

Document: Final Rule

Source: January 1, 2001, Indiana Register, Volume 24, Number 4

Disclaimer: These documents were created from the files used to produce the official (printed) Indiana Register, however, these documents are unofficial.

**TITLE 675 FIRE PREVENTION AND BUILDING
SAFETY COMMISSION**

LSA Document #00-10(F)

DIGEST

Amends 675 IAC 15-1 concerning special administrative rules for industrialized building systems and mobile structures to add definitions and clarify the processes for application for design release and prototype, for inspection and labeling, and for selecting an inspection agency. Also increases allowable state mileage. Effective 30 days after filing with the secretary of state.

675 IAC 15-1-1	675 IAC 15-1-12
675 IAC 15-1-2	675 IAC 15-1-13
675 IAC 15-1-3	675 IAC 15-1-14
675 IAC 15-1-5	675 IAC 15-1-16
675 IAC 15-1-6	675 IAC 15-1-17
675 IAC 15-1-7	675 IAC 15-1-19
675 IAC 15-1-8.1	675 IAC 15-1-20
675 IAC 15-1-10	675 IAC 15-1-21
675 IAC 15-1-11	675 IAC 15-1-22

SECTION 1. 675 IAC 15-1-1 IS AMENDED TO READ AS FOLLOWS:

Rule 1. Special Administrative Rules for Industrialized Building Systems and Mobile Structures

675 IAC 15-1-1 Title; purpose; applicability; availability

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-14; IC 22-15-4-4

Sec. 1. (a) This rule (~~675 IAC 15-1~~) shall be known as Special Administrative Rules for Industrialized Building Systems and Mobile Structure ~~Systems~~: **Structures**.

(b) The purpose of this rule (~~675 IAC 15-1~~) is to provide a method for a manufacturer of industrialized building systems and mobile ~~structure systems~~ **structures** to obtain a **plan review, in-plant inspection, and certification through a centralized regulatory authority, and** acceptance of manufactured systems without local inspection. Industrialized building systems and mobile ~~structure systems~~ **structures**, because of the manner of their construction and assembly, may present hazards to the ~~health~~, life and safety of persons and to the safety of property unless properly manufactured. Therefore, it is the purpose of this rule (~~675 IAC 15-1~~) to provide protection to the public against these ~~possible~~ hazards.

(c) This rule (~~675 IAC 15-1~~) applies to all industrialized building systems for ~~sale use~~ and mobile ~~structure systems~~ **structures** for sale or use in the state of Indiana with the following exceptions:

- (1) Manufactured homes as defined in 42 U.S.C. 5402.
- (2) Industrialized building systems or mobile structures certified under an agreement made pursuant to IC 22-15-4-4.
- (3) Construction trailers.**

(d) The rules of the commission shall apply as specified in Table 1A **in section 8.1** of this rule. (~~675 IAC 15-1~~): The Indiana seal of acceptance shall be applied as required by this rule (~~675 IAC 15-1~~) in conformance with Table 1A (~~675 IAC 15-1-8.1~~): **in section 8.1 of this rule.**

(e) This rule (~~675 IAC 15-1~~) is available for purchase from the Indiana Fire and Building Services Department, ~~1099 North~~

Meridian Street, Suite 900, Indiana Government Center-South, 402 West Washington Street, Room E221, Indianapolis, Indiana 46204. (Fire Prevention and Building Safety Commission; 675 IAC 15-1-1; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1969, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 319; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1010)

SECTION 2. 675 IAC 15-1-2 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-2 Definitions

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12-1; IC 22-14; IC 25-4; IC 25-31; IC 32-1-6-2

Sec. 2. (a) The definitions in this section apply throughout this rule. ~~(675 IAC 15-1-1).~~

(b) "Addendum" means an addition of information or revisions to ~~an approved~~ **a released system plan.**

(c) "Building official" means the state building commissioner or officer of a local unit of government empowered by law to administer and enforce building safety ~~standards~~ **rules** of the commission.

(d)(1) "Class 1 structure" means any part of the following:

(A) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:

(i) The public.

(ii) Three (3) or more tenants.

(iii) One (1) or more persons who act as the employees of another.

(B) A site improvement affecting access by ~~the physically handicapped~~ **persons with a physical disability** to a building or structure described in ~~subdivision clause (A).~~

(2) ~~Subsection (d)(1)(A)~~ **Subdivision (1)(A)** includes a structure that contains three (3) or more condominium units (as defined in IC 32-1-6-2) or other units that:

(A) are intended to be or are used or leased by the owner of the unit; and

(B) are not completely separated from each other by an unimproved space.

(3) ~~Subsection (d)(1)(A)~~ **Subdivision (1)(A)** does not include a building or structure that:

(A) is intended to be or is used only for an agricultural purpose on the land where it is located; and

(B) is not used for retail trade.

(4) ~~Subsection (d)(1)(A)~~ **Subdivision (1)(A)** does not include a Class 2 structure.

(5) ~~Subsection (d)(1)(A)~~ **Subdivision (1)(A)** does not include a vehicular bridge.

(e)(1) "Class 2 structure" means any part of the following:

(A) A building or structure that is intended to contain or contains only one (1) dwelling unit or two (2) dwelling units unless any part of the building or structure is regularly used as a Class 1 structure.

(B) An outbuilding for a structure described in ~~subdivision clause (A),~~ such as a garage, barn, or family swimming pool, unless any part of the outbuilding is regularly used as a Class 1 structure.

(2) ~~Subsection (e)(1)~~ **Subdivision (1)** does not include a vehicular bridge.

(f) "Commission" means the fire prevention and building safety commission.

(g) "Commissioner" means the state building commissioner.

(h) "Component" means one (1), or more than one (1), part of a fabricated unit.

~~(h)~~ **(i) "Construction" means the fabrication of any part of an industrialized building system or mobile structure for use at another site.**

(j) “Construction trailer” means a building or structure fabricated in an off-site manufacturing facility and sited at a construction site for purposes of tool and material storage related to the project being constructed.

~~(j)~~ **(k) “Design professional” means a registered architect or professional engineer who is registered under IC 25-4 or IC 25-31.**

~~(j)~~ **(l) “Industrialized building system” means any part of a building or other structure that is in whole or in substantial part fabricated in an off-site manufacturing facility for installation or assembly at the building site as part of a Class 1 structure, a Class 2 structure, or another building or structure. However, the term does not include a mobile structure or a system that is capable of inspection at the building site.**

(m) “Late filing” means the filing of plans, specifications, and other supporting data for design release after construction has begun but prior to the manufacturer’s receiving either a system design release, an addendum release, or prototype status for a particular unit or component.

(n) “Manufactured home” means a dwelling unit designed and constructed to the “National Manufactured Housing Construction and Safety Standards Act of 1974” as published by the United States Department of Housing and Urban Development.

(o) “Manufacturer’s installation instructions” means instructions for the proper erection, assembly, or installation of the unit or component being produced by the manufacturer.

(p) “Mobile commercial structure” means a mobile structure consisting of two (2) or more single-story units.

~~(k)~~ **(q) “Mobile home” means a dwelling unit of vehicular, portable design built prior to 1974 on a chassis and designed and intended to be moved from one (1) site to another and to be used without a permanent foundation. Whenever any mobile home shall be placed upon a permanent foundation, the mobile home shall be considered an industrialized building system for the purposes of this rule (675 IAC 15-1). Indiana regulation of single family mobile homes is preempted by the “National Manufactured Home Housing Construction and Safety Standards Title VI Act of 1974” as published by the United States Department of Housing and Urban Development.**

(r) “Mobile residential structure” means a mobile structure consisting of one (1) or more units, additions, or components erected or installed that are not preempted by the HUD “National Manufactured Housing Construction and Safety Standards Act of 1974”.

~~(j)~~ **(s) “Mobile structure” means any part of a fabricated unit that is designed to be towed on its own chassis and connected to utilities for year round occupancy or used as a Class 1 structure, a Class 2 structure, or another structure. The term includes two (2) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or two (2) or more units that are separately towable but designed to be joined into one (1) integral unit. Whenever any mobile system is placed on a permanent foundation, the mobile system shall be considered an industrialized building system.**

(t) “Mobile transitory” means a mobile structure consisting of one (1) single-story unit.

(u) “Modular commercial structure” means a modular structure of one (1) or more units or enclosed panels to be used or occupied as a Class 1 structure or an accessory structure thereto, based upon the number of stories and a specific completed structure configuration.

(v) “Modular residential structure” means a modular structure of one (1) or more units or enclosed panels to be used or occupied as a one (1) or two (2) family dwelling (Class 2 structure) or an accessory structure thereto, based upon the number of stories, not to exceed three (3), and a specific completed structure configuration.

~~(m)~~ **(w) “Modular system” structure” means an industrialized building system other than a mobile structure intended for placement upon a permanent foundation.**

(x) “Panelized construction” means a type of industrialized building system in which enclosed panels for Class 1 or Class 2 structures, fabricated in an off-site manufacturing facility, contain internal components that are not readily inspectable

at the building site where they are to be erected, assembled, or installed.

~~(m)~~ **(y)** “Permanent foundation” means any structural system **capable** of transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

~~(o)~~ **(z)** “Prototype” means a ~~pre-production~~ **an industrialized building system or mobile structure system model product** on which construction is started prior to a design release being issued by the office of the state building commissioner.

~~(p)~~ **(aa)** “Quality control manual” means a manual prepared by each manufacturer for its manufacturing plants and ~~approved~~ **released** by the office of the state building commissioner. ~~containing the following:~~

- ~~(1) a statement of the manufacturer’s quality and assurance program;~~
- ~~(2) a chart of the organization showing by position, all personnel accountable for quality assurance;~~
- ~~(3) a list of tests and test equipment used;~~
- ~~(4) a station-by-station description of the manufacturing process;~~
- ~~(5) a description of inspections performed at each station;~~
- ~~(6) a list by title of personnel in the manufacturer’s organization to be held responsible for each inspection; and~~
- ~~(7) an explanation of methods used for the protection of stored materials.~~

~~(q)~~ **(bb)** “Seal of acceptance” means a seal issued by the office of the state building commissioner relative to **an industrialized building systems system or a mobile structure. systems:**

(cc) “Site construction” means the work undertaken to erect, assemble, or install any part or component of an industrialized building system or mobile structure at the site where it will be used or occupied, except the relocation of a mobile structure. Site construction is regulated by the building official.

(dd) “Skid unit” means a single-story, off-site fabricated structure that may or may not be designed to be towed on its own chassis consisting of one (1) or more components designed to the requirements for a mobile structure.

(ee) “System” means an industrialized building system or a mobile structure as set forth by IC 22-12-1.

~~(r)~~ **(ff)** “System plan” means the drawings, **and/or** specifications, ~~etc. and/or structural typical system plans as set forth by subsection (gg), and/or a quality control manual, and/or the manufacturer’s installation instructions,~~ submitted to the office of the state building commissioner. A system shall be based on **one (1)** completed width of structure (~~10 ft., 12 ft., 14 ft., 24 ft., 28 ft., 36 ft., 48 ft., etc.~~) and the number of stories. Multiple lengths may be included in the system. Submitted lengths may be modified by up to an additional four feet (4') without specification change with prior inspector approval.

~~(s)~~ **(gg)** “Structural safety” means the continued capability of load bearing members of a building or structure to transmit actual and design live and dead loads to a foundation or other load bearing members within the allowable working stresses of the materials or assembly of materials involved.

~~(t)~~ **(hh)** “Structural/typical system plan” means structural and/or typical details submitted for one (1) or more ~~“systems”~~ **“system plans”** that are to be referenced by those ~~systems~~ **system plans** without duplication **of submittals**. This submittal will be subject to all fees and required forms as a **separate system plan**.

(ii) “Third party inspection agency” means any qualified person authorized by the commission to conduct inspections of and issue certifications for industrialized building systems and/or mobile structures. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-2; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1970, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 320; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1010*)

SECTION 3. 675 IAC 15-1-3 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-3 Alternate materials, methods, and designs

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-14

Sec. 3. (a) This section does not authorize a variance from any rule adopted by the commission.

(b) The rules adopted by the commission do not prevent the use of:

- (1) materials;
- (2) methods of construction; or
- (3) design procedures;

if they are not specifically prohibited in the rules and if they are approved under subsection (c) or (e).

(c) The state fire marshal and the state building commissioner may, in the review of an application for a design release, consider as evidence of compliance with the rules adopted by the commission any evaluation report that:

- (1) contains limitations, conditions, or standards for alternative materials, method of construction, or design procedures; and
- (2) is published by an:
 - (A) independent, nationally recognized testing laboratory; or
 - (B) other organization listed in subsection (d).

(d) The following laboratories or organizations (with their applicable evaluation reports) are approved:

- (1) Council of American Building Officials (CABO) (National Evaluation Service (NES) evaluation reports):
- (2) International Conference of Building Officials (ICBO) (ICBO Evaluation Service Inc. evaluation reports):
- (3) Building Officials and Code Administrators International (BOCA) (research reports):
- (4) Southern Building Code Congress International (SBCCI) (compliance reports):
- (5) Underwriters Laboratories, Inc. (UL) (Product Directory listings):
- (6) ETL Testing Laboratories, Inc. (ETL) (Directory of ETL Listed Products):
- (7) Applied Research Laboratories (ARL) (Listed Products Directory):
- (8) PFS Corporation (PFS) (PFS Building Products and Materials List and PFS Heating Appliances List):
- (9) American Gas Association Laboratories (AGA) (Directory, Certified Appliances, and Accessories):
- (10) MET Electrical Testing Company, Inc. (MET) (MET Listed Products Directory):
- (11) National Sanitation Foundation (NSF) (Listing Services, Annual Listings):
- (12) International Association of Plumbing and Mechanical Officials (IAPMO) (Directory of Research Recommendations):
- (13) Factory Mutual (FM) Research Corporation (Approval Guide for Equipment, Materials, Services for Conservation of Property; Evaluation Test Reports; and Loss Prevention Data Books):
- (14) United States Testing Company, Inc. (test reports):
- (15) Pittsburgh Testing Laboratory (test reports):
- (16) Southwest Research Institute (test reports):
- (17) Warnock Hersey International, Inc. (test reports and certification listings):
- (18) American National Standards Institute (ANSI) (Catalog of ANSI standards listed as American National Standards):
- (19) American Architectural Manufacturers Association (AAMA) (ANSI/AAMA standards listed as American National Standards):
- (20) American Concrete Institute (ACI) (ANSI/ACI standards listed as American National Standards):
- (21) American Institute of Timber Construction (AITC) (ANSI/AITC standards listed as American National Standards):
- (22) American Petroleum Institute (API) (ANSI/API standards listed as American National Standards):
- (23) American Society for Testing Materials (ASTM) (ANSI/ASTM standards listed as American National Standards):
- (24) Air Conditioning and Refrigeration Institute (ARI) (ANSI/ARI standards listed as American National Standards):
- (25) American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) (ANSI/ASHRAE standards listed as American National Standards):
- (26) Illuminating Engineering Society (IES) (ANSI/ASHRAE/IES standards listed as American National Standards):
- (27) American Society of Mechanical Engineers (ASME) (ANSI/ASME standards listed as American National Standards):
- (28) American Society of Sanitary Engineers (ASSE) (ANSI/ASSE standards listed as American National Standards):
- (29) Institute of Electrical and Electronics Engineers (IEEE) (ANSI/IEEE standards listed as American National Standards):
- (30) National Fire Protection Association (NFPA) (ANSI/NFPA standards listed as American National Standards):
- (31) National Woodwork Manufacturers Association (NWMA) (ANSI/NWMA standards listed as American National Standards):
- (32) Steel Door Institute (SDI) (ANSI/SDI standards listed as American National Standards):
- (33) Underwriters Laboratories (UL) (ANSI/UL standards listed as American National Standards):
- (34) International Organization for Standardization (ISO) (ISO standards listed by the American National Standards Institute):
- (35) International Electrotechnical Commission (IEC) (IEC standards listed by the American National Standards Institute):
- (36) Japan Industrial Standards (JIS) (which are found to be equivalent to ANSI standards):

- (37) German Institute for Standards (Deutsches Institute fur Normung DIN) standards (which are found to be equivalent to ANSI standards):
- (38) French Standards Association (AFNOR) standards (which are found to be equivalent to ANSI standards):
- (39) Canadian Standards Association (CSA) (which are found to be equivalent to ANSI standards):
- (40) United States Department of Housing and Urban Development (Rehabilitation Guidelines published by the National Institute of Building Sciences):
- (41) Italian Standards Organization (UNI) standards (which are found to be equivalent to ANSI standards):
- (42) British Standards Institution (BSI) standards (which are found to be equivalent to ANSI standards):
- (43) Omega Point Laboratories, Inc. (test reports):
- (44) Detroit Testing Laboratory, Inc. (test reports):
- (45) Resources, Applications, Designs and Controls, Inc. (RADCO) (listings and test reports):
- (1) Factory Mutual Loss Prevention Data Sheets and test reports (FM).
- (2) International Organization for Standardization (ISO) (ISO standards listed by the American National Standards Institute).
- (3) International Electrotechnical Commission (IEC) (IEC standards listed by the American National Standards Institute).
- (4) Japan Industrial Standards (JIS) (which are found to be equivalent to ANSI standards).
- (5) German Institute for Standards (Deutsches Institut fur Normung) (DIN) (standards which are found to be equivalent to ANSI standards).
- (6) French Standards Association (AFNOR) (standards which are found to be equivalent to ANSI standards).
- (7) Canadian Standards Association (CSA) (which are found to be equivalent to ANSI standards).
- (8) BOCA Evaluation Services, Inc., Building Officials and Code Administrators Internation [*sic., International*] (BOCA) (research reports).
- (9) Council of American Building Officials (CABO) (National Evaluation Services (NES) evaluation reports).
- (10) ICBO Evaluation Services Inc., International Conference of Building Officials (ICBO) (ICBO Evaluation Service Inc. evaluation reports).
- (11) SBCCI Public Safety Testing and Evaluation Services, Inc., Southern Building Code Congress International (SBCCI) (compliance reports).
- (12) International Association of Plumbing and Mechanical Officials (IAPMO) (Directory of Research Recommendations).

(e) The state building commissioner may, in the review of an application for a design release, accept as evidence of compliance with provisions of the Indiana Handicapped Accessibility Code (675 IAC 13-4) **the Indiana Building Code, Chapter 11, at 675 IAC 13-2.3-131**, similar provisions of the ADA Accessibility Guidelines for Buildings and Facilities included as Appendix A, Standards for Accessible Design, Part 36 Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities (28 CFR Part 36) as published in the Federal Register on July 26, 1991, on pages 35544 through 35691. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-3; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1971, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 322; filed Mar 17, 1994, 5:00 p.m.: 17 IR 1883; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1013*)

SECTION 4. 675 IAC 15-1-5 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-5 Design release for manufacture; requirements

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-14

Sec. 5. (a) It shall be unlawful for any person, firm, or corporation to ~~proceed with manufacturing~~ **commence production of an industrialized building system or mobile structure system** or cause the same to be done without first obtaining **one (1) of the following:**

- (1) A **system** design release for manufacture from the office of the state building commissioner.
- (2) An **addendum release to a previously released system.**
- (3) **Prototype status for the product being produced.**

(b) Written notification **from the manufacturer** of a prototype ~~preproduction~~ unit must be made to the office of the state building commissioner ten (10) days prior to the start of the prototype **and shall include the following information:**

- (1) **Projected start and finish dates.**
- (2) **Model number.**
- (3) **Serial number.**

(4) Production plant location.

(5) Inspection agency.

(c) A representative of the office of the state building commissioner ~~will~~ **or an authorized third party inspection agency shall** inspect each major portion of work on ~~said unit the prototype~~ prior to concealment of that portion.

(d) The manufacturer shall be responsible for making any revisions or corrections to the prototype should the actual construction of the unit be noncompliant with the code.

(e) The prototype shall not be removed from the place of manufacture until a design release has been obtained from the office of the state building commissioner and the **Indiana** seal of acceptance has been applied to the ~~prototype~~. **product in accordance with section 11 of this rule.**

(f) When inspections are provided by a representative of the office of the state building commissioner and these inspections require reinspection visits to the facility over and above ~~the first a single~~ inspection, a reinspection fee will be charged. See fee schedule for reinspection fee. An out-of-state manufacturer **of a prototype** will ~~also~~ be charged for travel as per fee schedule. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-5; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1972, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 324; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1014*)

SECTION 5. 675 IAC 15-1-6 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-6 Applications

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-14

Sec. 6. (a) To obtain a **system** design release for manufacture, the applicant shall first file ~~an a completed~~ application for system document review which shall be furnished by the office of the state building commissioner. Each such application shall:

(1) Identify the type of industrialized building system or mobile structure system **based on the classification shown in section 8.1, Table 1A of this rule.**

(2) Indicate the use or occupancy.

(3) Be accompanied by a minimum of two (2) sets of plans, diagrams, computations, specifications, and other data as required by the office of the state building commissioner **and as referenced in section 7 of this rule**, or a computer disk containing the same information **for construction detail**, which disk shall be system compatible with the system used by the office of the state building commissioner. **Should the system being submitted be constructed in more than one (1) manufacturing facility, an additional set of construction detail documents shall be submitted for each facility.**

(4) Be signed by the manufacturer's representative **in each facility producing under that release**, and, if utilized, **identify** the third party inspection agency.

(5) Be signed by a design professional if the completed structure exceeds thirty thousand (30,000) cubic feet.

(6) Specify the name, ~~and~~ address, **and telephone number for the office** of the manufacturer **and of each facility producing under that release.**

(7) Be accompanied by the applicable fees **as set forth by section 22 of this rule.**

~~(8) Provide a sample data plate as part of the quality control manual.~~

~~(9) (8) Include the quality control manual as set forth by subsection (f).~~

~~(10) (9) Additional information as may be needed to substantiate claims that the proposed construction will comply with the rules of the commission.~~

(b) ~~Plan~~ **System design** release shall be evidenced by written notification from the commissioner.

(c) **Any additions or revisions to plans, quality control manual, specifications, and any changes thereto manufacturer's installation instructions** must be filed **as an addendum to an existing system** and released by the office of the state building commissioner prior to construction of every new industrialized building system or mobile structure ~~system~~ offered for sale or use in the state. ~~of Indiana.~~

(d) A late filing fee **charged by the office of the state building commissioner as shown on the fee schedule in section 22 of this rule** shall be imposed when:

- (1) construction work has begun on an industrialized building **system** or mobile structure **system** prior to the ~~submission and~~ release of ~~the~~ required documentation for its review and release; or ~~when~~
- (2) the manufacturer fails to submit a written ~~notice~~ request to the office of the ~~state building~~ commissioner ~~declaring the system to be a~~ for prototype. ~~The late filing fee shall be as required by section 22 of this rule.~~

(e) One (1) set of the documents required by subsection (a)(3) is to be **stamped as released for closed wall construction and** retained by the office of the state building commissioner and one (1) stamped set will be returned to each manufacturing facility identified on the application form as producing units under that system, which shall be maintained at the manufacturing facility at all times for use by the inspecting agency. When a computer disk is used **for construction detail**, a duplicate disk is to be retained by the office of the state building commissioner, and a disk shall be delivered to the industrialized building systems/mobile structure ~~system~~ inspector or the authorized third party inspection agency who shall retain control and responsibility for the disk in a secured location and who shall limit access to only inspectors authorized by the office of the state building commissioner.

(f) The manufacturer shall be responsible for implementation of the quality control program, including any corrective actions necessary. A quality control manual shall be required for each manufacturing facility **producing units or components under the release. The manual shall outline the company's program for quality control and compliance assurance within each manufacturing facility, including, but not limited to, the following:**

- (1) **Location map for the plant.**
- (2) **A general plant layout diagram indicating the various stations or areas where the units or components are to be produced as well as material storage areas and office or administration areas.**
- (3) **A general description of the in-plant procedures of quality control, including who is performing the quality control and how routine quality control is performed.**
- (4) **A general description of what corrective actions are to be taken and who is responsible for the implementation of such corrections.**
- (5) **A general description of testing procedures and equipment used to perform tests in areas such as plumbing and electrical to assure compliance with the released construction documents and the applicable Indiana rules. Also to be included are who performs these tests and at what station or locations the tests are performed.**
- (6) **A sample data plate as described in section 16 of this rule.**
- (7) **A statement certifying that an Indiana seal of acceptance issued by the office of the state building commissioner will not be attached to an industrialized building system or mobile structure that does not conform to the applicable requirements as shown in section 8.1, Table 1A, of this rule.**

(Fire Prevention and Building Safety Commission; 675 IAC 15-1-6; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1972, eff Jun 15, 1986; errata, 9 IR 2931; filed Sep 13, 1988, 2:33 p.m.: 12 IR 324; filed Mar 17, 1994, 5:00 p.m.: 17 IR 1885; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1015)

SECTION 6. 675 IAC 15-1-7 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-7 Plans; specifications; requirements

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5-3; IC 22-12-7-7; IC 22-13-2-11; IC 22-14

Sec. 7. (a) Plans, specifications, and other supporting data shall be sufficiently clear and complete to show in detail that the proposed work will comply with the requirements of the rules of the commission. A minimum of two (2) complete sets of documentation for each system as required by section 6 of this rule shall be submitted, and they shall include at least the following:

- (1) All the requested documentation and information shall be submitted on a computer disk or organized, indexed, tabbed, and bound in loose leaf binders (eight and one-half (8½) inch by eleven (11) inch format), including addendum information. **All binders shall bear the manufacturer's name on the front and the bound edge.** NOTE: ~~Up to~~ **A maximum of six (6) addenda can may** be made ~~into~~ to a system before ~~the~~ system **plans** must be resubmitted.
- (2) All plans and specifications shall indicate the manufacturer's name, office address, and **name and** address of each manufacturing facility listed to build the approved system.
- (3) Dimensioned floor plans, **drawn to scale, with room identification.**
- (4) Wall elevations of all exterior walls.
- (5) **Cross** sections and details of walls, floors, and roof **construction** showing dimensions and materials.
- (6) Structural plans and elevations showing size and location of all **structural** members, truss designs, and frames (where applicable) showing connection details, and all stress calculations if specifically requested, to insure structural safety. Structural

and/or typical details for more than one (1) system may be referenced by the systems without duplication. A separate structural typical submission will be subject to all fees and required forms as a system, see structural **typical system plans** definition, **as set forth by section 2(hh) of this rule.**

(7) Details showing how required structural and fire-resistive integrity are maintained where wall, floor, and ceiling penetrations are made for electrical, plumbing, and communication systems, as required.

(8) Room finish schedule showing finishes for walls, ceilings, and floors in all rooms, stairways, and corridors.

(9) Door schedule showing material, size, thickness, **hardware**, and fire rating for all doors, if required.

(10) Window schedule including light, vent, ~~and~~ egress, **safety glazing, and hardware** information, where applicable.

(11) Construction specifications. (May be on design drawings.)

(12) Electrical plans, diagrams, details of electrical service **equipment.**

(13) Plumbing plans showing fixture location, risers, drains, and piping isometrics, including sizes and materials.

(14) Mechanical plans showing location and sizes of equipment **and** sizes and material of ducts.

(15) Energy conservation design criteria, **including** exterior envelope component materials, "U" values of the envelope system, "R" values of insulation materials, size and type of apparatus, **and** equipment and system controls.

(16) ~~Handicapped~~ Accessibility **for persons with a physical disability, including** access to ~~the~~ building, any interior ramps with slope dimensions, restroom layouts showing clearances, grab bars, door swings, and door sizes. ~~are required.~~

(17) Fire protection systems, **including** automatic sprinklers, fire pumps, detection and alarm systems, emergency power, and communication systems. ~~as required.~~

(18) Additional information as may be needed to substantiate claims that the proposed construction will comply with the rules of the commission.

~~(19)~~ A design professional shall be required to verify all Class 1 structures ~~in excess of~~ **if the completed structure exceeds** thirty thousand (30,000) cubic feet, **including the attic space**, and may be required by the office of the state building commissioner to certify engineered components as may be needed to substantiate claims that the proposed construction will comply with the rules of the commission.

(b) The office of the state building commissioner shall consider applications for design releases and plans and specifications filed under this rule in conjunction with the office of the state fire marshal and the following:

(1) No design release shall be issued unless:

(A) section 6 of this rule has been complied with by the applicant; **and**

(B) the plans and specifications submitted with the application have been reviewed by the office of the state building commissioner for compliance with the rules of the commission; ~~and~~

(C) the plans and specifications submitted with the application have been presented to the office of the state fire marshal and approved in writing by the office of the state fire marshal.

(2) Subsequent to the filing of an application, the applicant may be requested to submit additional information or documents to place ~~his~~ **the** application in compliance with section 6 of this rule or to modify ~~his~~ **the** plans and specifications in order to place them in compliance with the rules of the commission. If the applicant has not done so within thirty (30) days following the date of request, the design release shall be subject to denial by the state building commissioner.

(3) The order granting or denying a design release shall be issued by the office of the state building commissioner following the requirements of IC 4-21.5-3-4. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.

(4) Prior to the issuance of an order by the office of the state building commissioner under subdivision (3), a meeting between the executive director of the department, the state building commissioner, and the state fire marshal may be called by the executive director of the department:

(A) upon request of the state building commissioner or the state fire marshal, if the state building commissioner and the state fire marshal cannot agree on the issuance of a design release; or

(B) upon request of the applicant for the design release, if the office of the state building commissioner and the office of the state fire marshal have not acted to issue or deny the design release within a reasonable time after the application is submitted to the office.

(5) At a meeting called under subdivision (4), the executive director of the department, the state building commissioner, and the state fire marshal shall review the application for a design release and shall, by majority vote, issue a final decision. Said order shall be issued following the requirements of IC 4-21.5-3-4 and shall eliminate the need for an order to be issued under subdivision (3). If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.

(c) An applicant may request consultation with representatives of the office of the state building commissioner and the office of

the state fire marshal for the purpose of resolving questions on the application of the rules of the commission with regard to a specific design release. The results of any such consultations shall not be binding on said offices in the consideration of an application for a design release and in no way serve as a substitute for the authority of the commission to grant variances pursuant to IC 22-13-2-11.

(d) Submitted construction documents shall be reviewed in detail by the office of the state building commissioner for compliance with the rules of the commission. However, such review will not relieve the manufacturer of the responsibility to conform with all applicable Indiana rules in the design and manufacture of the industrialized building system or mobile structure. ~~system.~~

(e) In order to facilitate the issuance of design releases when the plan review process finds ~~minor~~ omissions or ~~minor~~ items contrary to the rules of the commission, **but which will not impact overall safety**, conditional design releases may be issued without the need for further or corrected plans and specifications being filed. Such conditions shall be binding unless a petition for review is filed under subsection (b).

(f) All design, ~~or~~ specification, **or construction process** changes that affect a released system shall be filed by the manufacturer in the same manner as required for filing an application for release for manufacture. **Additions or revisions to the construction details, the structural/typical system plan, the quality control manual, or the manufacturer's installation instructions may be submitted to the office of the commissioner as an addendum to an existing system. A maximum of six (6) addenda may be made to a system plan before the system plan must be resubmitted. An addendum shall include any pertinent information as described is [sic., in] section 6(a) of this rule.** (See "System plans" or "Addendum" in section 2 of this rule.)

EXCEPTIONS: (1) A total length of up to four (4) feet may be added to, or deleted from, a released system floor plan without necessitating resubmittal and release. This change may be made anywhere within the floor plan provided all other applicable code requirements are met and such changes in length are addressed within the released manufacturer's installation instructions. Among these code requirements are the minimum for natural light, natural ventilation, and emergency egress requirements as well as established minimum room sizes.

(2) Plumbing fixtures and bathrooms may be deleted from a released floor plan without necessitating resubmittal and release, provided the minimum code requirements are met by the resulting floor plan configuration.

(g) A system design release from the office of the state building commissioner shall be valid for production of units in the plant facilities described on the application so long as the following conditions are met:

- (1) The released documentation accurately describes both the processes being utilized and the product being constructed.**
- (2) The applicable rules as set out in section 8.1, Table 1A, of this rule have not been updated.**

~~(g)~~ **(h)** The following are requirements concerning sanctions:

(1) Under IC 22-12-7-7, the state building commissioner may impose a sanction concerning any type of design release previously issued. Available sanctions are revocation, suspension, censure, reprimand, and probation.

(2) The state building commissioner may impose an appropriate sanction whenever one (1) or more of the following exist:

(A) The state building commissioner determines that the design release was obtained by fraudulent or misleading statements or information including **information on** plans and specifications.

(B) Circumstances have materially changed since a design release was granted so that if the sanction is not imposed, public health, safety, or welfare will be adversely affected.

(C) The construction done subsequent to the issuance of the design release is contrary to the rules of the commission.

(D) A check paying an applicable fee is returned, **for any reason.**

(E) The design release was issued in error, on the basis of incorrect information, or in violation of a rule of the commission or a building law.

(3) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.

(Fire Prevention and Building Safety Commission; 675 IAC 15-1-7; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1972, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 325; filed Mar 17, 1994, 5:00 p.m.: 17 IR 1885; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1016)

SECTION 7. 675 IAC 15-1-8.1 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-8.1 Table No. 1A

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-14

Sec. 8.1. Table No. 1A. **This table provides for the applicable codes for the design and construction of industrialized buildings and mobile structures.**

Indiana Building Code (~~675 IAC 13-2~~) **(675 IAC 13)**

Indiana Building Code (675 IAC 13) accessibility chapter

Indiana One & Two Family Dwelling Code (675 IAC 14)

Indiana Plumbing Code (~~675 IAC 16-1~~) **(675 IAC 16)**

Indiana Electrical Code (~~675 IAC 17-1~~) **(675 IAC 17)**

Indiana Mechanical Code (~~675 IAC 18-1~~) **(675 IAC 18)**

Indiana Energy Conservation Code (~~675 IAC 19-1~~) **(675 IAC 19)**

Indiana Mobile Structures Code (~~675 IAC 15-2~~) [675 IAC 15]

~~Indiana Handicapped Accessibility Code (675 IAC 13-4)~~

TABLE NO. ~~1A(1)~~ **1A**
TOPICS OF REGULATION

TYPE OF INDUSTRIALIZED BUILDING SYSTEM OR MOBILE STRUCTURE	OCCUPANCY	EXITING	STRUCTURAL	ELECTRICAL	PLUMBING	MECHANICAL	ENERGY	SEAL OF ACCEPTANCE	HANDICAPPED ACCESSIBILITY
MODULAR SYSTEM STRUCTURE- RESIDENTIAL (1), (5), (6) one or two family detached dwelling	Indiana 1 & 2 Family Dwelling Code	Indiana 1 & 2 Family Dwelling Code	Indiana 1 & 2 Family Dwelling Code	Indiana Electrical 1 & 2 Family Dwelling Code (3)	Indiana (3) 1 & 2 Family Dwelling Code	Indiana 1 & 2 Family Dwelling Code	Indiana Energy Conservation Code	Modular	No Requirements
MODULAR SYSTEM STRUCTURE- COMMERCIAL (6) (5) All other than modular residential	Indiana Building Code	Indiana Building Code	Indiana Building Code	Indiana Electrical Code	Indiana Plumbing Code	Indiana Mechanical Code	Indiana Energy Conservation Code	Modular (1)	Indiana Handicapped Accessibility Code
MOBILE SYSTEM STRUCTURE- RESIDENTIAL All other than HUD Manufactured Homes	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code (4)	Mobile Structures Code	No Requirements

MOBILE SYSTEM STRUCTURE—COMMERCIAL (Multiple Components) All other than mobile system residential	Indiana Building Code	Indiana Building Code	Indiana Mobile Structures Code	Indiana Electrical Code	Indiana Plumbing Code	Indiana Mechanical Code	Indiana Energy Conservation Code	Mobile	Indiana Handicapped Accessibility
MOBILE SYSTEM STRUCTURE—COMMERCIAL TRANSITORY (Single Components)	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana Mobile Structures Code	Indiana (2) Mobile Structures Code	Indiana Mobile Structures Code	Indiana (4) Mobile Structures Code	Mobile	No Requirements

(1) Industrialized building systems or mobile structures declared for use only outside the state of Indiana are excluded from all requirements:

(1) Townhouse units are *[sic., are]* Class 1 structures but are subject to the requirements of the Indiana One and Two Family Code.

(2) Mobile system structure commercial transitory plumbing system shall conform to the Indiana Plumbing Code when the installation of any single type of fixture (toilet, lavatory, etc.) exceeds one.

(3) Indiana Plumbing Code and Indiana Electrical Code may be used in lieu of the plumbing section and electrical sections, respectively of Indiana 1 & 2 Family Dwelling Code.

(4) Indiana Energy Code may be used in lieu of the Indiana Mobile Structures Code for energy requirements.

(5) Closed construction, panelized residential commercial construction shall be subject to the same regulations as a modular system-commercial: structure-commercial.

(6) Closed construction, panelized commercial residential *[sic., residential]* construction shall be subject to the same regulations as a modular system-residential: structure-residential.

(Fire Prevention and Building Safety Commission; 675 IAC 15-1-8.1; filed Sep 13, 1988, 2:33 p.m.: 12 IR 327; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1018)

SECTION 8. 675 IAC 15-1-10 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-10 Enforcement; scope

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5; IC 22-12; IC 22-13; IC 22-14; IC 22-15; IC 25-4; IC 25-31

Sec. 10. (a) No industrialized building system or mobile structure system may be offered for sale or used within the state of Indiana without an Indiana seal of acceptance affixed to it. The office of the state building commissioner shall administer and enforce the rules of the commission for the design and construction of all industrialized building systems and mobile structure systems: structures.

(b) Work performed on at the project site with relation relative to the permanent erection, assembly, or installation of industrialized building systems or mobile structure systems structures shall be subject to inspection and approval by the local building official. Further inspection of any industrialized building system or mobile structure system bearing a seal of acceptance shall not be performed at the site by the local building official shall be limited to construction performed at the site.

(c) A mobile structure shall be installed in accordance with the manufacturer's installation instructions, or, where not available, the installation shall be approved by a design professional registered in Indiana.

(e) (d) Third party inspection agencies authorized under 675 IAC 15-1-19 section 19 of this rule may be utilized in lieu of the office of the state building commissioner for in-plant inspection. The office of the state building commissioner shall monitor the

performance of such third party inspection agencies as necessary. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-10; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1975, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 329; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1019*)

SECTION 9. 675 IAC 15-1-11 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-11 Issuance of seal acceptance

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5-3-4; IC 4-21.5-3-7; IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 11. (a) Upon application and release of the plans and specifications, the seal of acceptance will be available **for purchase by the company manufacturing the unit** from the office of the state building commissioner for each unit offered for sale or used in the state of Indiana. The seal of acceptance shall be forwarded to the industrialized building system/mobile structure ~~system~~ inspector or the authorized third party inspection agency who shall retain control and responsibility for each seal in a secured location with access limited to inspectors authorized by the office of the state building commissioner until such time as the unit for which that seal is to be assigned has been inspected and found in compliance. The inspector shall perform an inspection of at least one (1) portion of each unit for sale or use in Indiana in order that such units be qualified for a seal.

(b) Prior to departure from the manufacturing facility, a seal of acceptance shall be affixed to each completed and approved industrialized building system or mobile structure unit, as applicable. It shall be affixed to the electrical service panel door or, for units which contain no electrical service panel, ~~inside a closet above its door or in~~ another approved location **as indicated in the system plan**. A monthly record of used seal numbers shall be supplied to the office of the state building commissioner by each manufacturer **on a form acceptable to the office**.

(c) Fees for inspection services **as set forth by section 22 of this rule** shall accompany each application for a seal of acceptance. The seal of acceptance shall not be obtained from any source other than the office of the state building commissioner. ~~or its representative~~. Application forms shall be furnished by the office of the state building commissioner.

(d) All industrialized building systems or mobile ~~structure systems structures~~ bearing the seal of acceptance shall be conclusively deemed to comply with the requirements of all ordinances and regulations of any local government which are applicable to such structures. If a seal of acceptance becomes mutilated or damaged, replacement may be furnished upon presentation of the damaged seal to the **office of the state building commissioner**. Seals of acceptance unaccounted for are not replaceable, **and a written explanation of the loss shall be forwarded by the owner or manufacturer of the unit to the office of the state building commissioner**.

(e) When an industrialized building system or mobile structure ~~system~~ is found to be in noncompliance, all noncompliance items shall be corrected before the seal of acceptance can be applied. If the noncompliance is of such magnitude that immediate correction cannot be made, a STOP WORK or VIOLATION—DO NOT MOVE notice, as applicable, may be posted on the system by the inspector, as stated in ~~675 IAC 15-1-13~~ **section 13 of this rule**. If the seal of acceptance has been applied, it may be removed and destroyed by the inspector and the manufacturer shall be notified immediately. If a new seal is required, it shall be purchased and assigned to the unit after noncompliance items have been corrected.

(f) All construction materials and equipment in stock which are to be used by the manufacturer in the construction of industrialized building systems or mobile ~~structure systems structures~~ may be inspected **periodically**, without notice, with results of such inspection recorded in the same manner as regular inspection of the systems.

(g) The office of the state building commissioner or an authorized third party agency shall inspect a phase of construction of every industrialized building system or mobile structure. ~~system~~. Labeling and delivery records from each manufacturing facility seeking inspection and labeling shall be ~~inspected~~ **reviewed** in order to verify the ~~reliability~~ **adequacy** of the **quality control**, construction, ~~program~~ **and inspection programs**.

(h) The manufacturer shall certify in an affidavit that a seal provided by the office of the state building commissioner will not be attached to **an industrialized building system or** a mobile structure that does not conform to the requirements adopted by the commission in its rules.

(i) The order granting or denying the issuance of a seal shall be issued by the office of the state building commissioner following the requirements of IC 4-21.5-3-4. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.

(j) Substitution of any seal of acceptance in lieu of the Indiana seal of acceptance on units or components to be used within Indiana shall be grounds for sanction against the inspector and or the manufacturer.

(k) Any unused Indiana seals purchased by a company that no longer manufactures industrialized building systems or mobile structures shall be returned to the office of the state building commissioner. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-11; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1975, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 329; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1019*)

SECTION 10. 675 IAC 15-1-12 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-12 Inspections; travel expenses; sanctions

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 22-12-7-7; IC 22-13; IC 22-14; IC 22-15

Sec. 12. (a) An inspection frequency other than that required by ~~675 IAC 15-1-11~~ **section 11 of this rule** will depend upon the adequacy of the manufacturer's quality control program. The office of the state building commissioner or authorized third party inspection agency will consider the quality control procedure in establishing a specific inspection procedure for each manufacturer. If the office of the state building commissioner determines that the inspection frequency does not provide adequate control, the office may place the manufacturer on provisional status requiring increased inspection of units in production to a more frequent level to assure compliance with the rules of the commission. This provisional status shall continue until such time as the manufacturer demonstrates capability to comply with the rules of the commission as determined by the office of the state building commissioner. Fees for additional inspections under a provisional status **performed by the office of the state building commissioner** shall be charged as ~~"resinspections"~~ **"reinspections"** under the fee schedule (~~675 IAC 15-1-22~~): **(section 22 of this rule).**

(b) Representatives of the office of the state building commissioner may travel for any purpose relative to enforcement of this rule. (~~675 IAC 15-1-1~~). Manufacturers shall reimburse the office of the state building commissioner for actual expenses incurred per the fee schedule (~~675 IAC 15-1-22~~): **(section 22 of this rule).**

(c)(1) Under IC 22-12-7-7, the state building commissioner may impose a sanction concerning any seal of acceptance previously issued. Available sanctions are revocation, suspension, censure, reprimand, and probation.

(2) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-12; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1976, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 330; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1020*)

SECTION 11. 675 IAC 15-1-13 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-13 Stop work

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 13. (a) Whenever any work is found to be in noncompliance to the rules of the commission, or whenever satisfactory progress is not being made in correcting work ordered by the office of the state building commissioner or the authorized third party agency, the office of the state building commissioner or any authorized third party authority can order the work stopped on the portion deemed to be in violation by posting a "STOP WORK" or "VIOLATION-DO NOT MOVE" notice on the affected industrialized building system or mobile structure. ~~system.~~

(b) No person, firm, or corporation shall continue any work on a stopped project, or portion thereof, other than corrective work ordered by the office of the state building commissioner or an authorized third party agency.

(c) No person shall remove, obscure, or mutilate a posted "NOTICE" as stated in this section. "Notice" shall only be removed by authorized personnel of the office of the state building commissioner. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-13; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1976, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 330; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1020*)

SECTION 12. 675 IAC 15-1-14 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-14 Right of entry

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 14. No person or firm manufacturing industrialized building systems or mobile ~~structure systems~~ **structures** shall prevent the office of the state building commissioner or its authorized representative from conducting announced or unannounced inspections at any reasonable hour. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-14; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1976, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 331; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1021*)

SECTION 13. 675 IAC 15-1-16 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-16 Manufacturer's data plate

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 16. The manufacturer's data plate shall be installed **on each completed industrialized building system or mobile structure** in a permanent manner near the main electrical panel or other approved location ~~A sample data plate shall be submitted to the office of the state building commissioner for approval before use: as identified in the system plan.~~ The following information shall appear on an approximate four (4) inch by six (6) inch data plate with contrasting lettering:

- (1) The manufacturer's name and address, **and that of the manufacturing point of origin, if different.**
- (2) Serial number and model number of the industrialized building system or mobile structure ~~system~~ and date the ~~unit~~ **production** was ~~manufactured.~~ **completed.**
- (3) Electrical system: amperage of the panel; current cycle, and phase, number of circuits, and voltage.
- (4) Capacities and fuel used for the water heater, furnace, and air conditioner, if applicable.
- (5) Pressure at which the potable water and DWV plumbing system was tested.
- (6) Roof, floor, seismic, and wind loads (lbs./sq. ft.) design requirements.
- (7) Titles of building codes used for design and construction.
- (8) Reference to the directions to be used for assembling two (2) or more units which shall be furnished with the industrialized building system or mobile structure. ~~system.~~
- (9) Energy conservation and ~~handicapped~~ accessibility requirements as applicable.
- (10) Identification of inspection authority, to include state and third party identification number.**
- (11) Special instructions.**

No additional information other than the above shall be allowed on the data plate. **Additional information may be provided on separate attachment.** (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-16; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1976, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 331; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1021*)

SECTION 14. 675 IAC 15-1-17 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-17 Relationships; state, manufacturers, third parties

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 17. (a) If a manufacturer wishes to change his inspection agency from the office of the state building commissioner to an authorized third party inspection agency, the office of the state building commissioner shall be advised accordingly in writing **at least ten (10) working days prior to such change** with the effective date of change stated by the manufacturer. **Immediately upon the change taking place, information from the manufacturer shall be provided to the office of the state building commissioner to include the date and serial number of the last unit or component inspected by the departing inspector and the date and serial number of the first unit or component to be inspected by the incoming inspector.** The office of the state building

commissioner shall then withdraw its assigned personnel, and said facility shall become the responsibility of the third party agency subject to periodic unannounced monitoring/inspection by the office of the state building commissioner.

(b) If a manufacturer wishes to change ~~his~~ inspection agency from a third party inspection agency to the office of the state building commissioner, the manufacturer shall advise the office of the state building commissioner **by at least ten (10) working days** prior to the termination of the third party agency **with the effective date of the change. Immediately upon the change taking place,** the office of the state building commissioner and the third party agency shall be advised accordingly in writing by the manufacturer with the following information: ~~in his notification:~~

~~(1) Effective date of the change.~~

~~(2) (1) Listing of all system plans affected.~~

~~(3) (2) Manufacturing facilities involved, and serial number of the last unit inspected by the departing inspector, and the first unit by the incoming inspector.~~

~~(4) (3) Assurance that affected system plans are the property of the manufacturer and that construction will continue without deviation.~~

~~(5) (4) Statement that, should deviation occur, the manufacturer shall accept full responsibility without recourse or cause against the former third party agency.~~

~~(6) (5) Copy of the termination notification to the third party agency.~~

Upon receipt of the information requested, the office of the state building commissioner will commence ~~his~~ inspection duties as required.

(c) All third party inspection agencies shall be approved by the commission and shall receive written confirmation of such approval by the commission prior to their assumption of duties. The third party agency shall thereafter become responsible **for to conduct inspections to determine the manufacturer's** conformance of the manufacturer's product to the rules of the commission. ~~and to the requirements of the approved manufacturer's quality control manual.~~ Every manufacturer that utilizes the services of a third party inspection agency shall be responsible for providing access for that agency to all approved submission documents from the office of the state building commissioner relative to each industrialized building system or mobile structure ~~system~~ being inspected. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-17; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1977, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 331; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1021*)

SECTION 15. 675 IAC 15-1-19 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-19 Third party inspection agency authorization; application

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5-3-4; IC 4-21.5-3-7; IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 19. (a) A third party inspection agency may make application to the commission requesting authorization to provide their services in Indiana as follows:

(1) Applications shall be submitted in writing no later than thirty (30) days prior to a commission meeting and shall be accompanied by a check made payable to the fire and building services department in the amount of the fee prescribed in the fee schedule (~~675 IAC 15-1-22~~): **(section 22 of this rule).**

(2) The following information, where applicable, shall be submitted by the applicant to assist in evaluating possible conflicts of interest:

(A) The names, addresses, and business affiliations of the management personnel.

(B) Any information the commission may request regarding related financial interests.

(C) A design professional shall hold a position of authority within the applicant's organization. For the applicant to be considered qualified to preempt local inspection on industrialized building systems or mobile ~~structure systems; he structures, the applicant~~ must be neither ~~affiliated~~ **affiliated** with, nor influenced **or nor** controlled by any building manufacturer, vendor, or other supplier of products or equipment used in industrialized building systems or mobile structure systems, in any manner which might affect his **or her** capacity to render reports of the findings objectively and without bias.

(D) A third party inspection agency may be judged free of such affiliation, influence, and control if it meets the following conditions:

(i) Has no managerial affiliation with building manufacturers, producers, suppliers, vendors of products or equipment used in industrialized building systems or mobile ~~structure systems; structures,~~ and is not engaged in the sale or promotion of any such product or material.

(ii) The results of its work accrue no financial benefits to the applicant via stock ownership, and the like, of any producers,

suppliers, or vendors of the products involved. Standard published fees paid for services rendered are exempted.

(iii) Its directors or other management personnel receive no stock option or other financial benefit from any building manufacturer, producer, supplier, vendor of products or equipment used in industrialized building systems or mobile ~~structure systems: structures~~. Standard published fees paid for services rendered are exempted.

(iv) The employment security status of its personnel is free of influence or control by any building manufacturer, producer, supplier, or vendor of products or equipment used in industrialized building systems or mobile ~~structure systems: structures~~.

- (3) The following information shall be submitted and maintained in a current status to assist in the evaluation of qualifications:
- (A) Name(s), years of experience, other states in which registered, and other pertinent qualifications.
 - (B) An organization table of management and supervisory personnel.
 - (C) Names and qualifications of any individuals serving on advisory panels that assist the applicant in its policy making with relation to the public interest.
 - (D) Names of manufacturers with whom the applicant has had experience in inspection/evaluation. Give the number of years of experience the applicant has had with each.

(E) Names of all architects, engineers, technicians, and other personnel who are not employees of the applicant, but ~~whom who~~ have supervisory and/or contractual relationships with him; outline for each service provided.

(b) If changes occur to the information submitted by the third party inspection agency for evaluation of qualifications as described at subsections (a)(2) and (a)(3) of this section [subsection (a)(2) and (a)(3)], the third party inspection agency shall notify the office of the state building commissioner within ten (10) working days of the change.

~~(b)~~ (c) The order granting or not granting the application shall be issued following the requirements of IC 4-21.5-3-4. If a petition for review is subsequently granted under IC 4-21.5-3-7, that order shall be deemed merely to have been a preliminary determination.

~~(c)~~ (d) A representative of an authorized third party shall be required to attend meetings as directed by the office of the state building commissioner.

(e) A third party inspection agency shall renew annually the third prary application to the commission requesting authorization to provide their services in Indiana annually as set forth in subsection (a).

(f) Any third party inspection is authorized to provide inspection services as set forth by subsection [section] 10(d) of this rule for a period of one (1) year. (Fire Prevention and Building Safety Commission; 675 IAC 15-1-19; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1977, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 332; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1022)

SECTION 16. 675 IAC 15-1-20 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-20 Third party inspection agency utilization

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 20. (a) In the event a manufacturer elects to utilize the services of a third party inspection agency, the manufacturing facility shall then be placed under the responsibility of the third party subject to periodic unannounced monitoring by the office of the state building commissioner.

(b) Should a manufacturer determine to change for any reason from one (1) ~~thirty~~ **third** party agency to another, the manufacturer shall provide written notice to the commissioner of its intent **and shall follow the same requirements as set forth in section 17 of this rule.** (Fire Prevention and Building Safety Commission; 675 IAC 15-1-20; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1978, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 333; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1023)

SECTION 17. 675 IAC 15-1-21 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-21 Sanctions concerning third party inspection agency authorizations

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 4-21.5-4; IC 22-12-7-6; IC 22-13; IC 22-14; IC 22-15

Sec. 21. (a) The commission may impose a sanction concerning an authorization of any third party inspection agency that it has previously issued under ~~675 IAC 15-1-19~~: **section 19 of this rule**. Available sanctions are revocation, suspension, censure, reprimand, and probation.

(b) The state building commissioner and individuals affected by the authorization are encouraged to submit information to the ~~secretary~~ **commission** concerning the desirability of the imposition of such a sanction. Any such information shall be reviewed by the ~~secretary and the~~ commission's staff and shall be placed on the **commission's** agenda only upon the ~~decision of the secretary~~ **discretion of staff** or the request of a member of the commission.

(c) The commission may impose an appropriate sanction whenever one (1) or more of the following exist:

- (1) It determines that the authorization was obtained by the applicant by fraudulent or misleading statements or information.
- (2) That circumstances have materially changed since an authorization was issued so that, if the sanction is not imposed, public health, safety, or welfare will be adversely affected.

(d) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, that order shall be deemed to have been merely a preliminary determination.

(e) Sanctions under this section may be imposed under IC 22-12-7-6 and IC 4-21.5-4 where appropriate. (*Fire Prevention and Building Safety Commission; 675 IAC 15-1-21; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1979, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 333; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1023*)

SECTION 18. 675 IAC 15-1-22 IS AMENDED TO READ AS FOLLOWS:

675 IAC 15-1-22 Fees

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2

Affected: IC 22-12; IC 22-13; IC 22-14; IC 22-15

Sec. 22. (a) The design release fees for manufacture shall be as follows:

(1) System plan review:

- (A) filing fee \$15
- (B) residential, add-a-room or duplex \$185¹
- (C) commercial \$200²

(2) System plan review (late filing):

- (A) filing fee \$30
- (B) residential, add-a-room or duplex \$325
- (C) commercial \$370

(3) Addenda:

- (A) filing fee \$15
- (B) residential, add-a-room or duplex \$50¹
- (C) commercial \$65²

(4) Addenda (late filing):

- (A) filing fee \$35
- (B) residential, add-a-room or duplex \$85
- (C) commercial \$100

Notes:

¹Includes only the original floor plan. A ten dollar (\$10) fee is charged for each additional floor plan. Crawl space or basement plans are considered to be floor plans.

²Includes not more than two (2) module units as a completed structure. A ten dollar (\$10) fee is charged for each additional module unit.

(b) The system prototype inspection fees (without a design release) shall be as follows:

- (1) First module unit \$40
- (2) Second module unit \$50
- (3) Third module unit and each additional module unit thereafter \$65

For the purposes of this subsection, "module unit" means a structure, or other entity, regarded as an elementary structural or

functional constituent of a whole industrialized building system or mobile structure.

(c) The third party inspection authorization fees shall be as follows:

- (1) Original application for Indiana third party inspection authorization (if the original application for authorization is not granted, three hundred dollars (\$300) of the fee will be refunded) \$500
- (2) Yearly third party inspection renewal \$340

(d) Indiana seal of acceptance fees shall be as follows:

- (1) All applications for the Indiana seal of acceptance shall be accompanied by the proper fee which includes in-state inspection and monitoring.
- (2) Indiana seal of acceptance \$40 per seal

(e) Fees for travel shall be as follows:

- (1) In-state or out-of-state reinspection \$25 per hour
- (2) Out-of-state inspection or monitoring \$25 per hour

plus the actual
expense incurred
for the purpose
of inspection or
monitoring

- (3) Mileage for out-of-state inspection/reinspection or monitoring from base station to inspection site and return ~~\$0.25~~ \$0.28 per mile

(Fire Prevention and Building Safety Commission; 675 IAC 15-1-22; filed Mar 25, 1986, 1:44 p.m.: 9 IR 1979, eff Jun 15, 1986; filed Sep 13, 1988, 2:33 p.m.: 12 IR 319; filed Dec 22, 1988, 3:50 p.m.: 12 IR 1207; filed Sep 27, 1989, 4:30 p.m.: 13 IR 295; filed Apr 22, 1996, 3:00 p.m.: 19 IR 2288; filed Dec 11, 2000, 2:15 p.m.: 24 IR 1023)

LSA Document #00-10(F)

Notice of Intent Published: 23 IR 1126

Proposed Rule Published: April 1, 2000; 23 IR 1709

Hearing Held: July 5, 2000

Approved by Attorney General: November 22, 2000

Approved by Governor: December 7, 2000

Filed with Secretary of State: December 11, 2000, 2:15 p.m.

Incorporated Documents Filed with Secretary of State: None