

CHAPTER 16
STATE BUILDING CODE—FACTORY-BUILT STRUCTURES

[Transferred from O.P.P., ch 5, See IAB 7/6/83]
[Prior to 4/20/88, see Public Safety Department[680] Ch 16]

661—16.1 to 16.500 Rescinded IAB 12/21/05, effective 4/1/06. See 661—Chapters 300 and 301.

661—16.501 to 16.609 Reserved.

PART 1—MODULAR FACTORY-BUILT STRUCTURES

661—16.610(103A) “Modular factory-built structures.” Division VI, Part 1, contains the rules and regulations which are to apply to all factory-built structures which are not specifically included in Part 2 of this division.

16.610(1) Authority to promulgate rules. Provisions contained within all sections of Part 1 are authorized under Iowa Code section 103A.9.

16.610(2) Scope and applicability. The provisions contained within Part 1 shall apply to the following:

a. Plan evaluation, manufacture, inspection, and installation of “modular factory-built structures,” of closed-type construction and of open-type construction for those manufacturers who have by option chosen to have their building component, assembly or system considered to be closed construction.

b. Approval by the commissioner or the commissioner’s designated representative of an organization or person referred to as a third-party agent, or independent inspection agency.

c. All “modular factory-built structures” manufactured for installation in Iowa after February 1, 1973.

d. Every modular factory-built structure, building, building system, component, assembly or system manufactured for installation in Iowa on or after February 1, 1973, shall bear a seal issued by the commissioner which certifies that the unit complies with the code and that the certificates and approvals required by these rules have been submitted or obtained.

e. Every modular factory-built structure, building, building system, component, assembly, or system which was manufactured before February 1, 1973, and which is being installed in Iowa for the first time shall have a seal attached attesting that it complies with the code and that the certificates and approvals have been submitted to the commissioner.

f. Modular factory-built structures moved or relocated after the first installation in Iowa shall comply with the applicable codes and zoning restrictions of the jurisdiction into which it is being moved or relocated.

16.610(3) Definitions. Definitions in Division I of this code also apply to Division VI. These definitions also apply to all parts of Division 6. This subrule covers terms and definitions that are defined for purposes of clarification when used in Division VI.

“Building.” A combination of materials, whether portable or fixed, to form a structure affording facilities or shelter for persons, animals or property. The word “building” includes any part of a building unless the context clearly requires a different meaning.

“Building component.” Any part, subsystem, subassembly, or other system designed for use in, or as part of, a structure, including but not limited to: structural, electrical, mechanical, fire protection, or plumbing systems, and including such variations thereof as are specifically permitted by regulation, and which variations are submitted as part of the building system or amendment thereof.

“Certificate of compliance.” A certification which is filed with the commissioner which indicates that the third-party agency has approved specific models or model groups of factory-built structures as meeting the state building code. (See 16.610(14) “d” and 16.610(17).)

“Closed construction.” Is any structure, building, component, assembly or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

“Code compliance certificate.” Is the certificate prepared by an approved manufacturer and submitted by the manufacturer for each unit which is to be installed in Iowa and includes an Installation Certificate. (See subrules 16.610(19) and 16.610(20).)

“Component.” Any part, material or appliance which is built in as an integral part of the factory-built structure during the manufacturing process, or any factory-built system, subsystem or assembly not approved as part of a unit, section, or module.

“Evaluation or inspection agency.” Is an approved person or organization, private or public, determined by the commissioner to be qualified by reason of facilities, personnel, experience and demonstrated reliability and independence of judgment, to investigate, evaluate and approve factory-built structures or buildings, building components, building systems, and compliance assurance programs.

“Factory-built structure.” Is any structure, building, component, assembly or system which is of closed construction and which is made or assembled in manufacturing facilities, on or off the building site, for installation or assembly and installation, on the building site. Factory-built structures may also mean, at the option of the manufacturer, any structure or building of open construction, made or assembled in manufacturing facilities away from the building site, for installation, or assembly and installation, on the building site. Factory-built structure also means “factory-built unit.”

“Independence of judgment.” Means not being affiliated with or influenced by or controlled by building manufacturers or producers, suppliers, or vendors of products or equipment used in factory-built structures or buildings and building components in any manner which is likely to affect their capacity to tender reports and findings objectively and without bias.

“Manufacturer’s bill of sale” means any document, certificate, sales receipt, etc., signed by the manufacturer or importer that the modular factory-built structure described has been transferred to the person or dealer named. The document shall have attached a copy of the 3A section of the Code Compliance Certificate or shall contain at least the make, model year, manufacturer’s serial number, Iowa model approval number and the code compliance seal number of the unit.

“Model or model groups.” One or more manufacturer-designed modular homes which can constitute one model group.

“Modular.” A general term to describe all factory-built structures which are not manufactured homes, manufactured home add-on units, or temporary field construction offices, as defined in Part 2, at 661—16.620(103A). Modular includes, but is not limited to, panelized units, components, sections and modules.

“Module.” A unit or a section which is assembled in its final form and transported in such a manner.

“Open construction.” Is any structure, building, component, assembly or system manufactured in such a manner that all portions can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

“Seal” or *“insignia.”* A device or insignia issued to the manufacturer by the commissioner for affixing to a factory-built structure or system evidencing compliance with the code.

“Section.” A division of a factory-built structure that must be combined with other sections to form a complete structure.

“Structure.” That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner except transmission or distribution equipment of public utilities. The word “structure” includes any part of a structure unless the context clearly requires a different meaning.

“Testing agency.” An organization approved by the commissioner which:

1. Is qualified and equipped for the testing, observation, evaluation, or approval of building components, construction, materials, equipment, or systems as regulated by approved standards;
2. Is not under the jurisdiction, affiliation, influence, or control of any manufacturer or supplier of any industry;
3. Makes available a published report in which specific information is included certifying that the equipment and installations listed or labeled have been tested and found acceptable according to approved standards.

“Third-party agency.” Is an approved person or organization, private or public, determined by the state building code commissioner to be qualified to act as an evaluation, inspection, testing, or listing agency, as defined in this section.

“Unit.” A single factory-built structure approved by the state building code commissioner. Units may be combined to form a larger complex structure or may be a combination of sections.

16.610(4) Administration. This section covers the basic requirements for constructing modular structures and all of the administrative procedures under which the modular program functions including methods of certification approval and manufacturing requirements, inspection and installation.

16.610(5) Modular construction requirements. All factory-built structures not designated as a manufactured home, manufactured home add-on or a temporary field construction office shall be constructed to the requirements in Division I, Part 4, Division II, Division III, Division IV, or the alternate method of construction as provided for in Division V, Division VII whenever applicable and Division VIII of the state building code.

16.610(6) Modular installation requirements. All factory-built structures designated as modular units shall be installed according to the manufacturer’s approved installation drawings and any additional state-approved requirements. All approvals shall be part of the third-party certification agency approval for their respective manufacturer. In addition, all installations shall comply with local building codes for items not included as part of the state approval and local zoning requirements whenever applicable.

Modular installers shall obtain approval as required by rule 661—16.622(103A).

Modular installation seals shall be obtained and attached upon completion and the installation certificate shall be completed and filed as per subrule 16.610(20).

16.610(7) Procedures for approval. The method of third-party certification and approval shall be used. The manufacturer shall contract with third-party agencies for third-party approvals and notify the building code commissioner of the intent to manufacture units to be installed in Iowa and the name of the third party or parties to be used.

The third-party agency (or agencies) shall also notify the commissioner that they have entered into a contract to perform services with the manufacturer.

Third-party approvals are required for plan and design approval, plant facilities approval and a continuing inspection of units during manufacture.

The manufacturers shall submit plans to the third-party agency or agencies for review and approval. After the plans, the plant facilities, and an inspection procedure have been approved by the third-party agency or agencies the manufacturer shall submit a compliance certificate on the form supplied by the commissioner for each model or model group. The commissioner will assign an Iowa approval number for those models included in the approval.

At the time of production of units for installation in Iowa the manufacturer shall obtain from the commissioner Iowa insignia seals for manufacture and installation, to be attached to the units at the time of manufacture and installation, as well as code compliance and installation certificates.

16.610(8) Requirements and procedures for obtaining third-party agency approval.

a. The commissioner or the commissioner’s designated representative shall be responsible for approving any person, state or organization who submits an application to the commissioner for approval and whose application is accompanied by written material evidencing that said agency is:

1. Capable of discharging without bias the responsibilities assigned by these regulations.
2. Not under the jurisdiction or control of any manufacturer or supplier of any industry.
3. Professionally competent with independence of judgment to perform the function for which commissioned.

4. Qualified to submit all findings regarding code compliance in a detailed report to the commissioner.

5. Willing to be inspected and reviewed by the commissioner for all phases of work.

b. The commissioner, in considering the information supplied with the application for approval, may limit the agencies’ approval to particular types of factory-built structures, buildings, building systems, components, assemblies or systems.

c. Other states wishing to exercise application with this state in order to act in the capacity of an approved third-party agency, may do so provided that:

1. The state laws for issuing seals or insignia for code compliance are equally effective as those specified in this code.
2. The conditions in "1" are enforced in their state.
3. Other states agree to monitoring of this reciprocal agreement by representatives of this state assigned by the commissioner.
4. Violations of any condition as part of the reciprocal agreement may be deemed just cause for revocation or suspension of this agreement by the commissioner.

16.610(9) *Third-party agency responsibilities.*

- a. Evidence of approval by the state must be on file at each manufacturing facility.
- b. Notify the commissioner when they have contracted with a manufacturer to serve as their third-party agency.
- c. Manufacturer plans and specifications must be approved by the third-party agency.
- d. File of all plans and documents must be maintained at each manufacturing facility and in the third-party agency office.
- e. Send a report to the commissioner stating that the plans and specifications are in compliance with the Iowa state building code.
 1. Plans and specifications are not necessary for submittal with this report.
 2. A list of approved models for each manufacturing facility.
 3. Verify that all engineering documents have been signed by a registered engineer or architect.
 4. Update the report as necessary.
 5. Indicate approval of installation procedures for all of these structures as well as the personnel who will be doing the installation. However, installation of factory-built structures shall be, in addition to provisions of this code, in accordance with any local ordinances which apply. (That is, those construction processes which are not included as part of the state approval.)
- f. Notify the manufacturer of plans and specifications approval including model numbers for use in preparing certificates of compliance.
- g. Inspect manufacturing facilities and review or establish a quality control program and test procedure.
- h. Notify the manufacturer of facilities approval for use in preparing certificates of compliance.
- i. Prepare an inspection manual to be used by the third-party inspectors and the commissioner. This manual shall be on file at each manufacturing facility.
- j. Report to the state outlining in-plant procedures and include a typical inspection checkoff sheet.
- k. Notify the manufacturer when in-plant inspection program is in force for use in preparing certificates of compliance.
 - l. Report each quarter to the state for each manufacturer and submit information as follows:
 1. Account for all Iowa seals used by each manufacturer during the quarter.
 2. Manufacturer's serial number and model number.
 3. Third-party seal number.
 4. Iowa seal number.
 5. The portion of the unit which was actually inspected during an in-plant inspection.

16.610(10) *Third-party agency documentation and plan verification.* The third-party agency will be responsible for the investigation, evaluation, review of test results, of plans and documents, and each revision thereto submitted to the agency by the manufacturer with which it has a contract for compliance with applicable requirements set forth in this code. Such a review shall include but not be limited to:

- a. All documentations and plans shall indicate the manufacturer's name, office address, and manufacturing facility address.
- b. Manufacturer's plans shall show all elements relating to specific systems on drawings properly identifiable.
- c. Each plan which contains material requiring engineering evaluation shall bear the signature and seal of a registered architect or engineer.

d. The plans shall also indicate the method of evaluation and inspection for all required on-site testing of each system.

e. Plans shall designate all work to be performed on site, including all system connections, equipment and appliances and all work performed within the plant.

f. Space shall be provided on all sheets of plans near the title box for the approved stamp.

g. Individual system design or any structural design or method of construction and data shall be in accordance with the Iowa state building code. Plumbing, electrical, heating and mechanical systems constitute individual system designs.

h. Grade, quality, and identification of all materials shall be specified.

i. Design calculations and test reports shall be submitted when specified or required.

j. Plans shall be drawn to scale.

k. Plans shall indicate the location of the approved seal and data plate locations.

l. Copies of approved plans showing third-party agency approval shall be on file at each manufacturing facility or made readily available.

m. Review and approval of all installation procedures must conform to the following:

1. Crews performing installation which are under the jurisdiction of the unit manufacturer or the manufacturer's designee, are approved as competent by the authorized third-party agency.

2. Copies of the installation manual must be available during installation for use by the commissioner or the commissioner's representative or by the local building official.

16.610(11) *Third-party agency plant investigation for quality control.* All manufacturing facilities shall be inspected to the performance objectives as stated in the Iowa state building code. These include as follows:

a. Review of the manufacturer's quality control manuals or establishing a quality control procedure to ensure code compliance.

b. Implementation of inspection and test procedures which will control the quality of fabrication and workmanship.

c. Making a complete report to the commissioner that includes certification of all manufacturing procedures.

16.610(12) *Third-party agency in-plant inspections.* To ensure compliance with the approved specifications and plans and the Iowa state building code and in conjunction with monitoring each manufacturer's quality control program, every approved third-party agency shall:

a. Maintain a record of inspections and such records shall be reported to the commissioner every quarter and include the seal report.

b. Witness and verify all required testing in accordance with the quality control manual.

c. Certify that all seals are being attached as required and only after each unit meets the code requirements.

d. Prepare a detailed inspection manual that specifies the third-party agency procedures in making the required inspections and have this manual available for use by the commissioner or the commissioner's representative when periodic monitoring is performed.

e. One hundred percent inspection is not required, however some part of every unit is required to be inspected. A complete inspection of a typical structural, plumbing, heating and electrical system shall be made each visit to the manufacturing facility.

16.610(13) *Reapproval of third-party agencies.* Any agency approved by the commissioner or the commissioner's designated representative must file for reapproval annually. Such application for reapproval may be filed at any time from the forty-fifth day prior to the scheduled annual expiration date of the current approval. The applying third-party agency seeking reapproval shall completely and accurately furnish all pertinent information as is necessary to make current the information previously submitted to the commissioner or the commissioner's representative as part of its original application for approval and all subsequent applications for reapproval. The application for reapproval shall then become a permanent record of the department administering the provisions of the code. Should there be no change in the status of the applying agency from its original application for approval, an affidavit to that effect shall suffice for consideration of approval.

16.610(14) *Requirements and procedures for modular manufacturers.*

a. Every manufacturer shall be responsible for all corrective actions required and the contractual agreement that each has with the approved third-party agency shall not diminish this responsibility.

b. Every manufacturer shall notify the building code commissioner that the manufacturer's facility desires to construct units which are to be installed in the state of Iowa.

c. Every manufacturer shall contract with an approved third-party agency to perform all duties listed in 5.610(9), 5.610(10), 5.610(11), and 5.610(12). The commissioner will furnish a list of approved third-party agencies upon request.

d. Every manufacturer shall file certificates of compliance with the commissioner for each model or model group, after all third-party reviews are completed. Whenever additional models or changes are proposed, the manufacturer shall file additional certificates of compliance or request that additions be made to existing model lists.

e. Every manufacturer shall notify the commissioner in writing within 60 days after the effective date of this code, the current Iowa approval(s) number that the manufacturer has been assigned and the models which will be manufactured to these standards. Approvals which have not been reaffirmed within this 60-day period shall be considered to be canceled.

f. Every manufacturer shall purchase Iowa seals from the office of the commissioner in accordance with requirements of 5.610(22).

g. All units or sections shall have seals if manufactured after February 1, 1973, and if they are to be installed in Iowa. Regardless of manufactured date, all units being installed in Iowa for the first time shall have a seal attached.

h. Every manufacturer shall complete and furnish compliance certificates and installation certificates in accordance with the requirements of 16.610(19) and 16.610(20).

16.610(15) *Manufacturer's data plate for modular units.* The following information shall be placed directly or by reference on one or more permanent manufacturer's data plates in the vicinity of the electrical distribution panel box or in some other designated location that is readily accessible for inspection.

a. Manufacturer's name and address.

b. Serial number of the structure or unit.

c. Model designation and name of each of the manufacturers of major factory-installed appliances.

d. Wherever applicable, identification of permissible type of gas for appliance and direction for water and drain connections.

e. Name and date of the standards complied with in construction of this structure or unit.

f. The seal serial number.

g. Design loads and special conditions or limitations.

h. Date of manufacture.

i. Electrical ratings. Instructions and warnings on voltage, phase size and connections of units and grounding requirements.

16.610(16) *Changes and alterations to factory-built structures.*

a. Changes to approved plans, drawings or installation instructions proposed by the manufacturer or third-party agency are to be requested in writing and submitted to the building code commissioner. All work being performed in the manufacturing plant that is affected by these changes will not proceed until written approval is received from the commissioner. Where these changes do not affect code compliance, then approval is permitted when changes are authorized through the third-party agency and said changes are then incorporated into the design documents.

b. The commissioner shall notify the manufacturer and the third-party agency of all amendments, deletions or additions to the code provisions and the commissioner shall allow the manufacturer a reasonable time frame in which to submit a request for a change in plan approval, if required, in order to conform to the code change.

c. Basic changes in manufacturing facility locations, company name or address changes, and changes resulting in companies changing ownership or dissolving their business are all to be reported

promptly to the commissioner, in writing, generally within a two-week period after said change was made. The manufacturer shall also notify the third-party agency of said changes.

d. Alterations to factory-built structures pursuant to the construction, plumbing, heat producing, electrical equipment or installation or fire safety in a unit after an Iowa seal has been affixed are all considered to be subject to the same requirements that exist for any structure within the local jurisdiction.

e. The following shall not constitute an alteration to a factory-built structure.

- (1) Any repairs to approved component parts.
- (2) Conversion of listed fuel-burning appliances in accordance with the terms of their listing.
- (3) Adjustment and maintenance of equipment installed in the factory-built structure.
- (4) Replacement of equipment in kind.

16.610(17) *Certificate of compliance.* The manufacturer shall provide the building code commissioner with a certificate of compliance for each model or model group of the approved modular design. This certification shall include the following:

- a.* Model or model group number which will appear on the data plate and compliance certificate.
- b.* The signature of an authorized representative of the manufacturer.
- c.* The name of the third-party agency certifying compliance with the code, for each of the three certifications.

d. Evidence of code compliance certified by the third-party agencies, for the specific model or model group being submitted.

16.610(18) *Limitations.* For all types of structures other than one- and two-family dwellings, there shall be, with the certificate of compliance, an attached statement which sets out the limitations of the structure based on site conditions, type of construction, area, and height limitations. A statement to the effect that the structure should not be used except where it meets these conditions will not be acceptable.

16.610(19) *Code compliance and installation certificates.* Code compliance and installation certificates approved for use are available at the Web site of the building code bureau when seals are purchased pursuant to subrule 16.610(22). The manufacturer shall complete the certificate and distribute it as follows:

- a.* A copy shall be returned to:
State Building Code Bureau
Department of Public Safety
215 East Seventh St.
Des Moines, Iowa 50319
- b.* A copy shall be retained for plant records and shall be used to make additional copies if necessary. An additional copy shall accompany other shipping documents carried by the transporter and be available for inspection by any authorized official or department.
- c.* A copy of the compliance certificate shall be forwarded to the dealer, distributor, or any other person who is required to obtain a local building permit or to oversee installation.

16.610(20) *Installation certificates.* The installation certificate portion of the supplied combination certificate (see subrule 16.610(19)) shall be partially completed by the manufacturer at the same time the code compliance certificate is prepared and made part of the documents shipped with the unit and shall be completed by the local building official or the installer.

a. When a building permit is required, a copy of the code compliance certificate shall be presented to the local building official at the time application for a permit is made. The building official shall sign the certificate and send a copy to the commissioner at the address designated in this rule.

b. When a building permit is not required, the code compliance certificate shall be signed by the installer and forwarded to the commissioner at the address designated in this rule.

16.610(21) *Certification seals.* There shall be two seals attached to every factory-built structure which is installed in Iowa.

a. Every module, unit, section, or component shall have a state seal securely affixed at the manufacturing facility to show that the manufactured unit is in compliance with the code. When components and systems are included within a module, section or unit and have been approved by the third-party agency to be part of that module, section or unit, only one seal is required for the module,

section, or unit. A series of panels which make up the final unit when assembled at the site, and where approved in that manner, require only one seal.

b. Every completed unit when installed at the final site shall have an installation seal attached to show that the installation is in compliance with the requirements of this code.

16.610(22) Seals.

a. Seal issuance. The state seal shall be issued by the state building code commissioner upon application and after approval of the plans and manufacturing procedures has been certified by the third-party agency evidencing compliance with this code. Applications for seals shall be made to the commissioner on the supplied form and shall include the following:

- (1) Number of seals requested.
- (2) Iowa model or system approval numbers.
- (3) Reference to approval of manufacturing procedures and third-party agency or agencies involved.
- (4) A statement by the applicant that consent is given for inspection and investigation at all reasonable hours.
- (5) Applicable seal fees.

b. Seal reporting. Manufacturers shall notify the commissioner monthly of the use of seals by the manufacturers' facilities. This information shall be on a form approved by the commissioner and shall contain adequate information to determine the following:

- (1) Seal number.
- (2) Serial number of the unit on which the seal was placed.
- (3) Make and model of the unit on which the seal was placed.
- (4) Number of sections that comprise the finished unit.
- (5) Location to which the unit was shipped.

16.610(23) Number of seals required. Each modular building shall have a seal attached to every section or unit of the building.

16.610(24) Seal placement on modular units. Every seal shall be assigned and securely affixed to a specific section or unit. Assigned seals are not transferable and are void when not affixed as assigned. All seals not properly affixed shall be returned to or may be confiscated by the commissioner. The seal shall remain the property of the commissioner in the event of violation of the conditions of approval. Every seal shall be placed on and affixed to each section or unit in a readily visible location within the unit.

16.610(25) Denial and repossession of seals. Should investigation or inspection reveal that a manufacturer is not constructing modular units in accordance with the plans approved by the third-party agency, and such manufacturer, after having been served with a notice setting forth in what respect the provisions of these rules and the code have been violated, continues to manufacture units in violation of these rules and the code, applications for new seals shall be denied and the seals previously issued shall be confiscated. Upon satisfactory proof of compliance such manufacturer may resubmit an application for seals.

16.610(26) Seal removal. In the event that any unit bearing the seal is found to be in violation of the code, the commissioner may remove the seal (after furnishing the owner or the owner's agent with a written statement of such violations). No new seals shall be issued until proof of corrections has been submitted to the commissioner.

16.610(27) Lost or damaged seals. When or if a seal has been lost or damaged, the commissioner shall be notified immediately in writing by the manufacturer. The manufacturer shall identify the unit serial number, and when possible, the seal number.

a. All seals that are damaged shall be promptly returned to the commissioner.

b. Lost and damaged seals shall be replaced by the commissioner with a new seal upon payment of the seal fee as provided in this section.

16.610(28) Return of seals. When a manufacturer discontinues production of a unit carrying plan approval, the manufacturer shall within ten days advise the commissioner of the date of such

discontinuance and either return all seals allocated for such discontinued unit or assign said seals to other approved units.

16.610(29) Fees.

a. Form of remittance. All remittances shall be:

- (1) In the form of checks or money orders;
- (2) Made payable to Iowa Department of Public Safety; and
- (3) Addressed to:

State Building Code Bureau
Department of Public Safety
215 East Seventh St.
Des Moines, Iowa 50319

b. Seal fees.

Modular code compliance seals	\$30 per seal
Modular installation seals	\$15 per seal

c. Other fees. A fee equal to the direct expense shall be charged for all other services furnished by the commissioner which are not direct administrative duties of the commissioner's office, including but not limited to obtaining consultants for review and evaluation of applications or obtaining reviews from the national code writing organizations.

16.610(30) Local issuance of building permits.

a. The issuance of building permits and occupancy permits shall be in accordance with local ordinances and Iowa Code sections 103A.19 and 103A.20.

b. Local building codes and regulations shall apply to all parts of any project which are not included in the state approval of either the manufactured structure or the installation procedure.

c. Nothing in these rules or the state building code exempts any factory-built structure from the requirements of local zoning or site condition requirements.

16.610(31) Noncompliance to code provisions. Any noncompliance or unauthorized deviation with the provisions of this code from the approved plans or production procedures shall be just cause for the revocation of the plan approval and the return of the seals.

[ARC 8937B, IAB 7/14/10, effective 7/1/10]

661—16.611 to 16.619 Reserved.

PART 2—MANUFACTURED HOUSING

661—16.620(103A) Manufactured home construction. (Previously called mobile home.)

16.620(1) Authority to promulgate rules. Pursuant to Public Law 93-383, Section 604, of the National Manufactured Home Construction and Safety Act of 1974, specified in 42 U.S.C. 5403 and signed into law on August 22, 1974, the authority to promulgate rules and regulations in order to establish federal manufactured home construction standards and procedures of enforcement were established by Congress and subsequent provisions for their implementation were so granted to the United States Department of Housing and Urban Development (HUD). Title VI of this Act authorizes the secretary of HUD to promulgate the federal standards and to issue the rules and regulations to ensure adequate administration and enforcement of such standards.

16.620(2) Scope and applicability.

a. Provisions contained within Part 2 shall apply to all factory-built structures defined as a "manufactured home" in subrule 16.620(4) of Part 2. These regulations shall govern manufactured homes that enter the first stage of production on or after June 15, 1976, and manufactured homes that entered the first stage of production prior to June 15, 1976, to which HUD (Department of Housing and Urban Development) labels were affixed. These provisions supersede all local, state, or other governmental regulations for manufactured home standards and are applicable for every manufactured

home unit newly manufactured and offered for sale in the United States and its governing territories. These provisions do not apply to the following:

(1) Factory-built structures which comply with the requirements of Division VI, Part 1 of the state building code.

(2) Manufactured homes manufactured for installation in the state of Iowa on or after February 1, 1973, and prior to June 15, 1976.

b. Construction of multifamily manufactured homes, manufactured home add-on units, and temporary field construction offices will be covered by the provisions of Division VI, Part 2, however, the administration and the enforcement of the rules and regulations will apply as specified in Division VI, Part 1 for modular structures. These units will not bear a seal issued by the Department of Housing and Urban Development, but will bear an Iowa seal and be governed by all seal provisions outlined accordingly in Division VI, Part 1.

16.620(3) *Manufacture of units prior to June 15, 1976.* Manufactured home units, add-on units, multifamily manufactured homes and temporary field construction offices that were manufactured for installation in Iowa prior to June 15, 1976, which established the effective date of the HUD standard, shall have been constructed to the standards of manufactured homes of the Iowa state building code which was in effect at the time of manufacture.

16.620(4) *Definitions and terms.* Terms and definitions for purposes of clarification when used in Part 2. (See also subrule 16.610(3).)

“Anchoring equipment.” Straps, cables, turnbuckles, clamps, clips, and other fasteners including tensioning devices, which are used with ties to secure a manufactured home to ground anchors.

“Anchoring system.” A combination of ties, anchoring equipment, and ground anchors that will, when properly designed and installed, resist overturning and lateral movement of the manufactured home from wind forces.

“Approved installer.” Approval by the commissioner or the commissioner’s designated representative of a person, dealer, agency or organization, qualified to inspect, or install ground anchoring and support systems for manufactured homes or other manufactured structures, who installs units, for others, at a site of occupancy by attaching support and anchoring systems, and is familiar with and has agreed to comply with these installation procedures.

“Certificate, installation.” The certificate provided by the installer to both the commissioner and the owner which warrants that the installation system complies with these rules. When an installer installs only the support system or anchorage system, an installation certificate shall also be completed and copies distributed accordingly for each installation and with the applicable information completed on the certificate pertinent to that type of installation (see subrule 16.623(5)).

“DAPIA.” A design inspection agency approved by HUD to perform in-plant design reviews on all drawings and specifications in order to provide compliance to the HUD standard for manufactured home construction.

“Diagonal tie (frame tie).” A tie intended primarily to resist horizontal or shear forces and which may secondarily resist vertical, uplift, and overturning forces.

“Ground anchor.” Any device at the manufactured home site designed to transfer manufactured home anchoring loads to the ground.

“IPIA.” A production inspection agency approved by HUD to perform the in-plant quality assurance inspection programs within manufactured home manufacturing facilities.

“Label or certification label.” The approved form of certification by the manufacturer that is affixed to each transportable section of each manufactured home manufactured for sale to a purchaser in the United States or its governing territories.

“Main frame” (Chassis). The structural component on which is mounted the body of the manufactured home.

“Manufactured home.” (Previously called mobile home.) A structure transportable in one or more sections which when erected on site measures 8 body feet or more in width and 40 body feet or more in length or when erected on site is 320 or more square feet in area, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the

required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.

“Manufactured home add-on.” A structure which is designed and produced and to be made an integral part of a manufactured home and will be considered part of the manufactured home, when attached thereto.

“Manufacturer’s statement of origin” means a certification signed by the manufacturer or importer that the manufactured home described has been transferred to the person or dealer named and that the transfer is the first transfer of the manufactured home in ordinary trade and commerce. In addition to the information required by the Iowa Department of Transportation definition 761—subrule 421.1(2), the label number required by the federal regulations Section 3282.362(c)(2) 24 CFR Chapter XX shall be included. (This number is commonly known as the HUD number.) The terms “manufacturer’s certificate,” “importer’s certificate,” “MSO” and “MCO” shall be synonymous with the term “manufacturer’s statement of origin.”

“Multifamily manufactured home.” Manufactured homes designed and manufactured with more than one living unit.

“Pier.” That portion of the support system between the pier foundation and the manufactured home exclusive of caps and shims.

“Pier foundation (footing).” That portion of the support system that transmits loads directly to the soil, and shall be sized to support the loads shown herein.

“SAA.” A state administrative agency approved by the Department of Housing and Urban Development to participate in the enforcement of all provisions to which a manufactured home is regulated under the HUD standard.

“Seal, installation.” Is an insignia issued by the commissioner which is attached to a manufactured home by the installer to certify that the installation is in compliance with the requirements of the state building code.

“Stabilizing system (tie-down system).” A combination of the anchoring system and the support system when properly installed. Therefore, components of the anchoring and support systems such as piers, pier foundations, ties, anchoring equipment, anchors, or any other equipment which supports or secures the manufactured home to the ground, shall be defined as stabilizing devices. For the purposes of this code the definition of a stabilizing system and the definition of a tie-down system shall be one and the same.

“Support system.” A combination of pier foundations, piers, caps, and shims that will, when properly installed, support the manufactured home.

“Temporary field construction office.” A factory-built structure used at a construction site as an office facility by the personnel engaged in the construction of another structure or project. The intent of this structure is to remain on the job site only as long as necessary during the construction and then be removed before construction is completed.

“Tie.” Strap, cable or securing device used to connect the manufactured home to ground anchors.

“Tie-down system (stabilizing system).” Means a ground support system and a ground anchoring system used in concert to provide anchoring and support for a manufactured home.

“Vertical tie (over-the-top).” A tie intended to resist the uplifting and overturning forces. This tie may continue over-the-top but if properly attached may only extend partway up each side.

16.620(5) Administration. This section covers the basic requirements for constructing manufactured homes and all of the administrative procedures under which the manufactured home program functions including information pursuant to certification, approval and manufacturing requirements. This section also applies to those structures defined in subrule 16.620(4) of Part 2 as manufactured home add-on units, temporary field construction offices and multifamily homes. There are also included within Part 2, (661—16.621(103A)) sections dealing with installation procedures and information pursuant to the handling of consumer complaints (16.620(15)) consistent with the duties of the state of Iowa to be performed as a State Administrative Agency (SAA) in conjunction with the manufactured home program.

16.620(6) Manufactured home construction requirements. All factory-built structures that are defined as a manufactured home under subrule 16.620(4) of Part 2, shall be constructed to the standards

as promulgated by the United States Department of Housing and Urban Development hereafter referred to as HUD. These standards were published as final rules in the December 18, 1975, issue of the Federal Register, Volume 40, No. 244, and will be amended from time to time. These standards are herein adopted and apply to all manufactured homes manufactured after June 15, 1976. All provisions for manufactured home procedural and enforcement regulations are covered within the May 13, 1976, Federal Register, Volume 41, No. 94. All factory-built structures defined as a manufactured home by the federal standard shall be manufactured and so regulated by these documents.

16.620(7) *Procedures of approval for manufactured homes.* Every manufactured home unit or structure approval will follow the method of third-party certification approval with all approvals obtained through the HUD secretary. All manufactured home plans, specifications, documentation, plant facilities and in-plant inspections must be submitted to and approved by a third-party certification agency so designated by the HUD secretary. Rules and regulations pursuant to these procedures are outlined in the manufactured home procedural and enforcement regulations, Parts 3282.201 through 3282.204 which set out requirements to be met by states or private organizations which wish to qualify as primary inspection agencies (see subrule 16.620(4) of Part 2 definitions for IPIA and DAPIA).

16.620(8) *Compliance certification.* Every manufactured home unit or structure must conform to the certification requirements within section 3282.205 of the manufactured home procedural enforcement regulatory document.

16.620(9) *Certification seals (labels) and other seal requirements.* Every manufactured home unit or structure must conform to the requirements within the manufactured home procedural and enforcement regulatory document section 3282.362(c)(2) in lieu of Iowa insignias. Other types of units manufactured under the requirements of Division VI, Part 2, will be labeled as prescribed in subrules 16.620(10), 16.620(11) and 16.620(12).

16.620(10) *Manufactured home add-on units.* Every factory-built structure manufactured as a manufactured home add-on unit as defined in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of manufactured home add-on units with the exception of constructing to the HUD standard, which has been herein adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, for the factory-built structures.

16.620(11) *Multifamily homes.* Every factory-built structure manufactured as a multifamily home within the definition contained in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of multifamily homes, with the exception of constructing units to the HUD standard which has herein been adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, factory-built structures.

16.620(12) *Temporary field construction offices.* Every factory-built structure manufactured as a temporary field construction office within the definition as contained in subrule 16.620(4) of Part 2 shall be constructed to the standards set forth in subrule 16.620(6) of Part 2 except that these units will bear an Iowa seal in accordance with the provisions of the Iowa state building code, Division VI, Part 1. Manufacturers of temporary field construction offices, with the exception of constructing units to the HUD standard which has herein been adopted for these units, must comply with all other provisions of the Iowa state building code as described within Division VI, Part 1, factory-built structures.

16.620(13) *Seal types for manufactured home add-on units, temporary field construction offices and multifamily homes.* When ordering seals for manufactured home add-on units, temporary field construction offices or multifamily manufactured homes, each manufacturer will indicate the number of each type of seal requested and the letter prefix required. Examples of seals issued are as follows: (A00-0000MH), (B00-0000MH), C, D, and E, etc. Single units are without prefix letters (00-0000MH). For more details, see Division VI, Part 1, subrule 16.610(21).

It is noted that manufactured home type seals shall be attached to all of these type units. All other procedures for seal issuance, removal, damage, repossession and return are to conform with provisions of this code as outlined in Division VI, Part 1.

16.620(14) *Noncompliance.* Failure to conform to the provisions of Part 2 as they apply to the federal standard for the construction of manufactured homes is subject to the penalties where applicable as set forth within Division VI, Part 1. The state of Iowa having adopted the federal standard and the enforcement regulations shall participate in the federal program as an agent of HUD thereby providing assurances to ensure code compliance when these units are offered for sale for subsequent installation within the state of Iowa.

16.620(15) *Consumer complaints.* The state building code bureau serving as an approved State Administrative Agency (SAA) for the Federal Department of Housing and Urban Development shall receive complaints and process them in accordance with the requirements of the federal regulations as outlined in subpart I, paragraph 3282.401, entitled, "Consumer Complaint Handling and Remedial Actions of the Manufactured Home Procedural and Enforcement Document." These specific complaints are categorized as possible imminent safety hazards or possible failures to conform to the federal standard. Imminent safety hazards shall be those items that could result in an unreasonable risk of injury or death to the occupants of the manufactured homes. Failures to conform to the federal standard are those items that do not result in an unreasonable risk of injury or death to the occupants of manufactured homes, but nevertheless do not meet the provisions of the federal standard in some specific manner.

661—16.621(103A) Installation of manufactured homes.

16.621(1) *Authority.* These rules and regulations are to establish minimum requirements for the installation of manufactured homes as authorized by Iowa Code section 103A.7, subsection 3, section 103A.9, and sections 103A.30 to 103A.33.

16.621(2) *Application.*

a. These rules apply to the initial installation of manufactured homes manufactured on or after February 1, 1973, and to factory-built structures manufactured homes before February 1, 1973, which have never been installed in Iowa, and are approved by the commissioner.

b. These rules apply to all manufactured homes, new or used, which are sold in Iowa or sold to be installed in Iowa after September 1, 1977, for new manufactured homes and January 1, 1978, for used manufactured homes. The seller shall provide an approved tie-down system and the purchaser shall install or have the system installed within 150 days (see subrule 16.620(4) for the definition of a tie-down system). The 150-day period is designated for time to complete the installation when climatic conditions may restrict the completion of the tie-down system.

c. These rules apply to the installation of manufactured home add-on units, temporary field construction offices and manufactured multifamily homes.

d. These rules shall apply to any person doing any work on any part of the tie-down system (both support or anchorage systems) whether the unit is being sold or not.

16.621(3) *Enforcement.* The commissioner shall administer and enforce these provisions. Any person, agent, or organization approved and authorized by the commissioner may inspect any installation system and equipment to ensure compliance with these regulations. Evidence of compliance shall be supported by the submission to the commissioner of a certificate of installation. One copy of such certificate will remain in possession of the owner of the installed structure.

16.621(4) *Manufactured home installation instructions.* Every manufactured home manufacturer which manufactures manufactured homes for installation in Iowa shall provide the commissioner with a reproducible copy of printed instructions of installation for each specific make and model of manufactured home which is to be installed in Iowa. These instructions shall include copies of the materials which have been certified by a registered professional engineer for compliance with the federal manufactured home construction standards and 3280.306(a)(2), 3280.306(b), and 3280.303(c) of the regulatory standards. The manufacturer's installation instructions shall also be available at the installation site.

16.621(5) Approvals and procedures. Requirements for approval of installers, support and anchorage systems, seals and certificates are described in the remaining sections of this part.

661—16.622(103A) Certification of manufactured home installers. Rescinded IAB 7/2/08, effective 7/1/08.

661—16.623(103A) Installation seal and certificate procedures for manufactured homes.

16.623(1) Application for seals. Any installer who has met the applicable requirements of 661—Chapter 374 may apply for installation seals as needed. Such seals may be obtained from the commissioner or local building officials or building department who is a participant in the state's installation program.

16.623(2) Manufactured home installation certificates. The installer of manufactured homes shall supply the building code commissioner and the owner of the unit with the signed and completed installation certificate which has been issued by the Iowa building code commissioner, within 30 days of affixing the Iowa installation seal.

16.623(3) Obtaining installation certificates. Any person who installs a tie-down system or any portion thereof shall be supplied with the installation certificate forms when ordering installation seals and the payment of the appropriate fee.

a. Installers who are not listed as an installer shall be supplied the proper form to be attached to the copy of the installation certificate to be filed with the commissioner, which will record compliance with the approved system.

b. Reserved.

16.623(4) Placement of installation seal. The installation seal shall be placed in a readily visible location on the rear of the unit. Those units manufactured after June 15, 1976, shall have the installation seal placed adjacent to the federal (HUD) label. Those units manufactured before June 15, 1976, shall have the installation seal placed at the left rear corner above any skirting.

Multiple width units require only one seal for the completed installation. Additions which are added after the initial installation shall have an installation seal on that portion.

16.623(5) Denial and repossession of installation seals. Should investigation or inspection reveal that an approved installer has not installed an anchoring system, support system, or the complete tie-down system according to these rules and the code, the commissioner may deny such installer's application for new installation seals and any installation seals previously issued shall be confiscated. Upon satisfactory proof of modification of such installation bringing them into compliance, such dealer or installer may resubmit an application for installation seals.

16.623(6) Seal removal, installation. Should a violation of the rules regarding installation be found, the commissioner may remove the installation seal after furnishing the owner or a designated agent with a written statement of such violation. The commissioner shall not issue a new installation seal until corrections have been made and the owner or a designated agent has requested an inspection pursuant to 16.625(1).

16.623(7) Lost or damaged seals, installation. When an installation seal is lost or damaged, the commissioner shall be notified in writing. Damaged or lost installation seals shall be replaced by the commissioner upon payment of the replacement installation seal fee as provided in rule 661—322.20(103A).

16.623(8) Return of seals, installation. When a dealer or installer discontinues the installation of manufactured homes, the dealer or installer shall notify the commissioner within ten days of the date of such discontinuance and return all unused installation seals which have been issued to the dealer or installer. Installation seals may not be transferred by any dealer or installer after being issued to that dealer or installer.

16.623(9) Seals for existing manufactured homes. Seals may be obtained for existing manufactured homes that are tied down in accordance with the requirements of rule 661—16.627(103A).

661—16.624 Reserved.

661—16.625(103A) Inspections and fee structure. Rescinded IAB 7/2/08, effective 7/1/08.

661—16.626(103A) Support and anchorage of manufactured homes. Rescinded IAB 7/2/08, effective 7/1/08.

661—16.627(103A) Approval of existing manufactured home tie-down systems. This rule is to provide a method by which manufactured homes which have been installed prior to August 12, 1983, can be sold without requiring a new tie-down system to be installed and to allow existing manufactured homes which are properly supported and anchored to be sold without installing new support and anchorage systems.

16.627(1) Sale of a certified unit.

a. The commissioner shall be notified in writing by the seller of the change of ownership when any manufactured home sold after August 12, 1983, remains in the same location. The installation seal shall remain in place and a copy of the installation certificate shall be supplied to the new owner. Replacement seals and certificates may be obtained if necessary (see subrule 16.623(9)).

b. A certified manufactured home sold after August 12, 1983, which is moved to a new location must obtain a new certificate and seal. However, the existing support and anchorage system may be used if the installer verifies the conditions of use and the installation procedures of the existing systems are met at the new location.

16.627(2) Sale or acceptance of installed existing units as an owner's option. Application may be made to the commissioner for approval of an existing manufactured home support and anchor system on one of the following conditions:

a. If the support and anchorage systems were installed by an approved installer and are approved systems.

b. If the existing support and anchorage system has been inspected by an approved installer and the installer attests by signing the installation certificate that to the best of the installer's knowledge, the existing systems are equal to or better than the minimum requirements of this code.

c. If the existing support and anchorage systems are inspected and approved by a registered engineer or architect, and attested to in writing.

d. If the existing support and anchorage systems are inspected by a field inspector with the Iowa state building code and the existing systems are found to be equal to or better than the minimum requirements of this code.

If compliance is met by one of the above procedures and payment of the required fee has been paid, an Iowa installation seal and certificate may then be issued.

661—16.628(103A) Procedure for governmental subdivisions for installation of factory-built structures. Any governmental subdivision which has adopted the state building code or any other building code is required to enforce the state building code requirements for the installation of factory-built structures (see Iowa Code section 103A.9(7)).

Governmental subdivisions who are issuing building permits and are inspecting construction for compliance with the local building regulations shall verify the installation of factory-built structures within their jurisdiction and shall sign the installation certificate and forward the appropriate copy to the commissioner.

1. The local official shall obtain the installation certificate and the installation seal from the person making application for a building permit which includes a factory-built structure.

2. Upon completion and review of the installation the local official shall attach the installation seal to the unit.

3. Governmental subdivisions are permitted to assess fees as may be required by local ordinances.

4. Nothing in this rule is intended to reduce the authority of the governmental subdivision from establishing zoning regulations as outlined in Iowa Code sections 414.28 and 335.30.

661—16.629(103A) Support and anchoring systems submission.

16.629(1) *Submission by manufacturer.* The manufacturer of each manufactured home installed in Iowa shall submit to the building code commissioner a copy of the installation instructions by mail in printed form and in an electronic form acceptable to the commissioner.

16.629(2) *Submission by licensed professional engineer.* A licensed professional engineer who designs a support and anchoring system for use in the installation of a manufactured home in Iowa shall submit to the building code commissioner a copy of the specifications and instructions for the system by mail in printed form and in an electronic form acceptable to the building code commissioner. A support and anchoring system designed by a licensed professional engineer shall not be utilized unless it has been submitted to the building code commissioner in compliance with this subrule.

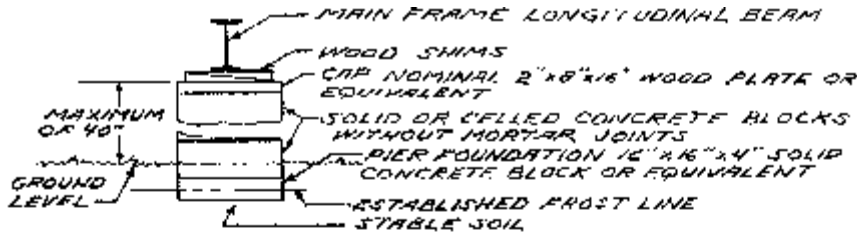
TABLE 6A
MINIMUM NUMBER OF TIEDOWNS
REQUIRED FOR SINGLEWIDE MOBILE HOMES

MOBILE HOME BOX LENGTH NOT EXCEEDING	MINIMUM NUMBER OF TIEDOWNS PER SIDE	
	DIAGONAL TIES	VERTICAL TIES*
40'-0"	3	2
54'-0"	3	2
73'-0"	4	2
84'-0"	5	2

*If more than minimum number of vertical or diagonal ties have been supplied, they shall all be used.

NOTES:

1. Doublewide mobile homes shall comply with Table 6A except that no vertical ties are required.
2. Wherever a vertical tie and a diagonal tie lie in a plane which is vertical and transverse to the main longitudinal beam, both ties may be connected to the same ground anchor, providing that particular anchor withstands both loadings.
3. This table shall be used only if there are no manufacturers approved installation requirements.



**FIGURE 1 - PIERS UP TO 40" IN HEIGHT
(SINGLE BLOCK CONSTRUCTION)**

NOTE: CORNER PIERS MORE THAN THREE (3) BLOCKS HIGH SHALL BE DOUBLE BLOCK CONSTRUCTION AS SHOWN IN FIGURES 2 & 3

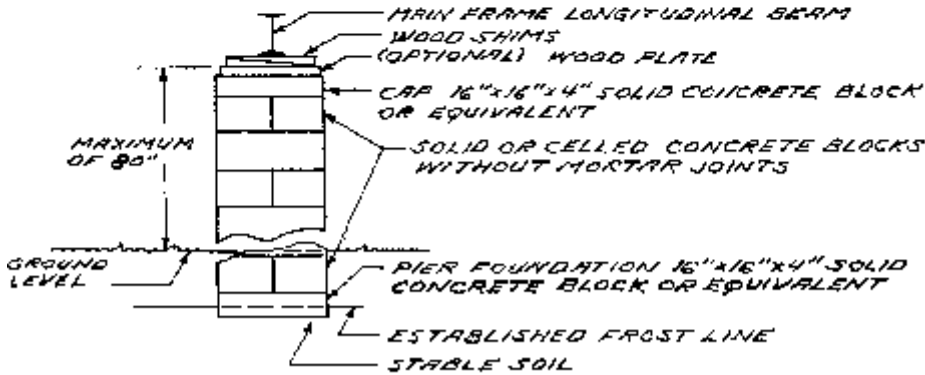


FIGURE 2 - PIERS OVER 40" IN HEIGHT AND NOT EXCEEDING 80" IN HEIGHT (DOUBLE BLOCK CONSTRUCTION)

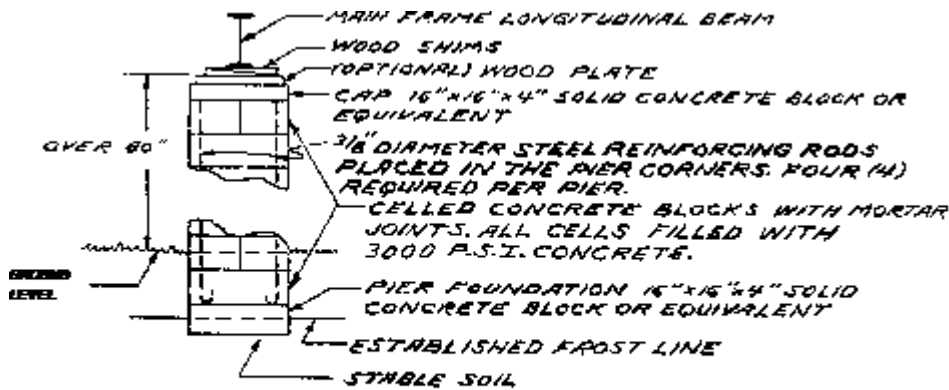
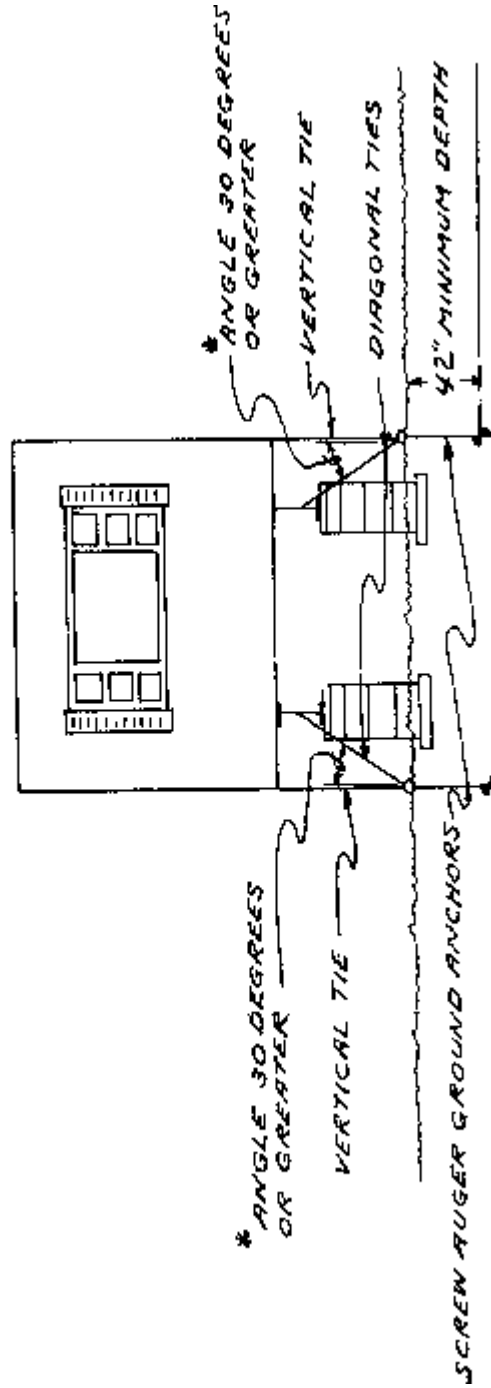


FIGURE 3 - PIERS OVER 80" IN HEIGHT (DOUBLE BLOCK CONSTRUCTION, STEEL REINFORCED)

FIGURE A

MOBILE HOME TIEDOWN

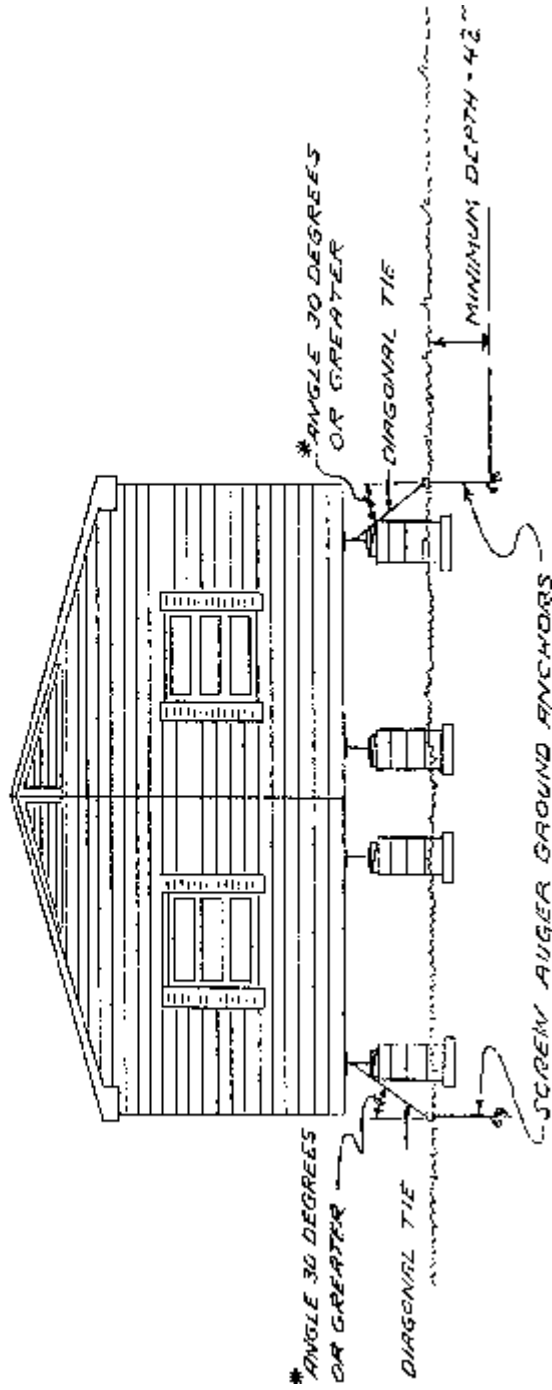


* DIAGONAL TIE SHALL DEVIATE FROM A VERTICAL DIRECTION 30 DEGREES OR MORE.

FIGURE 5

DOUBLE WIDE MOBILE HOME TIEDOWN

* DIAGONAL TIE SHALL DEVIATE FROM A VERTICAL DIRECTION 30 DEGREES OR MORE.



661—16.630 to 16.699 Reserved.

661—16.700 to 16.720 Rescinded IAB 12/21/05, effective 4/1/06. See 661—Chapter 302.

661—16.721 to 16.799 Reserved.

661—16.800 to 16.802 Rescinded IAB 12/21/05, effective 4/1/06. See 661—Chapter 303.

These rules are intended to implement Iowa Code section 103A.7 and Public Law 102-486.

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[Filed emergency 12/21/90—published 1/9/91, effective 1/1/91]

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[Filed 5/16/97, Notice 11/20/96—published 6/4/97, effective 7/15/97]

[Filed 11/26/97, Notice 10/22/97—published 12/17/97, effective 2/1/98]

[Filed 11/9/00, Notice 7/26/00—published 11/29/00, effective 1/3/01]

[Filed 11/9/00, Notice 10/4/00—published 11/29/00, effective 1/3/01]

[Filed emergency 3/23/01—published 4/18/01, effective 4/1/01]

[Filed emergency 9/27/01—published 10/17/01, effective 10/1/01]

[Filed 6/13/03, Notice 11/27/02—published 7/9/03, effective 1/1/04]

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[Filed emergency 3/25/05—published 4/13/05, effective 4/1/05]

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[Filed emergency 6/12/08—published 7/2/08, effective 7/1/08]

[Filed Emergency ARC 8937B, IAB 7/14/10, effective 7/1/10]

¹ Inadvertently dropped out from 1/7/81 IAC Supplement replacement pages.

² Effective date of IAB amendments to [O.P.P. 5.600 to 5.629] Division VI (16.600 to 16.629) delayed 70 days by the Administrative Rules Review Committee.

³ Effective date (1/1/89) of 16.120(2)[3802 “h” only] delayed until adjournment of the 1988 Session of the General Assembly by the Administrative Rules Review Committee at its December 13, 1988, meeting.