

HOUSE BILL 1476

E4

8lr3328

By: **Delegates Holmes, Beidle, Cane, Frush, Hucker, Niemann, Ross, Shewell, and Sossi**

Introduced and read first time: February 18, 2008

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 29, 2008

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2008

CHAPTER _____

1 AN ACT concerning

2 **Public Safety - Industrialized ~~Building - Definition~~ Buildings - Exemptions**

3 FOR the purpose of ~~excluding~~ exempting a certain building that has less than a
4 certain width and length from certain inspection and certification standards
5 and regulations adopted by the Department of Housing and Community
6 Development for certain industrialized buildings; authorizing a manufacturer of
7 a certain exempted building to elect to have the Department perform a certain
8 determination for the purpose of the Department certifying and providing a
9 certain insignia for the building under certain circumstances; and generally
10 relating to industrialized buildings.

11 BY repealing and reenacting, with amendments,
12 Article - Public Safety
13 Section 12-301(d) and 12-307
14 Annotated Code of Maryland
15 (2003 Volume and 2007 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Public Safety**

19 12-301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (d) (1) "Industrialized building" means a building assembly or system of
2 building subassemblies manufactured in its entirety, or in substantial part, off site
3 and transported to a site for installation or erection, with or without other specified
4 components, as a finished building or as part of a finished building that comprises two
5 or more industrialized building units.

6 (2) "Industrialized building" includes the electrical, plumbing, heating,
7 ventilating, insulation, and other service systems of the building assembly or system
8 of building subassemblies if the service systems are installed at the off site
9 manufacture or assembly point.

10 (3) "Industrialized building" does not include:

11 (i) open frame construction that can be completely inspected on
12 site; [or]

13 (ii) a manufactured home; **OR**

14 **(III) A BUILDING 8 BODY FEET OR LESS IN WIDTH AND 40**
15 **BODY FEET OR LESS IN LENGTH THAT IS:**

16 **1. USED FOR BUSINESS PURPOSES, MOBILE OFFICES,**
17 **OR STORAGE; AND**

18 **2. NOT OPEN TO THE GENERAL PUBLIC.**

19 12-307.

20 (a) (1) The Department shall determine whether each proposed
21 industrialized building meets the standards contained in the regulations of the
22 Department.

23 (2) The determination shall include the evaluation and testing of the
24 industrialized building and the quality control system at the factory of origin and at
25 the building site.

26 (b) (1) The Department shall perform the determination required by
27 subsection (a) of this section through its own personnel or through a designated agent.

28 (2) The designated agent shall be:

29 (i) qualified personnel of a local enforcement agency; or

30 (ii) a testing facility that is approved by the Department.

31 (3) The testing facility shall be:

1 (i) an architect or professional engineer whose registration is
2 accepted by the State; or

3 (ii) a testing organization that is determined by the Department
4 to be specifically qualified by reason of facilities, personnel, experience, and
5 demonstrated reliability to investigate, test, and evaluate industrialized buildings or
6 their component parts.

7 (4) In addition to evaluating and testing industrialized buildings or
8 their component parts, the testing facility shall:

9 (i) list the units in compliance with the standards adopted by
10 the Department;

11 (ii) provide adequate follow-up services at the point of
12 manufacture to ensure that production units are in full compliance; and

13 (iii) provide for each unit an insignia in the form of a label, seal,
14 or other evidence of compliance.

15 (C) A MANUFACTURER OF A BUILDING EXEMPTED FROM THE
16 APPLICABILITY OF THIS SUBTITLE UNDER § 12-301(D)(3)(III) OF THIS SUBTITLE
17 MAY ELECT TO HAVE THE DEPARTMENT PERFORM A DETERMINATION UNDER
18 SUBSECTION (A) OF THIS SECTION FOR THE PURPOSE OF THE DEPARTMENT
19 CERTIFYING AND PROVIDING AN INSIGNIA FOR THE BUILDING UNDER THIS
20 SUBTITLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.