

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Manufactured Housing Commission
Rule No. 535-X-11-.14
Rule Title: Installation of Manufactured Buildings (Modulars)
 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Jim Sloan*
Date 9-20-11 Jim Sloan

(DATE FILED)
(STAMP)

APA-2
11/96

ALABAMA MANUFACTURED HOUSING COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Manufactured Housing Commission (AMHC)

RULE NO. & TITLE: 535-X-11-.14 Installation of Manufactured Buildings
(Modulars)

INTENDED ACTION: To amend the rule.

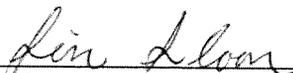
SUBSTANCE OF PROPOSED ACTION: To clarify that 1) in the absence of an electrical panel, the installer decal is to be placed inside the entrance door or in close proximity thereof; and 2) that enforcement authority is delegated to local officials for the inspection of storm shelters within a stick built home and for community shelters owned and operated by a city or county government.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Alabama Manufactured Housing Commission, 350 South Decatur Street, Montgomery, AL 36104. Persons wishing to express their views orally should contact the Commission's Executive Secretary at (334) 242-4036, Ext. 27, to set up an appointment.

FINAL DATE FOR COMMENT OF PRESENTING VIEWS:

November 4, 2011

CONTACT PERSON AT AGENCY: Ms. Kathryn Terry, Executive Secretary



Jim Sloan, Administrator

535-X-11-.14 Installation Of Manufactured Buildings (Modulars).

(a) Modular Installers must satisfactorily complete a modular installer's course conducted by the Commission and pass a written or oral test prior to being issued a certification to install modular homes or buildings. The Commission will offer modular training on various dates during the year at locations throughout the state. Each applicant, once certified, may thereafter renew their certification with Commission approval and the payment of an annual certification fee.

(b) Each Certified Modular Installer shall be required to satisfactorily complete a refresher course every two years after the completion of the initial course.

(c) The certification fee and bonding and insurance requirements will be at the same rate and basis as pertains to manufactured home (mobile home) installers. If a modular installer also holds a manufactured home installer certification, there will be no additional requirement for bonding and insurance.

(d) A list of Certified Modular Installers will be maintained by the Commission. Anyone who installs a manufactured (modular) building must be certified by the Commission to install modular buildings and/or modular residential units.

(e) Certified Modular Installers shall purchase modular installation decals from the Commission. This decal shall denote the date of the installation, the name of the Installer, the Installer's Certification Number and the Alabama Insignia Number; this information must be printed with a permanent marking pen by the Modular Installer. The Certified Installer must place the decal in the home or building immediately upon site location and prior to placing the home or building on its foundation. Modular installation decals shall not be transferred. They must be used by the Modular Installer who purchased them.

(f) The Installer Decal for modular units must be placed on or inside the cover of the electrical panel box. When there is an absence of an electrical panel, the installer decal shall be placed on the inside of the entrance door or in close proximity thereof.

(g) The Retailer of a modular unit is responsible to ensure the foundation is prepared in accordance with the manufacturers' approved foundation plan. The Installer is responsible for placing the modular unit onto the properly prepared foundation in accordance with the manufacturers'

approved foundation plan. While the foundation is being prepared and/or the modular unit is being secured to the foundation, the Retailer should ensure that an approved foundation plan with the seal of the Commission affixed to each page is available on site.

(h) The Retailer shall notify the AMHC in writing, by fax or e-mail of the exact location where any new residential modular unit is to be installed (a) within 72 hours of starting to pour the foundation and (b) within 72 hours of final site delivery.

(i) Modular Retailers and Installers shall comply with AMHC Rule 535-X-12 and 535-X-13 where applicable to modulars (manufactured buildings).

(j) Enforcement authority is delegated to local officials for the inspection of 1) storm shelters sited within a stick built home and 2) community shelters owned and operated by a city or county government.

Author: Jim Sloan

Statutory Authority: Code of Ala. 1975, as amended §§24-6-4, 24-4A-3, 24-4A-4, 24-5-31 and 24-5-32.

History: New Rule: Filed July 9, 2008; effective August 13, 2008.