

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 124 Session of 2013

INTRODUCED BY AUMENT, GINGRICH, MACKENZIE, CUTLER, HICKERNELL,
MILLARD, MILLER, DENLINGER AND MURT, JANUARY 15, 2013

REFERRED TO LABOR AND INDUSTRY, JANUARY 15, 2013

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
7 the "Administrative Agency Law."] July 31, 1968 (P.L.769,
8 No.240), referred to as the Commonwealth Documents Law. No
9 portion of this act or any code, or rules and regulations
10 adopted, amended, repealed or substituted as provided herein,
11 which limits the work to be performed to any type of
12 construction contractor, or labor or mechanic classification
13 shall be adopted or enforceable by the department.

14 * * *

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

25 Section 4. This act shall take effect immediately.