

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1123 Session of
2009

INTRODUCED BY GERGELY, BELFANTI, BRENNAN, CONKLIN, DEASY, HELM,
JOSEPHS, KORTZ, SIPTROTH, VULAKOVICH, KULA, MAHONEY, HARKINS,
HENNESSEY, MURT, MATZIE, HORNAMAN AND DALEY, MARCH 26, 2009

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 21, 2009

AN ACT

1 Amending the act of May 11, 1972 (P.L.286, No.70), entitled "An
2 act regulating the sale of certain structures made,
3 fabricated, formed or assembled in manufacturing facilities
4 and providing penalties," further providing for definitions
5 and for regulations, insignia of certification required.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 3(2) of the act of May 11, 1972 (P.L.286,
9 No.70), known as the Industrialized Housing Act, is amended and
10 the section is amended by adding ~~a paragraph~~ PARAGRAPHS to read: ←

11 Section 3. Definitions.--As used in this act:

12 * * *

13 (2) "Department" means the Department of Community [Affairs]
14 and Economic Development of the Commonwealth of Pennsylvania.

15 * * *

16 (4.1) "Industrialized/commercial modular building" means a
17 structure designed for commercial occupancy, and classified
18 within nonresidential use groups in accordance with the

1 standards adopted under 12 Pa. Code § 145.41 (relating to
2 adoption of standards) and which is wholly or in substantial
3 part made, constructed, fabricated, formed or assembled in
4 manufacturing facilities for installation or assembly and
5 installation on the building site so that concealed parts or
6 processes of manufacture cannot be inspected at the site without
7 disassembly, damage or destruction. The term does not include
8 industrialized housing as defined in 12 Pa. Code § 145.1
9 (relating to definitions) or manufactured home, as defined in
10 section 5402(6) of the National Manufactured Housing
11 Construction and Safety Standards Act of 1974 (Public Law 93-383
12 42 U.S.C. § 5401 et seq.).

13 (4.2) "INDUSTRIALIZED/COMMERCIAL BUILDING MODULE" MEANS A ←
14 CLOSED WALL STRUCTURE OR SUBSTANTIAL PART OF A CLOSED WALL
15 STRUCTURE INCORPORATING ONE OR MORE ROOMS USED AS HABITABLE,
16 OCCUPIABLE OR MECHANICAL/EQUIPMENT SPACE, WHICH IS FABRICATED IN
17 A MANUFACTURING FACILITY TO BE SEPARATELY TRANSPORTED TO THE
18 BUILDING SITE THAT CANNOT BE INSPECTED AT THE SITE WITHOUT
19 DISASSEMBLY. THIS TERM ALSO INCLUDES INDUSTRIALIZED/COMMERCIAL
20 BUILDING COMPONENTS THAT ARE SUBSYSTEMS OR ASSEMBLIES, OR OTHER
21 SYSTEMS OF CLOSED CONSTRUCTION DESIGNED FOR USE IN OR AS A PART
22 OF AN INDUSTRIALIZED COMMERCIAL BUILDING.

23 * * *

24 Section 2. Section 4 of the act is amended by adding a
25 subsection to read:

26 Section 4. Regulations, Insignia of Certification
27 Required.--* * *

28 (j) The department is authorized to enter into a multistate
29 agreement for the purpose of regulating the construction of
30 components of industrialized/commercial modular buildings. The ←

1 department shall adopt regulations to administer the program
2 that are based on the Model Rules and Regulations promulgated by ←
3 the Interstate Industrialized Buildings Commission. Components. ←
4 MODULES of industrialized/commercial modular buildings that are
5 certified under the program established pursuant to this
6 subsection shall be deemed to meet the requirements of the act
7 of November 10, 1999 (P.L.491, No.45), known as the
8 "Pennsylvania Construction Code Act."

9 Section 3. This act shall take effect ~~July 1, 2010, or~~ ←
10 immediately, ~~whichever is later.~~ ←