

NEW YORK CITY BUSINESS INTEGRITY COMMISSION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Business Integrity Commission (the “Commission” or “BIC”) is proposing changes to its rules. First, the Commission is authorizing the Hearings Division of the New York City Office of Administrative Trials and Hearings (OATH) to adjudicate BIC summonses. Second, the Commission is adopting a penalty schedule for trade waste violations. The Commission will vote on the final rule before it is promulgated.

When and where is the hearing? BIC will hold a public hearing on the proposed rule. The public hearing will take place via Microsoft Teams Meeting at 11:30 a.m. on February 22, 2023, using the following link and meeting information:

Microsoft Teams Meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDQzYThmODUtOTA4ZC00ZWEzLTg5MDgtODgyNzRhY2Y3NGE5%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid%22%3a%22174443ef-91ea-48bf-9471-18a8de9e66f2%22%7d

Meeting ID: 237 132 767 17

Passcode: c9Jyju

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[+1 646-893-710,570442759#](tel:+1646893710570442759) United States, New York City

Phone Conference ID: 570 442 759#

[Find a local number](#) | [Reset PIN](#)

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to BIC through the NYC rules website at <http://rules.cityofnewyork.us>.
- **E-mail.** You can e-mail written comments to nmathias@bic.nyc.gov.

- **Mail.** You can mail written comments to Business Integrity Commission, 100 Church Street, 20th Floor, New York, NY 10007.
- **Fax.** You can fax written comments to BIC at (646) 500-7113.
- **By 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 before the hearing by emailing nmathias@bic.nyc.gov by February 21, 2023, at 5:00 p.m. 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 written comments? Yes, you must submit written comments by February 21, 2023.

What if I need assistance to participate in the hearing? You must contact the Business Integrity Commission if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at 100 Church Street, 20th Floor, New York, NY 10007. You may also tell us by telephone at 212-437-0523 or e-mail at nmathias@bic.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by February 17, 2023.

This location has the following accessibility option(s) available: Audio only access.

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 NYC rules website at <http://rules.cityofnewyork.us>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public on BIC's website.

What authorizes BIC to make this rule? Sections 1043 and 2101(b) of the City Charter and Section 16-518 of the Administrative Code authorize BIC to make these proposed rules. This proposed rule was included in BIC's published regulatory agenda.

Where can I find BIC's rules? BIC's rules are in Title 17 of the Rules of the City of New York.

What laws govern the rulemaking process? BIC 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 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

BIC is responsible for enforcing Title 16-A of the Administrative Code (Commercial Waste Removal) and Title 17 of the Rules of City of New York (“RCNY”) by issuing summonses to entities that violate these laws.

This proposed rule would allow BIC’s summonses to be adjudicated in OATH’s Hearings Division. This proposed rule would also add a trade waste penalty schedule to BIC’s rules, which will detail the different penalties and their amounts for violations of BIC’s trade waste laws and will be used in the adjudication of related BIC summonses at OATH. Finally, this proposed rule makes conforming changes to other sections of BIC’s rules to ensure consistency and clarity.

BIC’s authority for these rules is found in Sections 1043(a) and 2101(b) of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Commission, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Section 1-01 of title 17 of the rules of the city of New York is amended by adding the following definitions in alphabetical order:

§ 1-01 Definitions.

For the purposes of this chapter, the following terms have the following meanings:

Administrative law judge. The term “administrative law judge” means any person designated by the Commission, by the Office of Administrative Trials and Hearings, or by any other administrative tribunal of competent jurisdiction to conduct a hearing pursuant to Section 1-03 of this subchapter, including a hearing officer as defined in 48 RCNY § 6-01.

Default penalty. The penalty imposed when the respondent fails to appear at the hearing in response to a summons or otherwise respond to a summons.

First violation penalty. The penalty imposed for the first violation of a provision of law or rule committed by the respondent within a two-year period.

Mitigated penalty. The reduced penalty imposed for violations that may be eligible for a lower penalty or zero penalty, provided that the respondent establishes and the Commission accepts that the violating condition has been corrected on or before the hearing date listed on the summons or the due date marked on a Commission order. Violations that are eligible for mitigated penalties and the corresponding penalty amounts are indicated on the penalty schedule.

Penalty schedule. The term “penalty schedule” means the schedule adopted by the Commission that sets forth the penalties to be imposed for violations of chapter 1 of title 16-A of the Code or chapter 1 of title

17 of the RCNY.

Repeat violation penalty. The penalty imposed for the second and each subsequent violation committed by the same respondent, in relation to the same provision of law or rule, within a two-year period of a prior violation. For violations of subdivisions a or b of section 16-505, repeat penalties will be imposed, in addition to any actions taken by the Commission pursuant to 17 RCNY § 1-04.

Respondent. The term “respondent” means the person or entity against whom the charges alleged in a summons have been filed.

Summons. The term “summons” means a document, including a notice of violation, issued by the Commission to a Respondent, which specifies the charges forming the basis of an adjudicatory proceeding before an administrative law judge.

§ 2. Subdivision (a) of section 1-03 of title 17 of the rules of the city of New York is amended to read as follows:

§ 1-03 Hearings.

(a) A hearing conducted pursuant to this chapter may be conducted by the Commission or, in the discretion of the Commission, by an administrative law judge employed or designated by the Commission, by the Office of Administrative Trials and Hearings (OATH) or by other administrative tribunal of competent jurisdiction. All such hearings shall be conducted following the procedures set forth in the rules of OATH (such as 48 RCNY §§ 1-01 et seq. or §§ 6-01 et seq.). If a hearing is conducted by an administrative law judge employed or designated by the Commission, by OATH, or by other administrative tribunal, such administrative law judge shall make recommended findings of fact and a recommended decision to the Commission, which shall make the final determination.

§ 3. Subdivisions (a), (b), (d), and (f) of section 1-04 of title 17 of the rules of the city of New York are amended, and a new subdivision (g) is added to such section, to read as follows:

§ 1-04 Penalties.

In addition to any other penalty provided by law:

(a) Except as otherwise provided in subdivision b or subdivision c of this section, any person who violates any provision of [17 RCNY §§ 2-05 or 2-06 or any provision of subchapters E, F or G of] this chapter or of chapter 1 of Title 16-A of the Code shall be liable for a civil penalty which shall not exceed ten thousand dollars (\$10,000) for each such violation. Such civil penalty may be recovered in a civil action or pursuant to the provisions of subdivision a of 17 RCNY § 1-03.

(b) [(1)] Any person who violates subdivision a of section 16-505 [or section 16-524] of the Code shall, upon conviction thereof, be punished for each violation by a criminal fine of not more than ten thousand dollars for each day of such violation or by imprisonment not exceeding six months, or both; and any such person shall be subject to a civil penalty of not more than five thousand dollars (\$5,000) for each day of such violation which may be recovered in a civil action or pursuant to the provisions of subdivision a of 17 RCNY § 1-03; and

(d) [*Specific Penalties.* If there are specific penalties for violating a Rule, such penalties are shown at the end of the Rule and must be applied.] Specific penalties for violations of this chapter and title 16-A of the Code are listed in the penalty schedule in Appendix A to this subchapter.

(f) (1) In addition to any other penalty prescribed in this section for the violation of subdivisions a or b of section 16-505 [or subdivision a of section 16-524] of the Code, or when there have been three or more violations of the provisions herein within a three year period, the Commission shall, after notice and the opportunity to be heard have been provided, be authorized: to order any person in violation of such provisions immediately to discontinue the operation of such activity at the premises from which such activity is operated; to order that any premises from which activity in violation of such provisions is operated shall be sealed, provided that such premises are used primarily for such activity; and to order that any vehicles or other devices or instrumentalities utilized in the violation of such provisions shall be removed, sealed, or otherwise made inoperable. An order pursuant to this paragraph shall be mailed to and posted at the premises from which activity in violation of such provisions occurs.

(2) Ten days after the posting of an order issued pursuant to paragraph (1) of this subdivision, this order may be enforced by any person so authorized by section 16-517 of the Code.

(3) Any vehicle or other device or instrumentality removed pursuant to the provisions of this section shall be stored in a garage, pound or other place of safety and the owner or other person lawfully entitled to the possession of such item may be charged with reasonable costs for removal and storage payable prior to the release of such item.

(4) A premise ordered sealed or a vehicle or other device or instrumentality removed pursuant to this section shall be unsealed or released upon payment of all outstanding fines and all reasonable costs for removal and storage and, where the underlying violation is for unlicensed or unregistered activity or unauthorized activity in a special trade waste district, that a license has been obtained or a business registered or proof satisfactory to the Commission that such premise or item will not be used in violation of subdivision a or b of section 16-505 [or subdivision a of section 16-524] of the Code.

(5) It shall be a misdemeanor for any person to remove the seal from any premises or remove the seal from or make operable any vehicle or other device or instrumentality sealed or otherwise made inoperable in accordance with an order of the Commission.

(6) A vehicle or other device or instrumentality removed pursuant to this section that is not reclaimed within ninety days of such removal by the owner or other person lawfully entitled to reclaim such item shall be subject to forfeiture upon notice and judicial determination in accordance with provisions of law. Upon forfeiture, the Commission shall, upon a public notice of at least five days, sell such item at public sale. The net proceeds of such sale, after deduction of the lawful expenses incurred, shall be paid into the general fund of the City.

(g) Notwithstanding the penalties provided in this section, violating provisions of this chapter may be grounds for a refusal to issue a license or registration pursuant to section 16-509 of the Code or revocation or suspension of a license or registration pursuant to section 16-513 or 16-514 of the Code.

§ 4. Section 1-05 of title 17 of the rules of the city of New York is amended to read as follows:

§ 1-05 Liability for Violations.

A business required to be licensed or registered pursuant to section 16-505 of the Code shall be liable for violations of any of the provisions of chapter 1 of Title 16-A of the Code [or section 2-05 or 2-06 or any provisions of subchapters D, E, F or G] or any provision of this chapter committed by any of its employees or agents.

§ 5. Paragraph (2) of subdivision (a) of section 2-05 of title 17 of the rules of the city of New York is amended to read as follows:

§ 2-05 Notification of Arrest, Conviction, Civil and Administrative Determinations, Vehicle Crashes, Suspension or Revocation of Driver’s License, Traffic Violation, or Material Change in Information; Addition of New Principal or Employee.

(a)(2) An applicant for a license or a licensee must notify the Commission within ten (10) business days of any determination by any Federal, State, or Local governmental agency or authority against such licensee[, registrant] or applicant, including but not limited to any judgment, decree, order, finding by or settlement agreement with such governmental agency or authority.

§ 6. Section 5-13 of title 17 of the rules of the city of New York is amended, by deleting the table following such section, to read as follows:

§ 5-13 Heavy Duty Trade Waste Vehicle Decal Requirement for Licensees.

(a) Every licensee that owns or operates a heavy duty trade waste hauling vehicle that has a pre-2007 engine and utilizes “best available retrofit technology” or “BART” as defined in § 24-163.11(a) of the Administrative Code shall notify the New York City Department of Environmental Protection (DEP) of the best available retrofit technology installation by completing a Trade Waste Compliance Reporting form. If DEP approves the best available retrofit technology, DEP will issue a decal to the licensee for each vehicle that has a pre-2007 engine and utilizes BART.

(b) A valid DEP decal must at all times be affixed to a visible part of the driver’s or passenger’s side door of the vehicle cab.

[Code / Rule Section]	[Description]	[Penalty]
[§ 5-13]	[Failure to have proper decal displayed.]	[Maximum penalty of \$200.] [Licensees must obtain a decal from the Department of Environmental Protection (DEP) and affix it to the vehicle within two weeks of receiving the summons in order to mitigate the penalty to zero.]

§ 7. Subdivisions (a) and (b) of Section 7-03 of title 17 of the rules of the city of New York are amended to read as follows:

§ 7-03 Vehicle Specifications and Inspections.

(a) Upon issuance of a registration, the Commission shall issue to a registrant who removes trade waste generated in the course of operation of his or her business and to a registrant exempt from the licensing requirements of this chapter two (2) license plates for each vehicle that will transport trade waste, pursuant to such registration and for which a fee has been paid to the Commission, pursuant to 17 RCNY § 2-07. Beginning on January 1, 2020, the Commission will not issue license plates for any vehicle that does not comply with the requirements set forth in § 24-163.11(b) of the Administrative Code. A registrant shall not permit a vehicle to be used in the course of collecting, removing, or disposing of waste that has not been identified and covered by the registration and for which a fee has not been paid. A license plate issued by the Commission for such a covered and identified vehicle must not be transferred to any other vehicle. Upon the sale or dissolution of the business of a registrant, or upon the suspension, revocation, or expiration of a Commission-issued registration, such plates must be immediately surrendered to the Commission. All license plates issued by the Commission are the property of the Commission, and the Commission reserves the right to reclaim such plates at any time. Notwithstanding any other provision of this chapter, the penalty for violation of this [section] subdivision shall not exceed five thousand dollars (\$5,000) for each such violation.

(b) Each vehicle must have the name and business address of the registrant lettered legibly in letters and figures not less than eight (8) inches in height, in a color that contrasts with the color of the vehicle, on each side of the vehicle body or upon each door of the vehicle cab, in a manner prescribed by the Commission, at all times. Notwithstanding any other provision of this chapter, the penalty for violation of this subdivision shall not exceed five thousand dollars (\$5,000) for each such violation.

§ 8. Section 7-07 of title 17 of the rules of the city of New York is amended, by deleting the table following such section, to read as follows:

§ 7-07 Heavy Duty Trade Waste Vehicle Decal Requirement for Registrants.

(a) Every registrant that owns or operates a heavy duty trade waste hauling vehicle that has a pre-2007 engine and utilizes “best available retrofit technology” or “BART” as defined in § 24-163.11(a) of the Administrative Code shall notify the New York City Department of Environmental Protection (DEP) of the best available retrofit technology installation by completing a Trade Waste Compliance Reporting form. If DEP approves the best available retrofit technology, DEP will issue a decal to the registrant for each vehicle that has a pre-2007 engine and utilizes BART.

(b) A valid DEP decal must at all times be affixed to a visible part of the driver’s or passenger’s side door of the vehicle cab.

[Code / Rule Section]	[Description]	[Penalty]
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[§ 7-07]	[Failure to have proper decal displayed.]	[Maximum penalty of \$200.] [Registrants must obtain a decal from the Department of Environmental Protection (DEP) and affix it to the vehicle within two weeks of receiving the summons to comply with the Rule in order to mitigate the penalty to zero.]
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§ 9. Chapter 1 of title 17 is amended to add an Appendix A at the end of Subchapter A to read as follows:

APPENDIX A

TITLE 16-A CHAPTER 1 ADMINISTRATIVE CODE VIOLATIONS

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-505(a)	Removed trade waste without license <i>Licensee</i>	\$2,500	\$5,000	\$1,500 (if application submitted on or before hearing date on Summons)	\$2,500 (if application submitted on or before hearing date on Summons)	\$5,000
§ 16-505(a)	Removed trade waste without exemption from licensing requirements <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	\$1,500 (if application submitted on or before hearing date on Summons)	\$2,500 (if application submitted on or before hearing date on Summons)	\$5,000
§ 16-505(b)	Removed trade waste without registration <i>Class 1 Registrant</i>	\$500	\$1,000	\$250 (if application submitted on or before hearing date on Summons)	\$500 (if application submitted on or before hearing date on Summons)	\$1,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>§ 16-505(b)</u>	<u>Operated as a trade waste broker without registration</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>\$250</u> (if application submitted on or before hearing date on Summons)	<u>\$500</u> (if application submitted on or before hearing date on Summons)	<u>\$1,000</u>
<u>§ 16-505(c)</u>	<u>Operated as a labor union or organization without registration</u>	<u>\$10,000</u>	<u>\$10,000</u>	<u>\$0</u> (if application submitted on or before hearing date on Summons)	<u>\$0</u> (if application submitted on or before hearing date on Summons)	<u>\$10,000</u>
<u>§ 16-505(e)</u>	<u>No transfer of License or Registration</u> <i>Licensee</i>	<u>\$7,500</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>§ 16-505(e)</u>	<u>No transfer of License or Registration</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$7,500</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>§ 16-505(e)</u>	<u>No transfer of License or Registration</u> <i>Class 1 Registrant</i>	<u>\$750</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-508(a)(i)	Failed to list names and addresses of all principals <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
§ 16-508(a)(ii)	Failed to list names and job titles of all employees and prospective employees engaged in operation of trade waste business <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
§ 16-520(a)	Failed to provide a sign with the required information <i>Licensee</i>	<u>\$100 per missing decal or sign (maximum \$10,000 total penalty)</u>	<u>\$300 per missing decal or sign (maximum \$10,000 total penalty)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
§ 16-520(b)	<u>Demanded or charged customers greater than maximum rates</u> <i>Licensee</i>	<u>\$3,500 plus restitution if applicable</u>	<u>\$7,000 plus restitution if applicable</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-520(c)	Failed to maintain listed records for the required time period. <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-520(d)	Failed to comply with Federal, State and local laws and regulations <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
§ 16-520(e)	Exceeded a trade waste service contract by two years <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
§ 16-520(f)	Failed to bill customer in a form and manner prescribed by the Commission <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-520(g)	Refused to provide service within area <i>Licensee</i>	\$3,500	\$7,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-520(h)	Failed to provide employee information <i>Licensee</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
§ 16-520(i)	Failed to keep adjacent area free from obstruction <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-521(a)	Failed to present registration to customer before conducting evaluation or analysis <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
§ 16-521(b)	Requested or accepted payment for waste evaluation or analysis from a third party without disclosure to commercial establishment <i>Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-521(c)	<u>Requested or accepted payment from trade waste business for brokered transaction</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
§ 16-521(d)	<u>Collected fees for waste removal without meeting requirements</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
§ 16-521(e)	<u>Failed to maintain listed business records</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
§ 16-526(b)	<u>Trade waste hauling vehicle not equipped with side guards</u>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
§ 16-528(a)	Failed to disseminate and post workers' rights information <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000

TITLE 17 RCNY CHAPTER 1 VIOLATIONS

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 1-09(a)-(y)</u>	<u>Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter</u> <u>Licensee</u>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 1-09(a)-(y)</u>	<u>Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter</u> <u>Class 2 Registrant Exempt from License</u>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 1-09(a)-(y)</u>	<u>Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter</u> <u>Class 2 Broker Registrant</u>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 1-09(a)-(y)</u>	<u>Committed any violation enumerated in 17 RCNY § 1-09 (General Prohibitions) Violated or failed to comply with a provision of this chapter</u> <u>Class 1 Registrant</u>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 1-12</u>	<u>Failed to disclose certain adverse determinations by government agencies</u> <u>Licensee</u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 1-12</u>	<u>Failed to disclose certain adverse determinations by government agencies</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$2500</u>	<u>\$5000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 1-12</u>	<u>Failed to disclose certain adverse determinations by government agencies</u> <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 1-12</u>	<u>Failed to disclose certain adverse determinations by government agencies</u> <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(a)(1)</u>	<u>Failed to notify of arrest or criminal conviction of principal/employee</u> <i>Applicant for Licensee or Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(a)(2)</u>	<p><u>Failed to notify of determination by any Federal, State or local agency</u></p> <p><i><u>Applicant for Licensee or Licensee</u></i></p>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(a)(3)</u>	<p><u>Failed to notify of crash involving vehicle used in course of business</u></p> <p><i><u>Applicant for Licensee or Licensee</u></i></p>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(a)(4)</u>	<p><u>Failed to notify of any suspension or revocation of a driver's license</u></p> <p><i><u>Applicant for Licensee or Licensee</u></i></p>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(a)(5)</u>	<u>Failed to notify of vehicle traffic summonses</u> <i>Applicant for Licensee or Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(a)(6)</u>	<u>Failed to notify any other material change in information submitted</u> <i>Applicant for Licensee or Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(a)(7)</u>	<u>Failed to notify of change in capital stock or ownership of business</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(a)(8)</u>	<u>Failed to notify of proposed addition of a new principal</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(1)(i)</u>	Failed to notify of addition of a principal <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(b)(1)(i)</u>	Failed to notify of addition of a principal <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(i)</u>	Failed to notify of addition of a principal <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
17 RCNY § 2-05(b)(1)(ii)	Failed to notify of arrest or criminal conviction of a principal <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$5,000	\$10,000	N/A	N/A	\$10,000
17 RCNY § 2-05(b)(1)(ii)	Failed to notify of arrest or criminal conviction of a principal <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	\$500	\$1,000	N/A	N/A	\$1,000
17 RCNY § 2-05(b)(1)(iii)	Failed to notify of determinations by any Federal, State or local agency <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(1)(iii)</u>	<p><u>Failed to notify of determinations by any Federal, State or local agency</u></p> <p><i><u>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</u></i></p>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(iii)</u>	<p><u>Failed to notify of determinations by any Federal, State or local agency</u></p> <p><i><u>Applicant for Class 1 Registration or Class 1 Registrant</u></i></p>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(iv)</u>	<p><u>Failed to notify of crash involving vehicle used in course of business</u></p> <p><i><u>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</u></i></p>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(1)(iv)</u>	Failed to notify of crash involving vehicle used in course of business <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(v)</u>	Failed to notify of suspension or revocation of a driver's license <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(b)(1)(v)</u>	Failed to notify of suspension or revocation of a driver's license <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(1)(vi)</u>	<u>Failed to notify of vehicle traffic summons</u> <u>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</u>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-05(b)(1)(vi)</u>	<u>Failed to notify of vehicle traffic summons</u> <u>Applicant for Class 1 Registration or Class 1 Registrant</u>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(vii)</u>	<u>Failed to notify of other material change in information submitted</u> <u>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(1)(vii)</u>	Failed to notify of other material change in information submitted <i>Applicant for Class 2 Broker Registration or Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(1)(vii)</u>	Failed to notify of other material change in information submitted <i>Applicant for Class 1 Registration or Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(b)(2)</u>	Failed to provide MV-104 or any other form required to be filed <i>Applicant for Class 2 Registration Exempt from License or Class 2 Registrant Exempt from License</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-05(b)(2)</u>	<u>Failed to provide MV-104 or any other form required to be filed</u> <u><i>Applicant for Class 1 Registration or Class 1 Registrant</i></u>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-05(c)</u>	<u>Failed to notify BIC of material change by labor union or organization</u> <u><i>Class 3 Labor Union or Labor Organization</i></u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-06</u>	<u>Improper transfer of license number</u> <u><i>Licensee</i></u>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 2-06</u>	<u>Improper transfer of registration number</u> <u><i>Class 2 Registrant Exempt from License</i></u>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 2-06</u>	<u>Improper transfer of registration number</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 2-06</u>	<u>Improper transfer of registration number</u> <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 3-02(d)</u>	<u>Employed a person lacking good character, honesty, and integrity</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 3-03</u>	<u>Failed to notify BIC of new employee, agent or job listed in Appendix A</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 4-02(c)</u>	<u>Failed to fully cooperate with independent monitor</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-01(a)</u>	<u>Failed to provide sign/decal with the required information</u> <i>Licensee</i>	<u>\$100 per missing decal or sign (maximum \$10,000 total penalty)</u>	<u>\$300 per missing decal or sign (maximum \$10,000 total penalty)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-01(c)</u>	<u>Charged a fee to a business for a sign or decal issued by BIC</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-01(d)</u>	<u>Failed to conspicuously display license in place of business</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-02(a)</u>	<u>Demanded or charged customers greater than maximum rates</u> <i>Licensee</i>	<u>\$3,500 plus restitution if applicable</u>	<u>\$7,000 plus restitution if applicable</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-02(c)(1)</u>	<u>Failed to follow waste survey requirements</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-02(c)(3)</u>	<u>Submitted a false or misleading survey to a customer</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(a)</u>	<u>Failed to maintain records concerning business</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(b)</u>	<u>Failed to provide written receipt with the required information for cash payment</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-03(c)</u>	<u>Paid more than \$1,000 in cash or check payable to petty cash</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(d)</u>	<u>Failed maintain a complete and accurate set of books of account</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(e)</u>	<u>Failed to maintain annual financial statements in format prescribed by BIC</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(f)</u>	<u>Failed to file annual report within 6 months after end of fiscal year</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>\$1,000</u> <u>(if statements submitted on or before hearing date on summons)</u>		<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-03(g)</u>	<u>Failed to maintain Customer Register on prescribed form or computer format</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(g)(3)</u>	<u>Failed to file Customer Register on prescribed form or computer format</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>\$1,000</u> <u>(if register submitted on or before hearing date on summons)</u>		<u>\$10,000</u>
<u>17 RCNY § 5-03(h)</u>	<u>Failed to maintain a register of all customer complaints</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(i)</u>	<u>Failed to maintain written procedures regarding compliance with all laws</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-03(j)</u>	<u>Failed to maintain all reports related to a crash</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(k)</u>	<u>Failed to maintain determinations by any governmental agency or authority</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(l)</u>	<u>Failed to maintain accurate time records for those who handle trade waste</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(m)</u>	<u>Failed to maintain copies of inspection and certification of repair forms</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-03(n)</u>	<u>Failed to maintain copies of all daily inspection reports</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(o)</u>	<u>Failed to maintain worker training records</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(p)</u>	<u>Failed to maintain records for 5 years unless otherwise directed</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-03(q)</u>	<u>Failed to make records available for inspection</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-04</u>	Failed to comply with Federal, State, and local laws and regulations <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-05(a)</u>	Failed to meet requirements for customer contracts <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-05(b)</u>	Failed to meet requirements for subcontracting, assigning, mergers <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-05(d)</u>	Failed to follow written contract requirements <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-05(e)</u>	<u>Failed to meet requirements for when customers don't sign a contract</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-05(f)</u>	<u>Contract improperly provides that licensee is exempt from liability</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-05(g)</u>	<u>Failed to provide a written bill, statement, or invoice every month</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-06(b)</u>	<u>Failed to comply with any final order to serve customer</u> <i>Licensee</i>	<u>\$7,500</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-07</u>	<u>Failed to provide employee information within 10 business days</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(a)</u>	<u>Failed to maintain areas with vehicles and machinery in safe and clean condition</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(b)</u>	<u>Failed to load vehicles in a way that prevents dust and spilling</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(c)</u>	<u>Failed to unload materials only where legally permitted</u> <i>Licensee</i>	<u>\$7,500</u>	<u>\$10,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(d)</u>	<u>Loaded or filled vehicle over capacity</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(e)</u>	<u>Failed to prevent unnecessary noise</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(f)</u>	<u>Failed to load open top vehicles from front to rear and secure load</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(g)</u>	<u>Sorted and transferred waste while vehicle is on the streets</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(h)</u>	<u>Failed to carry waste only within the vehicle body or containers</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(i)</u>	<u>Failed to empty vehicles and containers of loose materials</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(j)</u>	<u>Failed to maintain good appearance of vehicles and containers</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(k)</u>	<u>Dissected dead animals outside permitted premises</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(l)</u>	<u>Failed to close loading hoppers or closures except during loading</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(m)</u>	<u>Failed to maintain cleanliness of vehicles and control odors and pests</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(n)</u>	<u>Failed to provide off-street parking for vehicles</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(o)</u>	<u>Failed to keep garage doors closed and outdoor perimeter fenced</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(p)</u>	<u>Failed to comply with traffic laws</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(q)</u>	<u>Failed to follow requirements for waste receptacles and containers</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(r)</u>	<u>Failed to meet requirements for organic waste containers</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(s)</u>	<u>Failed to return receptable to area where waste was removed</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-08(t)</u>	<u>Failed to keep area next to waste removal site free from debris</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(u)</u>	<u>Failed to comply with federal hours of service requirement</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-08(v)</u>	<u>Engaged in pattern of unsafe practices</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5000</u> <u>(if two or more violations in two-year period)</u> <u>\$10,000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-09</u>	<u>Held membership or position in prohibited trade associations</u> <i>Licensee</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-10(a)</u>	<u>Failed to affix or improperly transferred BIC license plates</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-10(b)</u>	<u>Failed to display business name and address on vehicle</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-10(c)</u>	<u>Failed to meet convex mirror requirement</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>\$500</u>	<u>\$1000</u>	<u>\$10,000</u>

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<u>17 RCNY § 5-10(d)</u>	<u>Obstructed operator's vision through windshield or windows</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-10(e)</u>	<u>Operated vehicle not in safe operating condition</u> <i>Licensee</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>\$1,000</u> <u>(if condition is corrected)</u>	<u>\$5,000</u> <u>(if condition is corrected)</u>	<u>\$10,000</u>
<u>17 RCNY § 5-10(f)</u>	<u>Failed to inspect vehicles and prepare a daily inspection report</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 5-10(h)</u>	<u>Failed to comply with side guard requirements</u> <i>Licensee</i>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$10,000</u>
<u>17 RCNY § 5-11(a)</u>	<u>Failed to display volume capacity on container</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-11(b)</u>	<u>Failed to display name and license/registration number on container</u> <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

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<u>17 RCNY § 5-11(c)</u>	Failed to label container to indicate that only organic waste may be placed in container <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-11(d)</u>	Failed to report containers missing volume capacity within 3 days <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-11(e)</u>	Failed to report organic waste containers missing label within 3 days <i>Licensee</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-12(b)</u>	Failed to meet requirements for recyclables <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

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<u>17 RCNY § 5-12(c)(1)</u>	Failed to follow restrictions for source-separated waste <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-12(c)(2)</u>	Commingled designated recyclable materials when ineligible <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-12(c)(3)</u>	Failed to follow requirements for source-separated organic waste <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-12(d)</u>	Failed to follow customer contract and bill requirements <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

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<u>17 RCNY § 5-13</u>	<u>Failed to meet heavy duty trade waste vehicle decal requirements</u> <i>Licensee</i>	<u>\$200</u>	<u>\$200</u>	<u>\$0</u> (if DEP decal is affixed on or before hearing date on Summons)	<u>\$0</u> (if DEP decal affixed on or before hearing date on Summons)	<u>\$200</u>
<u>17 RCNY § 5-14(a)</u>	<u>Failed to provide annual safety training</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 5-14(b)</u>	<u>Driver failed to complete a defensive driving course every 3 years</u> <i>Licensee</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 6-01</u>	<u>Failed to present registration to customer before conducting duties</u> <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

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<u>17 RCNY § 6-02(a)</u>	<u>Failed to give disclosure prior to collecting fees for waste analysis</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-02(b)</u>	<u>Collected fees from trade waste business for brokered matter</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-02(c)</u>	<u>Failed to provide statement that broker examined rate schedules</u> <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-03(a)</u>	<u>Collected fees for waste removal without meeting requirements</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

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17 RCNY § 6-03(b)	Failed to submit contracts for collection of waste removal fees <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 6-03(c)	Contract for brokering services exceeded 2 years in duration <i>Class 2 Broker Registrant</i>	\$750	\$1,000	N/A	N/A	\$1,000
17 RCNY § 6-04(b)	Failed to maintain listed business records <i>Class 2 Broker Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 6-04(c)	Failed to provide each payor with a written receipt for cash payments <i>Class 2 Broker Registrant</i>	\$250	\$500	N/A	N/A	\$1,000

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<u>17 RCNY § 6-04(d)</u>	<u>Paid more than \$1,000 in cash or check payable to petty cash</u> <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(e)</u>	<u>Failed to maintain complete books of account reflecting operations</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(f)</u>	<u>Failed to maintain annual financial statement in correct format</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(g)</u>	<u>Failed to file annual report within 6 months after end of fiscal year</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

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<u>17 RCNY § 6-04(h)</u>	<u>Failed to submit amended annual report if revisions required by BIC</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(i)</u>	<u>Failed to make financial statements available for audit</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(j)</u>	<u>Failed to maintain and file a complete Customer Register</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(k)</u>	<u>Failed to maintain a register of all complaints</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 6-04(l)</u>	<u>Failed to maintain records for 5 years unless directed otherwise</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-04(m)</u>	<u>Failed to make records available for inspection and audit by BIC</u> <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-05</u>	<u>Failed to comply with Federal, State, and local laws and regulations</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-06(a)</u>	<u>Arranged waste removal by unlicensed/unregistered haulers</u> <i>Class 2 Broker Registrant</i>	<u>\$500</u>	<u>\$1,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 6-06(b)</u>	Failed to follow requirements for customer contracts and service <i>Class 2 Broker Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-06(c)</u>	Failed to follow written contract requirements <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-06(d)</u>	Failed to meet requirements for when customers don't sign a contract <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-06(e)</u>	Contract improperly provides that broker is exempt from liability <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 6-06(f)</u>	Failed to follow requirements for bills, statements and invoices <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 6-07</u>	Failed to provide employee information in registration application <i>Class 2 Broker Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-01</u>	Failed to conspicuously display registration in place of business <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-01</u>	Failed to conspicuously display registration in place of business <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-02</u>	Failed to comply with <u>Federal, State and local laws and regulations</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$3,500</u>	<u>\$7,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-02</u>	Failed to comply with <u>Federal, State and local laws and regulations</u> <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-03(a)</u>	Failed to affix or <u>improperly transferred BIC license plates</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$5,000</u>
<u>17 RCNY § 7-03(a)</u>	Failed to affix or <u>improperly transferred BIC license plates</u> <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-03(b)</u>	Failed to display <u>business name and address on vehicle</u>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$5,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
	<i><u>Class 2 Registrant Exempt from License</u></i>					
<u>17 RCNY § 7-03(b)</u>	<u>Failed to display business name and address on vehicle</u> <i><u>Class 1 Registrant</u></i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-03(c)</u>	<u>Failed to meet convex mirror requirement</u> <i><u>Class 2 Registrant Exempt from License</u></i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>\$500</u>	<u>\$1000</u>	<u>\$10,000</u>
<u>17 RCNY § 7-03(c)</u>	<u>Failed to meet convex mirror requirement</u> <i><u>Class 1 Registrant</u></i>	<u>\$500</u>	<u>\$750</u> (if two or more violations in two-year period) <u>\$1000</u> (if three or more violations in two-year period)	<u>\$100</u>	<u>\$250</u>	<u>\$1000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-03(d)</u>	<u>Obstructed operator's vision through windshield or windows</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-03(d)</u>	<u>Obstructed operator's vision through windshield or windows</u> <i>Class 1 Registrant</i>	<u>\$500</u>	<u>\$750</u> <u>(if two or more violations in two-year period)</u> <u>\$1000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-03(e)</u>	<u>Operated vehicle not in safe operating condition</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$5,000</u>	<u>\$10,000</u>	<u>\$1,000</u>	<u>\$5,000</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-03(e)</u>	<u>Operated vehicle not in safe operating condition</u> <u>Class 1 Registrant</u>	<u>\$500</u>	<u>\$1,000</u>	<u>\$250</u>	<u>\$500</u>	<u>\$1,000</u>
<u>17 RCNY § 7-03(f)</u>	<u>Failed to inspect vehicles and prepare a daily inspection report</u> <u>Class 2 Registrant Exempt from License</u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-03(f)</u>	<u>Failed to inspect vehicles and prepare a daily inspection report</u> <u>Class 1 Registrant</u>	<u>\$500</u>	<u>\$750</u> <u>(if two or more violations in two-year period)</u> <u>\$1000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-03(h)</u>	<u>Failed to comply with side guard requirements</u> <u><i>Class 1 Registrant and Class 2 Registrant Exempt from License</i></u>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$10,000/vehicle in violation (plus separate penalty of \$500/vehicle per day for each day beyond 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$0</u> <u>(if certification of correction is filed within 30 days from date of order to correct)</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(a)</u>	<u>Failed to meet requirements for recyclables</u> <u><i>Class 2 Registrant Exempt from License</i></u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(a)</u>	<u>Failed to meet requirements for recyclables</u> <u><i>Class 1 Registrant</i></u>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-04(b)</u>	Failed to provide source-separation of recyclable materials <i>Class 2 Registrant Exempt from License</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(b)</u>	Failed to provide source-separation of recyclable materials <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-04(c)</u>	Failed to comply with requirements under 17 RCNY §5-12(a)-(c) <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(c)</u>	Failed to comply with requirements under 17 RCNY §5-12(a)-(c) <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-04(d)</u>	Failed to follow written agreement rules for organic waste delivery <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(d)</u>	Failed to follow written agreement rules for organic waste delivery <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-04(e)</u>	Failed to submit quarterly reports on listed due dates <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-04(e)</u>	Failed to submit quarterly reports on listed due dates <i>Class 1 Registrant</i>	<u>\$350</u>	<u>\$700</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-05</u>	Failed to comply with <u>17 RCNY § 5-11 and § 5-08(a)-(q) and (u)-(v)</u> . <i>Class 2 Registrant Exempt from License</i>	<u>Apply penalty for violation of 17 RCNY § 5-11 and §§ 5-08(a)-(q) and (u)-(v), as applicable.</u>	<u>Apply penalty for violation of 17 RCNY § 5-11 and §§ 5-08(a)-(q) and (u)-(v), as applicable.</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-05</u>	Failed to comply with <u>17 RCNY § 5-11 and § 5-08(a)-(q)</u> . <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-05</u>	Failed to comply with <u>17 RCNY § 5-08(u)</u> . <i>Class 1 Registrant</i>	<u>\$500</u>	<u>\$750</u> (if two or more violations in two-year period) <u>\$1,000</u> (if three or more violations in two-year period)	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-05</u>	Failed to comply with 17 RCNY § 5-08(v) <i>Class 1 Registrant</i>	<u>\$500</u>	<u>\$750</u> (if two or more violations in two-year period) <u>\$1,000</u> (if three or more violations in two-year period)	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-06(a)</u>	Failed to maintain written procedures regarding compliance with all laws <i>Class 2 Registrant Exempt from License</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-06(a)</u>	Failed to maintain written procedures regarding compliance with all laws <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
17 RCNY § 7-06(b)	Failed to maintain all reports related to a crash <i>Class 2 Registrant Exempt from License</i>	\$3,500	\$7,000	N/A	N/A	\$10,000
17 RCNY § 7-06(b)	Failed to maintain all reports related to a crash <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000
17 RCNY § 7-06(c)	Failed to maintain determinations by any governmental agency or authority <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY § 7-06(c)	Failed to maintain determinations by any governmental agency or authority <i>Class 1 Registrant</i>	\$350	\$700	N/A	N/A	\$1,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
17 RCNY § 7-06(d)	Failed to maintain accurate time records for those who handle trade waste <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000
17 RCNY § 7-06(d)	Failed to maintain accurate time records for those who handle trade waste <i>Class 1 Registrant</i>	\$500	\$750 (if two or more violations in two-year period) \$1,000 (if three or more violations in two-year period)	N/A	N/A	\$1,000
17 RCNY § 7-06(e)	Failed to maintain copies of inspection and certification of repair forms <i>Class 2 Registrant Exempt from License</i>	\$2,500	\$5,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-06(e)</u>	<u>Failed to maintain copies of inspection and certification of repair forms</u> <u>Class 1 Registrant</u>	<u>\$500</u>	<u>\$750</u> <u>(if two violations in two-year period)</u> <u>\$1,000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-06(f)</u>	<u>Failed to maintain copies of all daily inspection reports</u> <u>Class 2 Registrant Exempt from License</u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-06(f)</u>	<u>Failed to maintain copies of all daily inspection reports</u> <u>Class 1 Registrant</u>	<u>\$350</u>	<u>\$750</u> <u>(if two violations in two-year period)</u> <u>\$1,000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-06(g)</u>	<u>Failed to maintain worker training records</u> <u>Class 2 Registrant Exempt from License</u>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-06(g)</u>	<u>Failed to maintain worker training records</u> <u>Class 1 Registrant</u>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-06(h)</u>	<u>Failed to maintain records for 5 years unless otherwise directed</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-06(h)</u>	<u>Failed to maintain records for 5 years unless otherwise directed</u> <i>Class 1 Registrant</i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 7-07</u>	<u>Failed to meet heavy duty trade waste vehicle decal requirements</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$200</u>	<u>\$200</u>	<u>\$0</u> <u>(if DEP decal is affixed on or before hearing date on Summons)</u>	<u>\$0</u> <u>(if DEP decal is affixed on or before hearing date on Summons)</u>	<u>\$200</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-07</u>	<u>Failed to meet heavy duty trade waste vehicle decal requirements</u> <u>Class 1 Registrant</u>	<u>\$200</u>	<u>\$200</u>	<u>\$0</u> <u>(if DEP decal affixed on or before hearing date on Summons)</u>	<u>\$0</u> <u>(if DEP decal affixed on or before hearing date on Summons)</u>	<u>\$200</u>
<u>17 RCNY § 7-08(a)</u>	<u>Failed to provide annual safety training</u> <u>Class 2 Registrant Exempt from License</u>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-08(a)</u>	<u>Failed to provide annual safety training</u> <u>Class 1 Registrant</u>	<u>\$500</u>	<u>\$750</u> <u>(if two violations in two-year period)</u> <u>\$1,000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 7-08(b)</u>	<u>Driver failed to complete a defensive driving course every 3 years</u> <i>Class 2 Registrant Exempt from License</i>	<u>\$2,500</u>	<u>\$5,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 7-08(b)</u>	<u>Driver failed to complete a defensive driving course every 3 years</u> <i>Class 1 Registrant</i>	<u>\$500</u>	<u>\$750</u> <u>(if two violations in two-year period)</u> <u>\$1,000</u> <u>(if three or more violations in two-year period)</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 8-01(a)</u>	<u>Failed to post BIC notice containing workers' rights information</u> <i>Licensee</i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
17 RCNY § 8-01(a)	Failed to post BIC notice containing workers' rights information <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY § 8-01(a)	Failed to post BIC notice containing workers' rights information <i>Class 1 Registrant</i>	\$250	\$500	N/A	N/A	\$1,000
17 RCNY § 8-01(b)	Failed to post BIC notice in each office, garage or lot <i>Licensee</i>	\$1,500	\$3,000	N/A	N/A	\$10,000
17 RCNY § 8-01(b)	Failed to post BIC notice in each office, garage or lot <i>Class 2 Registrant Exempt from License</i>	\$1,500	\$3,000	N/A	N/A	\$10,000

<u>Section</u>	<u>Description</u>	<u>1st Violation Penalty</u>	<u>Repeat Penalty</u>	<u>Mitigated Penalty (1st Violation)</u>	<u>Mitigated Penalty (Repeat Violation)</u>	<u>Default Penalty</u>
<u>17 RCNY § 8-01(b)</u>	<u>Failed to post BIC notice in each office, garage or lot</u> <i><u>Class 1 Registrant</u></i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>
<u>17 RCNY § 8-01(c)</u>	<u>Failed to distribute BIC notice</u> <i><u>Licensee</u></i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 8-01(c)</u>	<u>Failed to distribute BIC notice</u> <i><u>Class 2 Registrant Exempt from License</u></i>	<u>\$1,500</u>	<u>\$3,000</u>	<u>N/A</u>	<u>N/A</u>	<u>\$10,000</u>
<u>17 RCNY § 8-01(c)</u>	<u>Failed to distribute BIC notice</u> <i><u>Class 1 Registrant</u></i>	<u>\$250</u>	<u>\$500</u>	<u>N/A</u>	<u>N/A</u>	<u>\$1,000</u>

**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 Penalties and Procedures for Adjudication of Certain BIC Violations

REFERENCE NUMBER: 2022 RG 071

RULEMAKING AGENCY: Business Integrity Commission

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

Date: January 5, 2023

Acting Corporation Counsel

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

CERTIFICATION / ANALYSIS

PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Penalties and Procedures for Adjudication of Certain BIC Violations

REFERENCE NUMBER: BIC-22

RULEMAKING AGENCY: Business Integrity Commission

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) There is no cure period outlined in the proposed rules. This proposed rule establishes a penalty schedule; certain violations may have mitigated penalties, as set forth in the penalty schedule.

/s/ Francisco X. Navarro

Mayor's Office of Operations

January 5, 2023

Date