
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 195 Session of
2009

INTRODUCED BY WAUGH, STOUT, FERLO, GORDNER, O'PAKE AND PILEGGI,
FEBRUARY 2, 2009

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 2, 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 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
19 standards adopted under 12 Pa. Code § 145.41 (relating to

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

12 (4.2) "Industrialized/commercial building module" means a
13 closed wall structure or substantial part of a closed wall
14 structure incorporating one or more rooms used as habitable,
15 occupiable or mechanical/equipment space, which is fabricated in
16 a manufacturing facility to be separately transported to the
17 building site that cannot be inspected at the site without
18 disassembly. This term also includes industrialized/commercial
19 building components that are subsystems or assemblies, or other
20 systems of closed construction designed for use in or as a part
21 of an industrialized commercial building.

22 * * *

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

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

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

1 Modules of industrialized/commercial modular buildings that are
2 certified under the program established pursuant to this
3 subsection shall be deemed to meet the requirements of the act
4 of November 10, 1999 (P.L.491, No.45), known as the
5 "Pennsylvania Construction Code Act."

6 Section 3. This act shall take effect immediately.