

No. 2009-13

AN ACT

SB 195

Amending the act of May 11, 1972 (P.L.286, No.70), entitled "An act regulating the sale of certain structures made, fabricated, formed or assembled in manufacturing facilities and providing penalties," further providing for definitions and for regulations, insignia of certification required.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3(2) of the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, is amended and the section is amended by adding paragraphs to read:

Section 3. Definitions:—As used in this act:

* * *

(2) "Department" means the Department of Community **[Affairs]** and **Economic Development** of the Commonwealth of Pennsylvania.

* * *

(4.1) "Industrialized/commercial modular building" means a structure designed for commercial occupancy, and classified within nonresidential use groups in accordance with the standards adopted under 12 Pa. Code § 145.41 (relating to adoption of standards) and which is wholly or in substantial part made, constructed, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site so that concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction. The term does not include industrialized housing as defined in 12 Pa. Code § 145.1 (relating to definitions) or manufactured home, as defined in section 5402(6) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93-383, 42 U.S.C. § 5401 et seq.).

(4.2) "Industrialized/commercial building module" means a closed wall structure or substantial part of a closed wall structure incorporating one or more rooms used as habitable, occupiable or mechanical/equipment space, which is fabricated in a manufacturing facility to be separately transported to the building site, that cannot be inspected at the site without disassembly. This term also includes industrialized/commercial building components that are subsystems or assemblies, or other systems of closed construction designed for use in or as a part of an industrialized commercial building.

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Section 2. Section 4 of the act is amended by adding a subsection to read:
Section 4. Regulations, Insignia of Certification Required.—* * *

(j) The department is authorized to enter into a multistate agreement for the purpose of regulating the construction of industrialized/commercial modular buildings. The department shall adopt regulations to administer the program. Modules of industrialized/commercial modular buildings that are certified under the program established under this subsection shall be deemed to meet the requirements of the act of November 10, 1999 (P.L.491, No.45), known as the "Pennsylvania Construction Code Act."

Section 3. This act shall take effect immediately.

APPROVED—The 6th day of July, A.D. 2009.

EDWARD G. RENDELL