

REGULATORY AGENDA

Department of State

Pursuant to subdivision 1 of section 202-d of the State Administrative Procedure Act (SAPA), notice is hereby provided of the following rules which the Department of State is considering proposing but for which a rule making proceeding has not been commenced. All references are to Title 19 of the New York Code of Rules and Regulations unless otherwise noted. The Department of State's regulatory plans are subject to change and the Department reserves the right to add, delete, or modify any item herein. The Department is not required to propose for adoption any rule summarized in this regulatory agenda. In addition, the Department may propose a regulation for adoption which was not under consideration at the time that this regulatory agenda was submitted for publication.

This notice is also intended to provide small businesses, local governments, and public and private interests in rural areas with the opportunity to participate in the rule making process, as provided for in sections 202-b and 202-bb of SAPA.

The public is welcome to send written comments on the Department of State's Regulatory Agenda to the contact person at the end of this list.

DIVISION OF CEMETERIES

Part 203

Considering amending regulations to conform with recently amended sections concerning crematories found in Article 15 of the Not-for-Profit Corporation Law.

DIVISION OF COASTAL RESOURCES

Section 600.2

Considering amending regulations concerning Local Waterfront Revitalization Programs (LWRPs) to provide for the preparation of partial LWRPs.

Chapter XIII

Considering amending regulations concerned with Waterfront Revitalization of Coastal Areas and Inland Waterways to strengthen and streamline these provisions.

CODES DIVISION

Parts 910-911

Considering adding provisions relating to energy efficiency standards for appliances and equipment.

Part 1202

Considering amending this Part to make the provisions relating to the administration of the Uniform Fire Prevention and Building Code by the Department of State in certain local governments and counties substantially similar to the corresponding provisions in revised Part 1203 (which became effective on January 1, 2007), and to update the fee schedule currently contained in section 1202.7.

Part 1204

Considering permanently adding provisions expressly providing that

the State will be responsible for administration and enforcement of the Uniform Fire Prevention and Building Code with respect to facilities to be included in the Statewide Wireless Network to be established and implemented by the Office for Technology. These provisions were adopted as an emergency basis on November 27, 2006.

Part 1205

Considering amending this Part to make the procedures for variances under the State Uniform Fire Prevention and Building Code applicable to variances under the State Energy Conservation Construction Code, and to add new provisions relating to variances under the State Energy Conservation Construction Code.

Part 1208

Considering amending provisions relating to the minimum qualifications of code enforcement personnel.

Part 1210

Considering permanently adding regulations which implement Article 21-B (Manufactured Homes) of the Executive Law. These regulations were adopted as an emergency measure on December 18, 2006.

Parts 1219-1226

Considering amending the Uniform Fire Prevention and Building Code to update its provisions. A Notice of Proposed Rule Making was filed on January 3, 2007.

Parts 1220-1221

Considering permanently adding provisions relating to the installation of pool alarms in residential and commercial swimming pools. These provisions were adopted as an emergency measure on December 14, 2006.

Part 1225

Considering permanently adding provisions relating to the installation of carbon monoxide alarms in multiple residences. These provisions were adopted as an emergency measure on December 14, 2006.

Part 1240

Considering amending the State Energy Conservation Construction Code to update its provisions. A Notice of Proposed Rule Making was filed on January 3, 2007.

DIVISION OF LICENSING SERVICES

Part 197

Considering adding regulations dealing with home inspectors licensed pursuant to the Real Property Law.

Section 400.4(a)

Considering amending regulations concerned with the method of service of a notice of hearing for disciplinary action against a registered security guard.

Chapter XXXI

Considering regulations to implement new federal guidelines which will become effective in 2008 for the licensing and reissue of licenses for all categories of real estate appraisers.

OFFICE OF FIRE PREVENTION AND CONTROL

Part 429

Amendment of existing rule pertaining to fire safety standards for cigarettes to implement the provisions of Chapter 583 of the Laws of 2006.

Part 500

Considering revising existing rule pertaining to campus fire safety.

New Part, number to be determined

Addition of a new Part to implement the provisions of Chapter 21 of the Laws of 2006 pertaining to evacuation drills in buildings owned or wholly leased by the state or any agency thereof.

New Part, number to be determined

Addition of a new Part to implement the provisions of Chapter 615 of the Laws of 2006 pertaining to the training of firefighters.

Part 205 of Title 9 NYCRR

Considering an amendment/update to the Fire Mobilization and Mutual Aid Plan.

The Department of State maintains a continuously updated regulatory agenda on its website. The address of this website is: www.dos.state.ny.us.

To obtain information about or submit written comments concerning any item in this Regulatory Agenda, contact: Nathan A. Hamm, Office of Counsel, The Department of State, 41 State Street, Albany, New York 12231