

HOUSE No. 2178

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to manufactured buildings.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------|-----------------------|------------------|
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>1/14/2013</i> |

HOUSE No. 2178

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 2178) of James J. O'Day that the Department of Public Safety be directed to regulate continuing education for individuals licensed as construction supervisors, manufactured building companies and third party inspection agencies. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2401 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to manufactured buildings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 94 of chapter 143 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by striking out subsection (m) and inserting in place thereof
3 the following subsection:-

4 (m) To develop requirements and approve courses of instruction to be offered by the
5 department of public safety or others relative to the continuing education of individuals licensed
6 as construction supervisors, manufactured building companies and third party inspection
7 agencies.

8 SECTION 2. Said section 94 of said chapter 143, as so appearing, is hereby further
9 amended by adding the following subsection:-

10 (s) To develop requirements and promulgate regulations for the oversight of
11 manufactured buildings to be installed in the commonwealth. Inspectional duties related to
12 manufactured buildings or components prior to shipment by a manufacturer may be delegated by
13 the board to third party inspection agencies. The regulations shall include provisions requiring
14 the licensing of manufactured building companies and third party inspectional agencies that
15 demonstrate qualifications as set by the board. All components of manufactured buildings shall

16 be manufactured in compliance with the state building codes and applicable specialized codes as
17 identified in section 96. All buildings and building components manufactured under the state
18 building code shall be presumed to comply with the specialized codes.

19 SECTION 3. Said chapter 143 is hereby further amended by adding the following
20 section:-

21 Section 101. Any license issued under the state building code may be revoked or
22 suspended by the board for a violation of the state building code or this chapter. The board, or
23 its designee, may assess an administrative penalty not to exceed \$2,000 for each violation of the
24 state building code or this chapter.

25 SECTION 4. Chapter 139 of the acts of 2012 is hereby amended by striking out item
26 8315-1025 and inserting in place thereof the following item:-

27 8315-1025. For the department of public safety, which may collect and expend an
28 amount not to exceed \$250,000 derived from licensing fees or other fees and fines collected
29 under sections 93 to 101, inclusive, of chapter 143 of the General Laws or the state building
30 code, as promulgated by the state board of building regulations and standards under sections 93
31 to 95, inclusive, of said chapter 143; provided, that the amount shall be used: (i) to provide a
32 state building code training and courses for instruction; (ii) for the development and operation of
33 continuing education courses for manufactured building companies and third party inspection
34 agencies; (iii) for the costs of enforcing the state building code, not including the payment of
35 salaries of state building inspectors, but including the establishment and operation of a program
36 for the site visit compliance checks by department of public safety staff to licensed manufactured
37 building companies; and (iv) for the employment in the department of public safety of
38 individuals with expertise in building, plumbing, fire protection, electrical or mechanical issues
39 to review plans of manufactured buildings for compliance with the state building code,
40 investigating complaints relative to manufactured building companies and third party inspection
41 agencies and performing other associated duties; provided, that the agency may charge fees for
42 any classes and education materials associated with administering training; and provided further,
43 that for the purposes of accommodating discrepancies between the receipt of retained revenues
44 and related expenditures, the department may incur expenses and the comptroller may certify for
45 payment amounts not to exceed the lower of this authorization or the most recent revenue
46 estimate as reported in the state accounting system..... \$250,000.