

HOUSE BILL 1476

E4

(8lr3328)

ENROLLED BILL

—Environmental Matters/Education, Health, and Environmental Affairs—

Introduced by **Delegates Holmes, Beidle, Cane, Frush, Hucker, Niemann, Ross, Shewell, and Sossi**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

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

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.

Italics indicate opposite chamber / conference committee amendments.



1 Annotated Code of Maryland
2 (2003 Volume and 2007 Supplement)

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

5 **Article – Public Safety**

6 12–301.

7 (d) (1) “Industrialized building” means a building assembly or system of
8 building subassemblies manufactured in its entirety, or in substantial part, off site
9 and transported to a site for installation or erection, with or without other specified
10 components, as a finished building or as part of a finished building that comprises two
11 or more industrialized building units.

12 (2) “Industrialized building” includes the electrical, plumbing, heating,
13 ventilating, insulation, and other service systems of the building assembly or system
14 of building subassemblies if the service systems are installed at the off site
15 manufacture or assembly point.

16 (3) “Industrialized building” does not include:

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

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

20 (iii) **A BUILDING 8 BODY FEET OR LESS IN WIDTH AND 40**
21 **BODY FEET OR LESS IN LENGTH THAT IS:**

22 **1. USED FOR BUSINESS PURPOSES, MOBILE OFFICES,**
23 **OR STORAGE; AND**

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

25 12–307.

26 (a) (1) The Department shall determine whether each proposed
27 industrialized building meets the standards contained in the regulations of the
28 Department.

29 (2) The determination shall include the evaluation and testing of the
30 industrialized building and the quality control system at the factory of origin and at
31 the building site.

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

3 **(2)** The designated agent shall be:

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

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

6 **(3)** The testing facility shall be:

7 **(i)** an architect or professional engineer whose registration is
8 accepted by the State; or

9 **(ii)** a testing organization that is determined by the Department
10 to be specifically qualified by reason of facilities, personnel, experience, and
11 demonstrated reliability to investigate, test, and evaluate industrialized buildings or
12 their component parts.

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

15 **(i)** list the units in compliance with the standards adopted by
16 the Department;

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

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

21 **(C) A MANUFACTURER OF A BUILDING EXEMPTED FROM THE**
22 **APPLICABILITY OF THIS SUBTITLE UNDER § 12-301(D)(3)(III) OF THIS SUBTITLE**
23 **MAY ELECT TO HAVE THE DEPARTMENT PERFORM A DETERMINATION UNDER**
24 **SUBSECTION (A) OF THIS SECTION FOR THE PURPOSE OF THE DEPARTMENT**
25 **CERTIFYING AND PROVIDING AN INSIGNIA FOR THE BUILDING UNDER THIS**
26 **SUBTITLE.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 ~~October~~ June 1, 2008.