

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2628 Session of
2012

INTRODUCED BY AUMENT AND MILLER, SEPTEMBER 21, 2012

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2012

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 findings and
5 declarations of policy, for regulations, insignia of
6 certification required, for promulgation of rules and
7 regulations by the department and for recognition of
8 certification of other states or the Federal Government.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

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

14 Section 2. Findings and Declarations of Policy.--It is
15 hereby determined and declared as a matter of legislative
16 finding that:

17 * * *

18 (8) To facilitate the construction and installation of
19 industrialized/commercial modular buildings and
20 industrialized/commercial building modules for use in this
21 Commonwealth there is a need for uniform State standards and

1 procedures for the identification, inspection and assembly and
2 certification in a similar manner as industrialized housing.

3 Section 2. Section 4(j) of the act, added July 6, 2009
4 (P.L.56, No.13), is amended to read:

5 Section 4. Regulations, Insignia of Certification
6 Required.--* * *

7 (j) The department [is authorized to enter into a multistate
8 agreement for the purpose of regulating] shall adopt regulations
9 to administer a certification program as described in this
10 section to regulate the construction, installation STANDARDS and ←
11 inspection of industrialized/commercial modular buildings
12 SHIPPED FROM THE FACTORY and industrialized/commercial building ←
13 modules SHIPPED FROM THE FACTORY. [The department shall adopt ←
14 regulations to administer the program.] Modules of
15 industrialized/commercial modular buildings that are certified
16 under the program established pursuant to this subsection shall
17 be deemed to meet the requirements of the act of November 10,
18 1999 (P.L.491, No.45), known as the "Pennsylvania Construction
19 Code Act."

20 Section 3. Sections 5(a) and 6 of the act are amended to
21 read:

22 Section 5. Promulgation of Rules and Regulations by the
23 Department.--(a) The department, in consultation with the
24 Industrialized Housing Advisory Commission shall promulgate
25 rules and regulations to interpret and make specific the
26 provisions of this act. Such rules and regulations adopted,
27 amended, repealed and substituted from time to time pursuant to
28 this section shall assure the health, safety and welfare of the
29 people of Pennsylvania by requiring safe and sanitary industrial
30 housing and industrialized/commercial modular buildings and

1 industrialized/commercial building modules and shall include
2 provisions imposing requirements reasonably consistent with
3 recognized and accepted model codes. The department shall adopt
4 such other rules and regulations as are necessary to carry out
5 the provisions of this act. Such rules and regulations shall be
6 consistent with the act of June 4, 1945 (P.L.1388), known as the
7 "Administrative Agency Law." No portion of this act or any code,
8 or rules and regulations adopted, amended, repealed or
9 substituted as provided herein, which limits the work to be
10 performed to any type of construction contractor, or labor or
11 mechanic classification shall be adopted or enforceable by the
12 department.

13 * * *

14 Section 6. Recognition of Certification of Other States or
15 the Federal Government.--The department may issue insignia of
16 certification to industrialized housing [or], housing
17 components, industrialized/commercial modular buildings and
18 industrialized/commercial building modules that have been
19 certified by the United States Department of Housing and Urban
20 Development or competent authority within other states if the
21 department finds that such certification is granted on the basis
22 of standards substantially equivalent to the provisions
23 promulgated under section 5 of this act.

24 Section 4. This act shall take effect in 60 days.