

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 447

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO MODULAR BUILDINGS; AMENDING SECTION 39-4301, IDAHO CODE, TO  
2 REVISE DEFINITIONS; AMENDING SECTION 39-4304, IDAHO CODE, TO REVISE  
3 PROVISIONS RELATING TO PLACEMENT OF AN INSIGNIA OF APPROVAL; AMEND-  
4 ING CHAPTER 43, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
5 39-4304B, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN PER-  
6 MITS AND INSPECTIONS RELATING TO MODULAR BUILDING INSTALLATIONS.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 39-4301, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 39-4301. DEFINITIONS. As used in this chapter:

12 (1) "Administrator" means the administrator of the division of build-  
13 ing safety for the state of Idaho.

14 (2) "Board" means the modular building advisory board, as created in  
15 section 39-4302, Idaho Code.

16 (3) "Building site" means any tract, parcel or subdivision of land upon  
17 which a modular building is installed or is to be installed.

18 (4) "Closed construction" means any manufactured building or build-  
19 ing component which may enclose factory installed structural, mechanical,  
20 electrical or plumbing systems and is not open for visual inspection at the  
21 building site.

22 (5) "Commercial coach" means a modular building with permanent running  
23 gear and a hitch assembly that is designed and constructed for nonresiden-  
24 tial occupancy classifications only.

25 (6) "Division" means the Idaho division of building safety.

26 (7) "Local government" means any city or county of this state.

27 (8) "Modular building" means any building or building component, other  
28 than a manufactured or mobile home, which is of closed construction and is  
29 either entirely or substantially prefabricated or assembled at a place other  
30 than the building site. "Modular building" does not include recreational  
31 park trailers installed in recreational vehicle parks or utilized by the  
32 owner for the intended purpose of its design and construction as defined in  
33 this section, including appropriate occupancy uses.

34 (9) "Recreational park trailers" means a trailer-type unit that is  
35 primarily designed and constructed to provide temporary living quarters for  
36 recreational, camping or seasonal use that meets the following criteria:  
37 built on a single chassis, mounted on wheels; having a gross trailer area not  
38 exceeding four hundred (400) square feet in the set-up mode; and certified by  
39 the manufacturer as complying with ANSI A119.5.

40 SECTION 2. That Section 39-4304, Idaho Code, be, and the same is hereby  
41 amended to read as follows:

1           39-4304. INSIGNIA OF APPROVAL -- COST -- PLACEMENT. (1) No modular  
2 building shall be installed on a building site in this state on or after July  
3 1, 2007, unless it is approved and bears the insignia of approval of the di-  
4 vision.

5           (2) Any modular building bearing an insignia of approval of the divi-  
6 sion shall be deemed to comply with codes, laws, or rules enacted by the state  
7 of Idaho which govern the manufacture and construction of such building.

8           (3) The cost of the insignia, if issued, shall be included as a part of  
9 the permit fee as set forth in section 39-4303, Idaho Code.

10          (4) No modular building which has been approved by the division shall  
11 be in any way modified prior to its initial occupancy unless approval of that  
12 modification is first made by the division.

13          (5) Insignias shall be placed on the ~~front, left-hand side of the build-~~  
14 ing as prescribed by administrative rule promulgated by the board.

15          SECTION 3. That Chapter 43, Title 39, Idaho Code, be, and the same is  
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
17 ignated as Section 39-4304B, Idaho Code, and to read as follows:

18          39-4304B. INSTALLATION PERMITS -- INSPECTIONS -- FEES. In order to  
19 complete the installation of a modular building, approval and inspection of  
20 such installation by the enforcement authority having jurisdiction over the  
21 site location shall be required. The owner, dealer or installer of a modu-  
22 lar building must obtain an installation permit before installing a modular  
23 building on a building site.

24          (1) Permits shall be issued by the division of building safety for in-  
25 stallation in areas where a local government does not administer a building  
26 code enforcement program or from local governments whose building inspec-  
27 tors hold valid inspector certifications as required by section 39-4108,  
28 Idaho Code.

29          (2) Fees for installation permits shall be paid in an amount as pre-  
30 scribed by administrative rule promulgated by the board or as prescribed by  
31 the local government administering building codes, as applicable.

32          (3) Inspections conducted by the division shall be recorded on an in-  
33 spection record form and a copy shall be provided to the property owner upon  
34 completion of the inspection.

35          (4) All installations must be inspected with the exception of commer-  
36 cial coaches located on active construction sites for use as construction  
37 offices or storage facilities for not more than two hundred forty (240) days.  
38 Extensions of additional days for such may be authorized upon demonstrated  
39 cause.