

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 2113

 Session of 2007

INTRODUCED BY GERGELY, BOYD, HARKINS, HELM, MAHONEY, MURT,  
MYERS, PETRONE, SIPTROTH, J. WHITE AND HORNAMAN,  
DECEMBER 13, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 30, 2008

## 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 ~~promulgation of rules and regulations by the~~ <—  
6 ~~department~~. REGULATIONS, INSIGNIA OF CERTIFICATION REQUIRED. <—

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

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

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

13 \* \* \*

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

16 \* \* \*

17 (4.1) "Industrialized/commercial modular building" means a  
18 structure designed for commercial occupancy, and classified  
19 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 \* \* \*

14 ~~Section 2. Section 5 of the act is amended by adding a~~ <—  
15 ~~subsection to read:~~

16 ~~Section 5. Promulgation of Rules and Regulations by the~~  
17 ~~Department. \* \* \*~~

18 ~~(c) The department shall promulgate regulations for~~  
19 ~~industrialized/commercial modular buildings and is authorized to~~  
20 ~~enter into a multi state agreement for the purpose of regulating~~  
21 ~~the buildings.~~

22 SECTION 2. SECTION 4 OF THE ACT IS AMENDED BY ADDING A <—  
23 SUBSECTION TO READ:

24 SECTION 4. REGULATIONS, INSIGNIA OF CERTIFICATION  
25 REQUIRED.--\* \* \*

26 (J) THE DEPARTMENT IS AUTHORIZED TO ENTER INTO A MULTISTATE  
27 AGREEMENT FOR THE PURPOSE OF REGULATING THE CONSTRUCTION OF  
28 COMPONENTS OF INDUSTRIALIZED/COMMERCIAL MODULAR BUILDINGS. THE  
29 DEPARTMENT SHALL ADOPT REGULATIONS TO ADMINISTER THE PROGRAM  
30 THAT ARE BASED ON THE MODEL RULES AND REGULATIONS PROMULGATED BY

1 THE INTERSTATE INDUSTRIALIZED BUILDINGS COMMISSION. COMPONENTS  
2 OF INDUSTRIALIZED/COMMERCIAL MODULAR BUILDINGS THAT ARE  
3 CERTIFIED UNDER THE PROGRAM ESTABLISHED PURSUANT TO THIS  
4 SUBSECTION SHALL BE DEEMED TO MEET THE REQUIREMENTS OF THE ACT  
5 OF NOVEMBER 10, 1999 (P.L.491, NO.45), KNOWN AS THE  
6 "PENNSYLVANIA CONSTRUCTION CODE ACT."

7       Section 3. This act shall take effect July 1, 2008, or  
8 immediately, whichever is later.