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07.03.05 - RULES GOVERNING MANUFACTURED HOMES

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07.03.05 - RULES GOVERNING MANUFACTURED HOMES

000. LEGAL AUTHORITY.

The Director of the Division of Building Safety is authorized under Section 39-4104, et seq, Idaho Code, to promulgate rules concerning the enforcement and administration of the Idaho Building Code Advisory Act. (2-26-93)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 07, Title 03, Chapter 05, Rules Governing Manufactured Homes, Division of Building Safety. These rules prescribe the criteria for enforcing the Idaho Building Code Advisory Act as it pertains to Manufactured Homes. (2-26-93)

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter. (2-26-93)

003. ADMINISTRATIVE APPEALS.

This chapter does not provide for administrative relief of the provisions contained herein. (2-26-93)

004. -- 010. (RESERVED).

011. CONSTRUCTION AND SAFETY STANDARDS.

Effective 15 June 1976, the latest published edition of the Federal Manufactured Home Construction and Safety Standards and Manufactured Home Procedural and Enforcement Regulations shall be in effect for all manufactured homes manufactured within the state of Idaho, and for all new manufactured homes for sale within the State of Idaho. All new manufactured homes offered for sale within Idaho after the effective date of this section shall bear the H.U.D. label as authorized in the Federal Manufactured Home procedural and enforcement regulations. Manufactured homes manufactured between 8 March 1971 and 15 June 1976 offered for rent, lease, or sale within Idaho shall bear an Idaho insignia of approval. (4-4-89)

012. INSPECTIONS.

01. Required Inspection. Any person renting, leasing, selling, or offering for rent, lease, or sale, any manufactured home shall request an inspection by the Division when the manufactured home has been manufactured after 8 March 1971, unless the unit bears a valid Idaho insignia, and after 15 June 1976, a valid label of compliance with the Federal Manufactured Home Construction and Safety Standards. (4-4-89)

02. Application for Inspection. Application for inspection by the Division shall be made on forms provided by the Division at least five (5) working days prior to the desired date of inspection and shall be accompanied by inspection fees pursuant to IDAPA 07.03.05.015. Any additional inspection fees are payable on completion of each inspection. Such written requests shall be submitted to the department. (4-4-89)

03. Insignia. Upon a request for a required inspection pursuant to this section and the payment of fees pursuant to IDAPA 07.03.05.015, the unit shall be inspected, and if found to meet the requirements of the law and these rules, an insignia will be issued for such unit. (6-1-76)

04. Special Inspection. Whenever there is a transit damage and/or any alteration made to a certified manufactured home, a special inspection shall be required of any person offering for rent, lease, or sale said manufactured home. The purpose of the inspection is to insure that the repairs and/or alteration does not result in the failure of the manufactured home to comply with the standards. (4-4-89)

013. MANUFACTURER CONTROL AND SUPERVISION.

01. Manual of Procedure. The manufacturer shall submit a manual of procedure for surveillance to provide quality control of factory produced manufactured homes meeting the minimum requirements of the Federal

Manufactured Home Construction and Safety Standards concurrent with the manufacturer's request for plan approval. (4-4-89)

02. Certified Supervisors. The procedures must meet the standards of and be approved by the Division. Certified supervisors shall be responsible for quality control and shall maintain complete records to substantiate that each unit has been checked and complies with adopted standards and plans approved by the department. (6-1-76)

03. Inspections. The Division shall make inspections in the place of manufacture and shall require submission of evidence by the manufacturer of adequate supervision of the manufacturing process to assure conformity of the product with the approved plans, and shall condition the issuance of insignia on inspection during the manufacture of each unit. Inspection frequency shall not be less than a ratio of unit output per day divided by the number of stations in the plant. (6-1-76)

04. Failure to Provide Certified Supervisors. The failure of a manufacturer to have the certified supervisors on duty in the plant at all times that a manufactured home plant is manufacturing plumbing, heat-producing or electrical systems, under the provisions of Section 39-4009, Idaho Code, shall be guilty of a misdemeanor under the provisions of Section 39-4126, Idaho Code, and shall fall under the provisions of Section 18-317, Idaho Code. (4-4-89)

014. LOST OR DAMAGED INSIGNIA.

When an insignia of compliance becomes lost or damaged by the owner of a unit, the Division shall be notified immediately in writing by the owner. The owner shall specify the manufacturer, the unit serial number, and when possible the insignia number. All damaged insignia shall be promptly returned. Damaged or lost insignia shall be replaced by the Division with another insignia, which shall bear the date of the original insignia, upon payment of an insignia fee as provided in IDAPA 07.03.05.015. (7-1-97)

015. FEES.

01. Payment of Fees. Fees shall be paid to and collected by the Division. (7-1-97)

02. Requested Inspection or Reinspection (for models produced prior to June 15, 1976). Eleven dollars (\$11) for each system to be inspected (structural, heating, plumbing, electrical), for each unit plus thirty-one cents (\$.31) per mile based on the distance from the point of inspection and the appropriate inspector's office location. The division will arrange for inspection within the state of Idaho upon request. The costs will be charged in accordance with the fee structure provided above. (7-1-97)

03. In-Plant Inspections. The charge for routine in-plant inspections shall be equal to the latest fees approved by the Department of Housing and Urban Development-Office of Manufactured Home Standards: Twenty-six dollars (\$26) per floor. (1-16-92)

04. Other Inspections. For all inspections other than routine whether they be in-plant or in the field (for models produced after June 15, 1976): Thirty-six dollars (\$36) per hour minimum for inspection and travel time, prorated to the nearest quarter hour, per diem and lodging where applicable, plus thirty-one cents (\$.31) per mile based on the round-trip distance from point of inspection and the inspector's office location. (7-1-97)

05. Insignia Replacement Fee. Ten dollars (\$10) per insignia. (Models prior to June 15, 1976). (6-1-76)

06. Insignia Administrative Replacement Fee. Ten dollars (\$10) per insignia. (All models produced after 15 June 1976). (4-4-89)

07. Other Fees. All other fees shall be as prescribed by the director. (4-4-89)

016. -- 999. (RESERVED).