6) years or for such period as the commissioner [shall determine] determines, and [shall] must make such records available to the department upon request. Such records [shall] must include field logs, test results, laboratory reports, notes, noted deficiencies and dates of cures of such deficiencies, photographs and such other information as

may be appropriate to establish the sufficiency of the special inspection as per Chapter 17 of the Building Code or elsewhere in the New York City Construction Codes or their referenced standards.

- (i) The primary inspector or inspection supervisor[, per] as provided for in by Appendix A[, shall] of this section must review special inspection progress reports and final reports for conformance with the approved plans, specifications and workmanship provisions of chapter 17 of the New York City Building Code or elsewhere in the construction codes or their referenced standards. [Such supervision and control shall be evidenced by the supervisor's signature] Such primary inspector or inspection supervisor must sign and seal [upon] any required statements, applications [and/]or reports.
  - (ii) The primary director or technical director of the special inspection agency [shall] must file [with the department within ten (10) days] notice of satisfactory completion of any special inspection[, notice] with the department within ten (10) days of such completion on the forms and in the manner required by the department.
- (5) **Obligation to Cooperate with Inquiries.** All special inspectors [and/]or special inspection agencies [shall] must cooperate with any investigation, including any audit investigation, by the department, or other city or law enforcement agency, into the activities at any job site or fabricating/manufacturing facility for which they have been designated a special inspector or special inspection agency and [shall] must provide prompt, accurate and complete responses to reasonable inquiries by the department and other appropriate agencies about the conduct of such business.
- (6) **Limitation of Duties.** Activities as a special inspection agency are specifically limited to those special inspections for which the special inspection agency has been registered and for which it has satisfied the requirements set forth in this [rule] section and chapter 17 of the New York City Building Code. No special inspector or special inspection agency [shall] may conduct any special inspection that such inspector or inspection agency is not qualified or registered to perform in accordance with the requirements of this [rule] section and chapter 17 of the New York City Building Code. No special inspector or special inspection agency may perform an inspection or test with an expired or lapsed New York State license or department registration.
- (7) **Obligation to Comply with an Order of the Commissioner.** All special inspectors and/or special inspection agencies [shall] must comply with an order of the commissioner.
- (8) **Equipment and Tools.** The special inspection agency [shall] must possess and maintain tools and equipment required to perform the specific special inspection. Such tools and equipment [shall] must be maintained and calibrated periodically in accordance with applicable nationally accepted standards governing that equipment or tool.

- (9) Reporting. The special inspection agency [shall] must report any discrepancies noted during the inspection to the contractor and when applicable to the superintendent of construction, as well as to the site safety coordinator or site safety manager, for correction. If the discrepancies are not corrected, the discrepancies [shall] must be brought to the attention of the owner[,] and the registered design professional of record prior to the completion of that phase of the work. The special inspector/special inspection agency [shall] must report conditions noted as hazardous to life, safety or health that are not immediately corrected to the [immediate attention of the commissioner] department.
- (10) Service of process. All special inspection agencies must have an agent for the acceptance of service or maintain a New York City address. A Post Office [Box will not be] box is not acceptable for such purposes. All agencies must comply with the requirements of this paragraph upon registration.

**(c) Registration of Special Inspection Agencies.**

- (1) General. All agencies performing special inspections must be registered with the department as a special inspection [agencies] agency. Applicants, both at the time of their approval and at the time of all subsequent renewals, are subject to the provisions of Article 401 of Chapter 4 of Title 28 of the Administrative Code.
- (2) Form and Manner of Registration. An application for registration must be submitted in a form and manner determined by the commissioner, including electronically, and must provide such information as the commissioner may require. Such registration will be deemed an acknowledgement by the special inspection agency of its obligations hereunder.
- [(i)] (3) Registration of Special Inspection Categories. Agencies must register for each special inspection category that the agency intends to perform.
- [(ii)] (4) Registration of Special Inspection Classes. Agencies must register as class 1, class 2, or class 3 special inspection agencies for each special inspection category for which the agency registers.
  - [(A)] (i) Class 1. An agency registered as a Class 1 special inspection agency for a special inspection category [will be] is permitted to perform the work associated with such special inspection category on any project.
  - [(B)](ii) Class 2. An agency registered as a Class 2 special inspection agency for a special inspection category [will be] is permitted to perform the work associated with such special inspection category on any project, except those involving:
    - [1.] (A) The construction of a new major building;
    - [2.] (B) The full demolition of a major building;
    - [3.] (C) The alteration of a major building, including:
      - [a] 1. The removal of an entire story or more;



[b] 2. The partial demolition of twenty thousand (20,000) square feet or more of gross floor area; or

[c] 3. The partial demolition of twenty (20) percent or more of the gross floor area.

[4.] (D) The enlargement of a major building by more than ten thousand (10,000) square feet of gross floor area.

[(C)] (iii) Class 3. An agency registered as a Class 3 special inspection agency for a special inspection category [will be] is permitted to perform the work associated with this category on the following projects only:

[1.] (A) The construction, demolition, or alteration of a one-, two-, or three-family dwelling; or

[2.] (B) The alteration of any building, including partial demolition, of less than ten thousand (10,000) square feet of gross floor area in total.

Exception: The special inspection categories of underpinning, mechanical means and methods of demolition, and the protection of the sides of excavations greater than ten (10) feet in depth must be performed only by special inspection agencies registered as either class 1 or class 2 special inspection agencies for such categories.

[(3)](5) Agency Accreditation. For class 1 special inspection agencies only, accreditation is required [by the accreditation deadline] in order to maintain their class 1 registration status. These agencies [will be required to] must demonstrate accreditation for their intended scope of work by an approved accrediting body accrediting to the standards set forth in this [rule] section and ISO 17020-12. Accrediting bodies other than federal agencies [are required to] must operate in accordance with ISO 17011-04 and must be members of an internationally recognized cooperation of laboratory and inspection accreditation bodies subject to a mutual recognition agreement.

[(4)](6) Qualifications. All special inspection agency primary directors and technical directors must ensure that the special inspectors employed by the agency meet the qualification requirements set forth in Appendix A of this [rule] section and perform special inspections only within the area of expertise for which such special inspectors are qualified. A Professional Engineer who is listed in Appendix A of this section as requiring qualification in civil, structural, mechanical, electrical, fire protection, geotechnical or such other designation must have had the education, training and experience that has led to an accumulation of knowledge and skill required for the New York State-licensed Professional Engineer to hold himself/herself out as a professional practicing in that field.

[(5)](7) Insurance. All special inspection agencies must have [the following insurance coverage: (i) Professional] a professional liability/errors and omissions insurance policy [for] in the minimum amount of five hundred thousand dollars (\$500,000.00), claim-based, for the term of the registration, as well as insurance required by the

provisions of the New York State Workers' Compensation and disability benefits laws.

Exception: An agency that is limited to performing:

[(1)](i) fuel-oil storage and fuel-oil piping inspections,

[(2)](ii) sprinkler system inspections,

[(3)](iii) standpipe system inspections,

[(4)](iv) emergency and standby power system inspections,

[(5)](v) private on-site storm water disposal and detention system installation,  
[and/]or

[(6)](vi) individual on-site private sewage disposal system installation special inspections, and whose primary director or technical director is not a registered design professional,

[will be] is exempt from obtaining professional liability insurance coverage. This exception applies so long as the primary director or technical director maintains the insurance requirements required for his/her respective license in accordance with Chapter 4 of Title 28 of the Administrative Code.

[(ii) Insurance required by the provisions of the New York State Workers' Compensation and disability benefits laws.]

[(6)](8) Agency Structure. A special inspection agency must have one full-time primary director and up to four (4) [alternative] full-time technical directors who are registered design professionals in charge and all special inspections must be performed under their direct supervision. Neither the primary director nor the technical directors may be retained by any other agency that provides special inspection or testing services, nor [shall] may they be an owner of another special inspection or testing agency or be involved in the supervision of such an agency. The primary director [or] and technical directors must possess relevant experience in the inspection and testing industry and hold management positions in the agency. The agency structure must comply with all relevant New York State and Federal laws. Notwithstanding anything to the contrary set forth in this paragraph, an agency that is limited to performing:

[(1)](i) fuel-oil storage and fuel-oil piping inspections,

[(2)](ii) sprinkler system inspections,

[(3)](iii) standpipe system inspections,

[(4)](iv) emergency and standby power system inspections,

[(5)](v) private on-site storm water disposal and detention system installation, or

~~[(6)]~~(vi) individual on-site private sewage disposal system installation special inspections

may have a primary director and technical directors who satisfy the requirements of primary inspector or inspection supervisor for such tests and inspections as set forth in Appendix A of this rule.

~~[(7)]~~ (9) Audits. The operations of special inspectors and special inspection agencies ~~[will be]~~are subject to audit by the department at any time. Audits may involve the examination of applications for registration as well as the performance and documentation of special inspections. Audits may also be conducted upon receipt of complaints or evidence of falsification, negligence or incompetence.

~~[(8)]~~ (10) Registration and Renewal Term. The term of an initial registration is three (3) years, beginning on the [applicant's] primary director's birthday following the date of registration, and may be renewed for additional three (3) year periods after such initial registration in accordance with the provisions of Article 401 of Chapter 4 of Title 28 of the Administrative Code. If, after a period of one year from the date of the expiration of its registration, the special inspection agency has failed to apply for late renewal of its registration, the special inspection agency must register anew, subject to the provisions of this section.

~~[(9)]~~ Registration Fees. Fees will be those set forth in section 101-03 of these rules.]

~~[(10)]~~ (11) Denial of Renewals. ~~[(i) Renewal]~~ Requests for renewal will be [precluded] denied where there has been a finding by the commissioner:

(i) that any special inspection or test conducted by the special inspector or special inspection agency has not been performed in accordance with the requirements set forth in the code, applicable reference standards or the rules of the department, [or where there has been a finding by the commissioner of]

(ii) that there was fraud or misrepresentation on any document or report submitted to the department by the special inspector or special inspection agency, [or where there has been a finding by the commissioner]

(iii) that any special inspection has been performed by an inspector who does not possess the proper qualifications [.

(ii) Renewal will be precluded where there has been a finding by the commissioner],\_or

(iv) that the owner, primary director or technical director has not demonstrated good moral character.

[(iii) Renewal will be precluded where there has been a finding that the owner or primary director or technical director, after an opportunity to be heard, knowingly or negligently made a false statement or knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this chapter, the code or any rule or regulation of any agency.

(iv) No special inspector or special inspection agency will perform an inspection or test with an expired or lapsed New York State license or department registration. The filing of any report with an expired or lapsed registration, or the filing of any report for any inspection performed with an expired or lapsed registration, shall be considered a false filing, per Article 211 of Chapter 2 of Title 28 of the Administrative Code.

(v) If, after a period of one year from the date of the expiration of its registration, the special inspection agency has failed to apply for late renewal of its registration, the special inspection agency shall be required to register anew subject to the provisions of this Rule.]

(12) Registration and Renewal Fees. Fees are set forth in section 101-03 of this chapter.

**(d) Disciplinary Actions.**

(1) Suspension or [revocation of registration and refusal to accept filings] Revocation of Registration. The commissioner may, in accordance with the provisions of Article 401 of Chapter 4 of Title 28 of the Administrative Code and the rules of the department, suspend or revoke a special inspection agency registration, with or without the imposition of penalties, for violation of any provision of the New York City Construction Codes or the rules of the department, or any other applicable laws or rules.

(2) The commissioner may refuse to accept any application or other document submitted pursuant to or in satisfaction of any requirement of this [rule]section or of chapter 17 of the New York City Building Code or any rule or regulation of any agency that bears the signature of any primary director or technical director who has been found, after an opportunity to be heard, to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this [chapter]section, the code or any rule or regulation of any agency.

[(2)](3) Stop Work and Suspension of Permits. Upon any suspension or revocation of registration pursuant to paragraph [(d)](1) of subdivision (d) of this [rule] section, unless replaced by another registered special inspection agency within five (5) business days of such suspension or revocation, all jobs on which the special inspection agency whose registration was suspended or revoked is designated, shall be stopped and the permits shall be suspended until such time as a duly registered special inspection agency is designated to re-inspect such tests or such inspections performed by the disciplined special inspection agency, or until such permits expire.

**(e) Obligations of Others.** Nothing in this [rule] section is intended to alter or diminish any obligation otherwise imposed by law, including but not limited to the obligation of an owner, construction manager, general contractor, contractor, materialman, architect, engineer, site safety manager, land surveyor, superintendent of construction or other party involved in a construction

project to engage in sound engineering, design, and construction practices, and to act in a reasonable and responsible manner to maintain a safe construction site.

[(f) Additional Powers of the Commissioner. The commissioner may, upon a determination of good cause, extend the dates and deadlines set forth in this rule.]

PROPOSED

**APPENDIX A**

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
<b>1. General Building Construction</b>				
Wall Panels, Curtain Walls, and Veneers	BC [1704.10] <u>1705.20</u>	<ul style="list-style-type: none"> <li>• RA or PE – Civil or Structural Engineering; and</li> <li>• 1 Year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Architecture or Civil Engineering or Structural Engineering; and</li> <li>• 2 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with 3 years relevant experience</li> </ul>
[Exterior Insulation and Finish Systems (EIFS)] <u>Combustible Exterior Wall Covering</u>	BC [1704.13] <u>1705.16</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• Technician with 2 years relevant experience</li> </ul>
<u>Chimneys and Vents</u>	BC [1704.26] <u>1705.32</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Architecture or Engineering; and</li> <li>• 2 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with ICC Certification as a Residential or Commercial Mechanical Inspector; and</li> <li>• 5 years relevant experience</li> </ul>
Flood Zone Compliance	BC [1704.29] <u>1705.34</u> , BC [G105] <u>G107</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	N/A	N/A
Luminous [Egress] <u>Exit Path Markings</u>	BC [1704.30] <u>1705.35</u> , BC [1024.8] <u>1025.8</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• relevant experience</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• Technician with relevant experience</li> </ul>

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
<u>Tenant Protection Plan Compliance</u>	<u>BC 1705.26</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>relevant experience</u></li> </ul>	N/A	<ul style="list-style-type: none"> <li>• <u>Technician with relevant experience</u></li> </ul>
<u>Nonpotable Water Systems</u>	<u>BC 1705.38</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>1 year relevant experience</u></li> </ul>	N/A	<ul style="list-style-type: none"> <li>• <u>ICC Certification as a Commercial or Residential Building Inspector; and 2 years relevant experience</u></li> </ul>
<u>Exhaust and Vent Systems in Plenums and Ducts</u>	<u>BC 1705.39</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>1 year relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Bachelor's degree in Architecture or Engineering; and</u></li> <li>• <u>2 years relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Technician with ICC Certification as a Residential or Commercial Mechanical Inspector; and</u></li> <li>• <u>5 years relevant experience</u></li> </ul>
Class 3 Special Inspections (Small Projects) <sup>[3]</sup>		<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• relevant experience</li> </ul>	See Technician requirements for relevant inspection	<ul style="list-style-type: none"> <li>• See Technician requirements for relevant inspection.</li> </ul>
<b>2. Fire Protection Systems &amp; Fire-Resistant Construction</b>				
Sprayed Fire-resistant Materials and Mastic and Intumescent Fire-resistant Coatings	BC [1704.11] <u>1705.14</u> , BC [1704.12] <u>1705.15</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Architecture or Engineering; and (a or b) a. 1 year relevant</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with ICC Certification as a Spray-applied Fireproofing Special</li> </ul>

Special Inspection Category	[2014] <u>2022</u> Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
			experience; or b. ICC Certification as a Spray-applied Fireproofing Special Inspector	Inspector; and • 3 years relevant experience
Smoke Control Systems	BC [1704.15] <u>1705.18</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience (mechanical and/or fire protection)</li> </ul>	<ul style="list-style-type: none"> <li>• AABC Test and Balance Technician Certification; and</li> <li>• 3 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with NEBB Air Balancer Certification; and</li> <li>• 3 years relevant experience</li> </ul>
Sprinkler Systems and Standpipe Systems	BC [1704.23] <u>1705.29</u> BC [1704.24] <u>1705.30</u>	<ul style="list-style-type: none"> <li>• PE – Mechanical Engineering; and</li> <li>• 1 year relevant experience</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• NYC Licensed Class A or Class B Master Fire Suppression Piping Contractor License; and</li> <li>• Independent of installer</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Mechanical Engineering; and</li> <li>• 3 years relevant experience</li> </ul>	Technician with NICET Level II Certification in Fire Protection – Inspection and Testing of Water-based Systems
Fire-resistant Penetrations and Joints	BC [1704.27] <u>1705.17</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Architecture or Engineering; and</li> <li>• 2 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with 3 years relevant experience</li> </ul>



Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
Emergency and Standby Power Systems (Generators)	BC [1704.31] 1705.36	<ul style="list-style-type: none"> <li>PE – Mechanical, Electrical, or Fire Protection; and</li> <li>1 year relevant experience</li> </ul> OR <ul style="list-style-type: none"> <li>Licensed electrician independent of installer; and</li> <li>3 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Technician with 5 years relevant experience</li> </ul>	N/A
<u>Class 3 Special Inspections (Small Projects)</u>		<ul style="list-style-type: none"> <li><u>PE or RA; and</u></li> <li><u>relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li><u>See Technician requirements for relevant inspection</u></li> </ul>	<u>See Technician requirements for relevant inspection.</u>
<b>3. Plumbing &amp; Mechanical Systems</b>				
Mechanical Systems	BC [1704.16] 1705.21	<ul style="list-style-type: none"> <li>PE or RA; and</li> <li>1 year relevant experience; or</li> <li>ICC Certification as a Residential or Commercial Mechanical Inspector</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's Degree in Architecture, or Engineering; and</li> <li>2 years relevant experience; and</li> <li>ICC Certification as a Residential or Commercial Mechanical Inspector</li> </ul>	<ul style="list-style-type: none"> <li>Technician with ICC Certification as a Residential or Commercial Mechanical Inspector; and</li> <li>3 years relevant experience</li> </ul>
Fuel-Oil Storage and Fuel-Oil Piping Systems	BC [1704.17] 1705.22	<ul style="list-style-type: none"> <li>PE or RA; and</li> <li>1 year relevant experience</li> </ul> OR	<ul style="list-style-type: none"> <li>Bachelor's degree in Architecture, or Mechanical,</li> </ul>	<ul style="list-style-type: none"> <li>Technician with ICC Certification as a Residential or</li> </ul>

Special Inspection Category	[2014] <del>2022</del> Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
		<ul style="list-style-type: none"> <li>Licensed New York City Class A and B Oil Burner Equipment Installer; and</li> <li>1 year experience in the inspection of heating systems, Fuel burning-Fuel storage systems.</li> </ul>	<ul style="list-style-type: none"> <li>Marine or Civil Engineering; and</li> <li>3 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Mechanical Inspector; and</li> <li>5 years relevant experience</li> </ul>
Private On-Site Storm Water Disposal Systems and Detention Facilities, and Individual On-Site Private Sewage Disposal Systems Installation	BC [1704.21] <u>1705.27</u> , BC [1704.22] <u>1705.28</u>	<ul style="list-style-type: none"> <li>PE or RA; and</li> <li>1 year relevant experience</li> </ul> OR <ul style="list-style-type: none"> <li>NYC Licensed Master Plumber; and</li> <li>3 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's Degree in Architecture, Civil or Mechanical Engineering; and</li> <li>3 years relevant experience</li> </ul>	N/A
Heating Systems	BC [1704.25] <u>1705.31</u>	<ul style="list-style-type: none"> <li>PE or RA – Civil or Mechanical Engineering; and</li> <li>1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's Degree in Architecture, or Civil or Mechanical Engineering; and</li> <li>3 years relevant experience; and</li> <li>ICC Certification as a Residential or Commercial Mechanical Inspector</li> </ul>	<ul style="list-style-type: none"> <li>Technician with ICC Certification as a Residential or Commercial Mechanical Inspector; and</li> <li>5 years relevant experience</li> </ul>

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
<u>Class 3 Special Inspections (Small Projects)</u>		<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>relevant experience</u></li> </ul>	<u>See Technician requirements for relevant inspection</u>	<u>See Technician requirements for relevant inspection.</u>
<b>4. Structural Materials &amp; Construction Operations</b>				
<u>Seismic Resistance of Seismic Force-Resisting Systems and Structural Steel Elements</u>	<u>BC 1705.2.4</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>1 year relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Bachelor's degree in engineering or architecture; and</u></li> <li>• <u>2 years relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Technician with ICC Certification as a Structural Steel and Bolting Special Inspector; and</u></li> <li>• <u>3 years relevant experience</u></li> </ul>
<u>Seismic Resistance of Designated Seismic Systems</u>	<u>BC 1705.12.1</u>			
<u>Seismic Resistance of Anchorage for Access Floor</u>	<u>BC 1705.12.2</u>			
<u>Seismic Resistance of Plumbing, Mechanical, Fuel Gas and Electrical Components</u>	<u>BC 1705.12.3</u>			
<u>Seismic Resistance of Storage Racks</u>	<u>BC 1705.12.4</u>			
<u>Seismic Resistance of Wood Structures</u>	<u>BC 1705.5.5</u>			
<u>Seismic Resistance of Seismic Isolation Systems</u>	<u>BC 1705.12.5</u>	<ul style="list-style-type: none"> <li>• <u>PE; and</u></li> <li>• <u>2 years relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Bachelor's degree in Geotechnical, Civil, or Structural engineering; and</u></li> <li>• <u>5 years relevant experience</u></li> </ul>	<u>N/A</u>
<u>Welding: Steel,</u>	<u>BC [1704.3.1] 1705.2.1,</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>AWS Certified Welding</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>AWS Certified</u></li> </ul>

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
High pressure Steam Piping[,] and High temperature Hot Water Piping, High pressure Gas Piping, and Aluminum [(2 RCNY 25 – BSA RULE)]	BC [1704.18] <u>1705.23</u> , [BC 1704.19,] BC [1704.28] <u>1705.24</u> , BC <u>1705.33</u>	<ul style="list-style-type: none"> <li>• AWS Certified Welding Inspector (AWS-CWI);</li> </ul> OR <ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• ICC Certification as a Structural Welding Inspector (ICC-SWI); and</li> <li>• 1 year relevant experience</li> </ul>	Inspector (AWS-CWI) OR <ul style="list-style-type: none"> <li>• ICC Certification as a Structural Welding Inspector (ICC-SWI)</li> <li>• 3 years relevant experience</li> </ul>	Associate Welding Inspector (AWS-CAWI)  <b>Note:</b> AWS-CAWI only permitted to inspect when an AWS-CWI or ICC-SWI is on site supervising
Structural Steel – Details	BC [1704.3.2] <u>1705.2.2</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in engineering or architecture; and</li> <li>• 2 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with ICC Certification as a Structural Steel and Bolting Inspector; and</li> <li>• 3 years relevant experience</li> </ul>
Structural Steel – High-Strength Bolting  <b>Note:</b> Inspection can also be performed by agency approved to inspect welding	BC [1704.3.3] <u>1705.2.3</u>	<ul style="list-style-type: none"> <li>• PE – Civil/Structural; and</li> <li>• ICC Certification as a Structural Steel and Bolting Inspector; and</li> <li>• 1 year relevant experience</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• Technician with ICC Certification as a Structural Steel and Bolting Inspector; and</li> <li>• 3 years relevant experience</li> </ul>
Structural Cold-formed Steel	BC [1704.3.2] <u>1705.2.2</u> , BC [1704.3.4] <u>1705.2.6</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in engineering or</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with ICC Certification as a</li> </ul>

Special Inspection Category	[2014] <u>2022</u> Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
			architecture; and <ul style="list-style-type: none"> <li>• 2 years relevant experience</li> </ul>	Structural Steel and Bolting Special Inspector; and <ul style="list-style-type: none"> <li>• 3 years relevant experience</li> </ul>
<u>Open-web steel joists and joist girders</u>	<u>BC 1705.2.7</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>1 year relevant experience</u></li> </ul>	<u>N/A</u>	<ul style="list-style-type: none"> <li>• <u>Technician with ICC Certification as a Structural Steel and Bolting Special Inspector; and</u></li> <li>• <u>3 years relevant experience</u></li> </ul>
Concrete – Cast-in-place & Precast  <b>Note:</b> Licensed concrete testing lab to perform sampling and testing of cylinders	BC [1704.4] <u>1705.3</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• ACI Certification as Concrete Construction Special Inspector (ACI-CCSI)</li> </ul> OR <ul style="list-style-type: none"> <li>• ICC Certification as Concrete Special Inspector (ICC-CSI)</li> </ul>	<ul style="list-style-type: none"> <li>• ACI Certification as an Associate Concrete Construction Special Inspector (ACI-ACCSI)</li> </ul> <b>Note:</b> ACI-ACCSI only permitted to perform inspection under on-site supervision by PE, RA, ACI-CCSI, or ICC-CSI

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
Prestressed Concrete	BC [1704.4] <u>1705.3</u>	<ul style="list-style-type: none"> <li>• PE – Civil/Structural; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in engineering; and</li> <li>• ICC Certification as Prestressed Concrete Special Inspector; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• ICC Certification as Prestressed Concrete Special Inspector; and</li> <li>• 3 years relevant experience</li> </ul>
Masonry	BC [1704.5] <u>1705.4</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in engineering or architecture; and</li> <li>• ICC Certification as a Structural Masonry Special Inspector; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• ICC Certification as a Structural Masonry Special Inspector; and</li> <li>• 2 years relevant experience</li> </ul>
Wood Construction – Prefabricated Wood I-Joists, Metal-plate-connected Wood Trusses, and High-load Diaphragms	BC [1704.6] <u>1705.5.3</u>	<ul style="list-style-type: none"> <li>• PE or RA; and</li> <li>• 1 year relevant experience</li> </ul>	N/A	<ul style="list-style-type: none"> <li>• ICC Certification as a Commercial or Residential Building Inspector; and</li> <li>• 2 years relevant experience</li> </ul>
<u>Type IV Construction</u>	BC <u>1705.5.6</u>	<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>1 year relevant experience</u></li> </ul>	N/A	<ul style="list-style-type: none"> <li>• <u>ICC Certification as a Commercial or Residential Building</u></li> </ul>

Special Inspection Category	[2014] <u>2022</u> Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
				<u>Inspector;</u> <u>and</u> • <u>2 years relevant experience</u>
Subsurface Conditions – Subgrade Inspection	BC [1704.7.1] <u>1705.6</u>	<ul style="list-style-type: none"> <li>• PE – Geotechnical, Civil, or Structural; and</li> <li>• 1 year relevant experience</li> </ul>	N/A	N/A
Subsurface Conditions - Fill Placement, In-place Density	BC [1704.7.2, BC 1704.7.3] <u>1705.6</u>	<ul style="list-style-type: none"> <li>• PE – Geotechnical, Civil, or Structural; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Geotechnical, Civil, or Structural engineering; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with NICET Level I Geotechnical Certification; and</li> <li>• 2 years relevant experience</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Technician with ICC Certification Soils Special Inspector</li> <li>• 1 year relevant experience</li> </ul>
Subsurface Investigations, Borings and Test Pits	BC [1704.7.4, BC 1704.21.1.1] <u>1705.27.1</u>	<ul style="list-style-type: none"> <li>• PE – Geotechnical, Civil, or Structural; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Geotechnical, Civil, or Structural engineering; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with NICET Level II Geotechnical Certification; and</li> <li>• Must take and pass Soils classification sections of NICET certification</li> </ul>

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
Deep Foundations and Helical Piles	BC [1704.8] <u>1705.7</u> BC [1808] <u>1810</u> , BC [1809] <u>1811</u> , BC [1810] <u>1812</u> , BC <u>1705.9</u>	<ul style="list-style-type: none"> <li>PE – Geotechnical, Civil, or Structural; and</li> <li>1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's degree in Geotechnical, Civil, or Structural engineering; and</li> <li>3 years relevant experience</li> </ul> <p><b>Note:</b> Supplemental Inspector only permitted to inspect when multiple driving rigs are used on the same site and Primary Inspector is on site supervising</p>	<ul style="list-style-type: none"> <li>Technician with NICET Level III Geotechnical Certification</li> </ul> <p><b>Note:</b> Supplemental Inspector only permitted to inspect when multiple driving rigs are used on the same site and Primary Inspector is on site supervising</p>
Vertical Masonry Foundations	BC [1704.9] <u>1705.19</u>	<ul style="list-style-type: none"> <li>PE – Geotechnical, Civil, or Structural; and</li> <li>1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's degree in Geotechnical, Civil or Structural; and</li> <li>3 years relevant experience</li> </ul>	N/A
<u>Prestressed Rock and Soil Anchor Tests</u>	<u>BC 1705.8</u>	<ul style="list-style-type: none"> <li><u>PE – Geotechnical, Civil, or Structural; and</u></li> <li><u>1 year relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li><u>Bachelor's degree in Geotechnical, Civil or Structural; and</u></li> <li><u>3 years relevant experience</u></li> </ul>	<u>N/A</u>
<u>Underpinning and Alternate Methods of Support of</u>	BC [1704.20.3] <u>1705.25.4</u> , BC <u>1705.25.8.3</u> , BC [1814] <u>1817</u>	<ul style="list-style-type: none"> <li>PE – Geotechnical, Civil, or Structural; and</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor's degree in Geotechnical,</li> </ul>	N/A



Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
<u>Buildings and Adjacent Property</u>		<ul style="list-style-type: none"> <li>• 1 year relevant experience</li> </ul>	Civil or Structural; and <ul style="list-style-type: none"> <li>• 3 years relevant experience</li> </ul>	
Structural - Stability – [Existing Buildings] <u>Alterations to Existing Structures, Construction Operations Influencing Adjacent Structures, Mechanical [Demolition] Means and Methods of Demolition, Other Means of Demolition, and Raising and Moving of a Building</u>	BC [1704.20.2] <u>1705.25, BC 1705.25.1, BC 1705.25.2, BC 1705.25.5.1, BC 1705.25.5.2, BC 1705.25.6, BC 3304.4[.1]</u>	<ul style="list-style-type: none"> <li>• PE – Civil/Structural; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's Degree in Civil or Structural Engineering; and</li> <li>• 3 years relevant experience</li> </ul>	N/A
Excavation - Sheeting, Shoring, and Bracing	BC [1704.20.2] <u>1705.25.3, BC 3304.4[.1]</u>	<ul style="list-style-type: none"> <li>• PE – Geotechnical, Civil, or Structural; and</li> <li>• 1 year relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Bachelor's degree in Geotechnical, Civil or Structural; and</li> <li>• 3 years relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Technician with 5 years relevant experience</li> </ul>
[Seismic Isolation Systems]	[BC 1707.8]	<ul style="list-style-type: none"> <li>• [ PE; and</li> <li>• 2 years relevant experience]</li> </ul>	<ul style="list-style-type: none"> <li>• [ Bachelor's degree in Geotechnical, Civil, or Structural engineering; and</li> </ul>	<ul style="list-style-type: none"> <li>• [ N/A]</li> </ul>

Special Inspection Category	[2014] <u>2022</u> Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
			<ul style="list-style-type: none"> <li>5 years relevant experience]</li> </ul>	
Post-installed Anchors	BC [1704.32] <u>1705.37</u>	<ul style="list-style-type: none"> <li>PE or RA; and</li> <li>1 year relevant experience</li> </ul>	<p>Anchors in Concrete:</p> <ul style="list-style-type: none"> <li>ACI Certification as Concrete Construction Special Inspector (ACI-CCSI)</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>ICC Certification as Concrete Special Inspector (ICC-CSI)</li> </ul>	<p>Anchors in Concrete:</p> <ul style="list-style-type: none"> <li>ACI Certification as an Associate Concrete Construction Special Inspector (ACI-ACCSI)</li> </ul> <p>[OR]</p> <p><b>Note:</b> ACI-ACCSI only permitted to perform inspection under on-site supervision by PE, RA, ACI-CCSI, or ICC-CSI</p>
			<p>Anchors in Masonry:</p> <ul style="list-style-type: none"> <li>Bachelor's degree in engineering or architecture; and</li> <li>ICC Certification as a Structural Masonry Special Inspector; and</li> <li>1 year relevant experience</li> </ul>	<p>Anchors in Masonry:</p> <ul style="list-style-type: none"> <li>ICC Certification as a Structural Masonry Special Inspector; and</li> <li>2 years relevant experience</li> </ul>

Special Inspection Category	[2014] 2022 Code Section	Qualifications <sup>1,2</sup>		
		Primary Inspector or Inspection Supervisor	Supplemental Inspector (Alternative 1) - under direct supervision of Inspection Supervisor	Supplemental Inspector (Alternative 2) - under direct supervision of Inspection Supervisor
<u>Class 3 Special Inspections (Small Projects)</u>		<ul style="list-style-type: none"> <li>• <u>PE or RA; and</u></li> <li>• <u>relevant experience</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>See Technician requirements for relevant inspection</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>See Technician requirements for relevant inspection.</u></li> </ul>

Notes:

\* \* \*

[3. Class 3 Special Inspections. An agency registered as a Class 3 special inspection agency for a special inspection category will be permitted to perform the work associated with such special inspection category on the following projects only:

- a. The construction, demolition, or alteration of a one-, two-, or three-family dwelling; or
- b. The alteration of any building, including partial demolition, altering less than ten thousand (10,000) square feet of gross floor area in total.

Exception: The special inspection categories of underpinning, mechanical means and methods of demolition, and the protection of the sides of excavations greater than ten (10) feet in depth will be performed only by special inspection agencies registered as either class 1 or class 2 special inspection agencies for such categories. ]

**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 Special Inspections and Special Inspection Agencies**

**REFERENCE NUMBER: DOB-159**

**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/ Francisco X. Navarro  
Mayor's Office of Operations

March 1, 2023  
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 Special Inspections and Special Inspection Agencies

**REFERENCE NUMBER:** 2022 RG 102

**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: March 1, 2023