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TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #04-227(F)

DIGEST

Adds 675 IAC 15-1.1 through 675 IAC 15-1.7, Administrative Rules for Industrialized Building Systems and Mobile Structures. Repeals 675 IAC 15-1. Effective 30 days after filing with the Secretary of State.

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SECTION 1. 675 IAC 15-1.1 IS ADDED TO READ AS FOLLOWS:

Rule 1.1. Title; Purpose; Applicability; Definitions

675 IAC 15-1.1-1 Title; purpose; applicability
Authority: IC 22-13-2-2: IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-15-4-4

Sec. 1. (a) This rule and 675 IAC 15-1.2 through 675 IAC 15-1.7 shall be known as Administrative Rules for Industrialized Building Systems and Mobile Structures.

(b) This rule and 675 IAC 15-1.2 through 675 IAC 15-1.7 applies to all industrialized building systems and mobile structures for sale, lease, or use in the state of Indiana with the following exceptions:
(1) A manufactured home.
(2) An industrialized building system or mobile structure governed by an agreement made under IC 22-15-4-4.
(3) Construction trailers.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.1-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 13)

675 IAC 15-1.1-2 Definitions
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12-1; IC 25-4; IC 25-31; IC 32-1-6-2; IC 32-25-2-9; IC 36-7-2-9; IC 36-8-17

Sec. 2. (a) The definitions in IC 22-12-1 and this section apply throughout this rule and 675 IAC 15-1.2 through 675 IAC 15-1.7.

(b) "Building official" means the following:
(1) The office of the state building commissioner.

(2) The office of the state fire marshal.
(3) The local building officials authorized under IC 36-7-2-9 and a local ordinance approved by the commission.
(4) The fire department authorized under IC 36-8-17.

(c) "Class 1 structures" is defined as follows:
(1) "Class 1 structure" means any part of the following:
(A) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:
(i) The public.
(ii) Three (3) or more tenants.
(iii) One (1) or more persons who act as the employees of another.
(B) A site improvement affecting access by persons with a physical disability to a building or structure described in clause (A).
(2) Subdivision (1)(A) includes a structure that contains three (3) or more condominium units (as defined in IC 32-25-2-9) or other units that:
(A) are intended to be or are used or leased by the owner of the unit; and
(B) are not completely separated from each other by an unimproved space.
(3) Subdivision (1)(A) does not include the following:
(A) A building or structure that:
(i) is intended to be or is used only for an agricultural purpose on the land where it is located; and
(ii) is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.
(B) A Class 2 structure.
(C) A vehicular bridge.
(D) A structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:
(i) the structure; or
(ii) mechanical or electrical equipment located within and affixed to the structure.

(d) "Class 2 structure" is defined as follows:
(1) "Class 2 structure" means any part of the following:
(A) A building or structure that is intended to contain or contains only one (1) dwelling unit or two (2) dwelling units unless any part of the building or structure is regularly used as a Class 1 structure.
(B) An outbuilding for a structure described in clause (A), such as a garage, barn, or family swimming pool, unless any part of the outbuilding is regularly used as a Class 1 structure.
(2) Subdivision (1) does not include a vehicular bridge.

(e) "Commission" means the fire prevention and building safety commission.

(f) "Commissioner" means the state building commissioner.

(g) "Component" means one (1) or more parts of a fabricated unit.

(h) "Construction" means the fabrication of any part of an industrialized building system or mobile structure for use at another site.

(i) "Construction trailer" means an industrialized building system or mobile structure sited at a construction site for the purpose of storing tools and materials related to the project being constructed.

(j) "Design professional" means an architect or professional engineer who is registered under IC 25-4 or IC 25-31.

(k) "Industrialized building system" means any part of a building or other structure that is in whole or in substantial part fabricated in an off-site manufacturing facility for installation or assembly at the building site as part of a Class 1 structure, a Class 2 structure, or another building or structure. However, the term does not include a mobile structure or a system that is capable of inspection at the building site.

(l) "Manufactured home" means a structure, transportable in one (1) or more sections, that:

(1) in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length; or
(2) when erected on site:
(A) is three hundred twenty (320) or more square feet;
(B) is built on a permanent chassis;
(C) is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and
(D) includes the plumbing, heating, air conditioning, and electrical systems contained therein;
except that the term shall include any structure that meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 24 U.S.C. 5401 et seq.

(m) "Manufacturer's installation instructions" means instructions for the proper erection, assembly, or installation of an industrialized building system or mobile structure or component produced by the manufacturer.

(n) "Mobile home" means a dwelling unit of vehicular, portable design built before 1974 on a chassis and designed and intended to be:
(1) moved from one (1) site to another; and
(2) used without a permanent foundation.

(o) "Mobile structure" is defined as follows:
(1) "Mobile structure" means any part of a fabricated unit that is designed to be:
(A) towed on its own chassis; and
(B) connected to utilities for year-round occupancy or used as a Class 1 structure, a Class 2 structure, or another structure.
(2) The term includes the following:
(A) Two (2) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity.
(B) Two (2) or more units that are separately towable but designed to be joined into one (1) integral unit.

(p) "Permanent foundation" means any structural system capable of transferring loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

(q) "Prototype" means an industrialized building system or mobile structure of original design that serves as a model for future industrialized building system or mobile structure product lines.

(r) "Quality control manual" means a manual prepared by a manufacturer for its manufacturing plants that outlines the manufacturer's quality control program.

(s) "Seal of acceptance" means a certification issued by the office of the state building commissioner for an industrialized building system or a mobile structure.

(t) "Site construction" means the work undertaken to erect, assemble, or install any part or component of an industrialized building system or mobile structure at the site where it will be used or occupied, except the relocation of a mobile structure.

(u) "System" means an industrialized building system or a mobile structure.

(v) "System plan" means the:
(1) drawings;
(2) specifications;
(3) structural typical system plans;
(4) quality control manual; or
(5) manufacturer's installation instructions;
submitted to the office of the state building commissioner. A system shall be based on one (1) completed width of structure and the number of stories.

(w) "Structural safety" means the continued capability of load bearing members of a building or structure to transmit actual and design live and dead loads to a foundation or other load-bearing members within the allowable working stresses of the materials or assembly of materials involved.

(x) "Structural/typical system plan" means structural or typical, or both, details submitted to supplement one (1) or more system plans and that are to be referenced by those system plans.

(y) "Third party inspection agency" means a person authorized by the commission to conduct inspections of and issue a seal of acceptance for industrialized building systems or mobile structures, or both.

(z) "Unit" means one (1) part of an industrialized building system or mobile structure that is one (1) part of the whole industrialized building system or mobile structure. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.1-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 13)*

SECTION 2. 675 IAC 15-1.2 IS ADDED TO READ AS FOLLOWS:

Rule 1.2. Administrative Rules for Industrialized Building Systems and Mobile Structures

675 IAC 15-1.2-1 Scope
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-15-4

Sec. 1. The purpose of 675 IAC 15-1.1, this rule, and 675 IAC 15-1.3 through 675 IAC 15-1.7 is to establish administrative procedures and general provisions for the rules of the commission pertaining to industrialized building systems and mobile structures. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 15)*

675 IAC 15-1.2-2 Design release for manufacture; requirements
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 2. It shall be unlawful for any person to commence production of an industrialized building system or mobile structure or cause the same to be done without first obtaining one (1) of the following from the office of the state building commissioner:
(1) A system design release.
(2) Prototype status.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 15)

675 IAC 15-1.2-3 Design release application requirements
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-2
Affected: IC 22-12; IC 22-15

Sec. 3. (a) An application for a design release for an industrialized building system or mobile structure, including an application for a modification of a system plan governed by an existing design release, shall be submitted to the office of the state building commissioner.

(b) The application shall be submitted by:
(1) the manufacturer;
(2) the design professional; or
(3) the third party inspection agency;
on behalf of the manufacturer.

(c) The applicant shall use the forms and format specified by the office of the state building commissioner for the application. All plans, specifications, and other supporting documentation must also be submitted in the format specified by the office of the state building commissioner.

(d) The following information shall be included on the application:

(1) The name and address, including city, state, and zip code, telephone number, facsimile number, and electronic mail address of the manufacturer, as well as the name of the authorized third party inspection agency, if utilized.
(2) The name and address, including city, state, and zip code, telephone number, facsimile number, electronic mail address, and registration number of the design professional, if the completed structure will exceed thirty thousand (30,000) cubic feet.
(3) An identification of the type of industrialized building system or mobile structure system based on the classification in section 6 of this rule.
(4) The length of the unit produced; multiple lengths may be included.
(5) A list and description of the components contained in the unit or units.
(6) An indication of the use and occupancy.
(7) The number of completed stories.
(8) The number of units in the completed structure.
(9) The completed width of the unit.
(10) A description of the use of the structure in detail and types of materials stored, if any.
(11) The name, address, including city, state, and zip code, telephone number, facsimile number, and electronic mail address for each manufacturer's facility producing under the design release.
(12) Signatures and affirmations in compliance with section 4 of this rule.

(e) A quality control manual shall be submitted as required in section 15 of this rule. Submission of this quality control manual is not required if it has been previously submitted and released by the office of the state building commissioner and the quality control manual is not being revised.

(f) Plans and specifications accompanying the application shall be submitted as required in section 5 of this rule.

(g) The fee required by 675 IAC 15-1.6 shall be submitted with the application. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 15)*

675 IAC 15-1.2-4 Signatories to design release application
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12-1-3; IC 22-15

Sec. 4. (a) All design release applications must be signed by the manufacturer as follows:
(1) For a corporation, the signatory shall be a responsible corporate officer. For the purpose of this section, "responsible corporate officer" means a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy making or decision making functions for the corporation.
(2) For a partnership or sole proprietorship, the signatory shall be a general partner or the proprietor, respectively.
(3) Alternatively, a duly authorized representative of a signatory listed under subdivision (1) or (2) may be the signatory on the application. A person is a duly authorized representative only if:
(A) the authorization is made in writing by an individual described in subdivision (1) or (2);
(B) the authorization specifies either an individual or a position having responsibility in the industrialized building or mobile structures manufacturing facility of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for building and fire safety matters for the manufacturer; and
(C) the written authorization is submitted to the office of the state building commissioner, if requested.

(b) The manufacturer shall make the following affirmation on the application: I affirm, under penalty of perjury, that:
(1) the proposed industrialized building system or mobile structure will be fabricated in compliance with all applicable rules of the commission; and
(2) the construction of the proposed industrialized building system or mobile structure will not deviate from the plans and specifications submitted with the application and released by the office of the state building commissioner except as authorized under section 11 of this rule.

(c) If a design professional is required by section 8 of this rule, the design professional shall make the following affirmation on the application: I affirm under penalty of perjury that:
(1) the information contained in the application is true, accurate, and complete;

(2) the plans and specifications submitted with the application:
(A) were either prepared by myself or under my direct supervision; and
(B) provided for the industrialized building system or mobile structure will meet all building laws as that term is defined by IC 22-12-1-3; and
(3) I will inspect the construction covered by the application at intervals appropriate to the stage of the fabrication to verify and ensure that the work is proceeding in accordance with the system release.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 16)

675 IAC 15-1.2-5 Plans; specifications; requirements.
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3
Affected: IC 22-12; IC 22-13-2-11; IC 22-15

Sec. 5. (a) All plans and specifications filed with an application for design release shall comply with this section.

(b) All plans and specifications and any supporting data shall be sufficiently clear and complete to show in detail that the proposed work will comply with the rules of the commission. They shall be in the English language and dimensions shall be in the English units of measurement (yards, feet, or inches).

(c) One (1) complete set of plans and specifications required by this section shall be filed for review.

(d) If a design professional is required by section 8 of this rule, the following requirements are applicable:
(1) The plans and specifications shall be prepared by a design professional who is competent to design the construction covered by the application.
(2) Each page of the plans and the title page of the specifications shall include the legible signature and seal of:
(A) the design professional described in subdivision (1); or
(B) a member of the design professional's technical or professional staff.

(e) Plans and specifications filed under this section shall include all of the following as applicable:
(1) Plans and specifications shall indicate the manufacturer's name, office address, and name and address of each manufacturing facility listed to fabricate the released system.
(2) Dimensioned floor plans, drawn to scale, with room identification.
(3) Wall elevations of all exterior walls.
(4) Cross sections and details of walls, floors, and roof construction showing dimensions and materials.
(5) Structural plans and elevations showing size and location of all structural members, truss design and frames (where applicable), connection details, and all stress calculations, if specifically required, to ensure structural safety.
(6) Details showing how required structural and fire-resistive integrity are maintained where wall, floor, and ceiling penetrations are made for items such as electrical, plumbing, and communications systems.
(7) Room finish schedule showing finishes for wall, ceiling, and floors in all rooms, stairways, and corridors.
(8) Door schedule including the following:
(A) Materials.
(B) Size.
(C) Thickness.
(D) Hardware.
(E) Fire rating for all doors (if required).
(9) Window schedule including the following:
(A) Light.
(B) Vent.
(C) Egress.
(D) Safety glazing.
(E) Hardware information, where applicable.
(10) Construction specifications (may be on design drawings).
(11) Electrical plans, diagrams, and details of electrical service equipment.
(12) Plumbing plan including the following:
(A) Fixture location.
(B) Risers.

(C) Drains.
(D) Piping isometrics, including sizes and materials of piping.
(13) Mechanical plans indicating location and sizes of equipment and sizes and materials of ducts.
(14) Energy conservation design criteria, including the following:
(A) Exterior envelope components materials.
(B) "U" values of the envelope systems.
(C) "R" values of insulation materials.
(D) Size and type of apparatus.
(E) Equipment and system controls.
(15) Accessibility for persons with a physical disability, including the following:
(A) Access to the buildings.
(B) Any interior ramps with slope dimensions.
(C) Restroom layouts indicating clearances.
(D) Grab bars.
(E) Door swings.
(F) Door sizes.
(16) Fire protections systems, including the following:
(A) Automatic sprinklers.
(B) Fire pumps.
(C) Detection and alarm systems.
(D) Emergency power.
(E) Communication systems.
(17) Additional information as may be needed to demonstrate that the proposed construction will comply with the rules of the commission.
(18) Data plate shall be located near the main electrical panel. If the industrialized building system or mobile structure does not contain an electrical panel, then the location shall be identified on the systems plans.

(f) Plans and specifications may be filed with the office of the state building commissioner by one (1) of the following methods:
(1) Plans and specifications may be bound in a loose-leaf binder, eight and one-half (8½) inch by eleven (11) inch format. All documents submitted shall be organized, indexed, and tabbed. All binders shall bear the manufacturer's name on the front and bound edge.
(2) Electronic mail (e-mail) by method of attaching the required documentation. Electronic filings shall be compatible with the software used by the office of the state building commissioner. The electronic documentation shall be organized, indexed, and tabbed.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-5; filed Aug 18, 2005, 4:30 p.m.: 29 IR 16)

675 IAC 15-1.2-6 Applicable codes for design and construction
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-15

Sec. 6. (a) An industrialized building system that is a Class 2 structure shall be affixed with a modular unit seal of acceptance and shall be designed and constructed in accordance with the Indiana Residential Code (675 IAC 14). Exceptions are as follows:
(1) Townhouse units are Class 1 structures, but shall be designed and constructed in accordance with the Indiana Residential Code (675 IAC 14).
(2) The Indiana Plumbing Code (675 IAC 16) may be used instead of the plumbing sections in the Indiana Residential Code (675 IAC 14).
(3) The Indiana Electrical Code (675 IAC 17) may be used instead of the electrical sections in the Indiana Residential Code (675 IAC 14).

(b) An industrialized building system that is a Class 1 structure shall be affixed with a modular unit seal of acceptance and shall be designed and constructed in accordance with the following:
(1) The Indiana Building Code (675 IAC 13).
(2) The Indiana Plumbing Code (675 IAC 16).

(3) The Indiana Electrical Code (675 IAC 17).
(4) The Indiana Mechanical Code (675 IAC 18).
(5) The Indiana Fuel Gas Code (675 IAC 25).
(6) The Indiana Energy Conservation Code (675 IAC 19).
Townhouse units are Class 1 structures, but shall be designed and constructed in accordance with the Indiana Residential Code (675 IAC 14).

(c) Mobile Structures that are Class 1 structures shall be affixed with a mobile unit seal of acceptance and shall be designed and constructed in accordance with the Indiana Mobile Structures Code (675 IAC 15-2). Exceptions are as follows:
(1) The Indiana Energy Conservation Code (675 IAC 19) may be used instead of the Indiana Mobile Structures Code for energy conservation requirements.
(2) A mobile structure shall comply with the accessibility requirements in 675 IAC 13-2.4-110.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-6; filed Aug 18, 2005, 4:30 p.m.: 29 IR 17)

675 IAC 15-1.2-7 Alternate materials, methods, and designs
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 7. (a) This section does not authorize a variance from any rule adopted by the commission.

(b) The rules adopted by the commission do not prevent the use of:
(1) materials;
(2) methods of construction; or
(3) design procedures;
if they are not specifically prohibited in the rules and if they are approved under subsection (c) or (d).

(c) The state fire marshal and the state building commissioner may, in the review of an application for a design release, consider as evidence of compliance with the rules adopted by the commission any evaluation report that:
(1) contains limitations, conditions, or standards for alternative materials, method of construction, or design procedures; and
(2) is published by an independent, nationally recognized testing laboratory or any of the following:
(A) Factory Mutual Loss Prevention Data Sheets and test reports (FM).
(B) International Organization for Standardization (ISO) (ISO standards listed by the American National Standards Institute).
(C) International Electrotechnical Commission (IEC) (IEC standards listed by the American National Standards Institute).
(D) Japan Industrial Standards (JIS) that are shown to be equivalent to ANSI standards.
(E) German Institute for Standards (Deutsches Institut fur Normung) (DIN) that are shown to be equivalent to ANSI standards.
(F) French Standards Association (AFNOR) that are shown to be equivalent to ANSI standards.
(G) Canadian Standards Association (CSA) that are shown to be equivalent to ANSI standards.
(H) Swedish Institute for Technical Approval in Construction (SITAC) that are shown to be equivalent to ANSI standards.
(I) Swedish Standards (SIS) that are found to be equivalent to ANSI standards.
(J) BOCA Evaluation Services, Inc., Building Officials and Code Administrators International (BOCA) (research reports).
(K) Council of American Building Officials (CABO) (National Evaluation Services (NES) evaluation reports).
(L) ICBO Evaluation Services Inc., International Conference of Building Officials (ICBO) (ICBO Evaluation Service Inc. evaluation reports).
(M) SBCCI Public Safety Testing and Evaluation Services, Inc., Southern Building Code Congress International (SBCCI) (compliance reports).
(N) International Association of Plumbing and Mechanical Officials (IAPMO) (Directory of Research Recommendations).
(O) International Code Council (ICC) (evaluation reports).

(d) The state building commissioner and the state fire marshal may, in the review of an application for a design release,

consider as evidence of compliance with 675 IAC 13-2.4-110 similar provisions of the Americans with Disabilities Accessibility Guidelines for Buildings and Facilities, 28 CFR 36, Appendix A in effect on July 1, 1997. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-7; filed Aug 18, 2005, 4:30 p.m.: 29 IR 18)*

675 IAC 15-1.2-8 Design professional
Authority: IC 22-13-2-13; IC 22-15-3-4
Affected: IC 22-15-3; IC 25-4; IC 25-31

Sec. 8. (a) A design professional shall be required to certify any Class 1 structures if the completed structure would exceed thirty thousand (30,000) cubic feet, including attic space.

(b) The office of the state building commissioner may require a design professional to certify engineered components to substantiate claims that the proposed construction will comply with the rules of the commission. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-8; filed Aug 18, 2005, 4:30 p.m.: 29 IR 18)*

675 IAC 15-1.2-9 Issuance of the design release
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 4-21.5-3-4; IC 4-21.5-3-7; IC 22-12-7-3; IC 22-12-7-12; IC 22-15

Sec. 9. (a) If an application for a design release has been properly submitted in accordance with section 3 of this rule, the office of the state building commissioner shall review the application and its accompanying plans and specifications in conjunction with the office of the state fire marshal.

(b) If during this review, the office of the state building commissioner or the office of the state fire marshal conclude that additional information is needed to determine if the proposed system complies with the rules of the commission, the applicant may be requested to supply this additional information. If the applicant does not provide the requested additional information or documentation within thirty (30) days following the date of the request, the office of the state building commissioner may deny the application for a design release.

(c) If during this review, it is determined that there are minor omissions or items contrary to the rules of the commission, but that these minor omissions or contrary items would not adversely impact life safety, a conditional design release may be issued without the submission of corrected plans or specifications. Such conditions shall be binding.

(d) Before issuing a design release, the office of the state building commissioner will:
(1) provide the office of the state fire marshal with the application, plans and specifications, and any other relevant information; and
(2) obtain the written approval of the office of the state fire marshal for its issuance.

(e) If the office of the state building commissioner determines that the applicant has demonstrated that the construction will comply with all applicable building laws and the applicant has met all other applicable requirements, the design release will be issued.

(f) Under IC 22-12-7-3, the issuance or denial of a design release is governed by IC 4-21.5-3-4. Under IC 22-12-7-12, a decision to issue or deny a design release may be appealed to the commission under IC 4-21.5-3-7. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-9; filed Aug 18, 2005, 4:30 p.m.: 29 IR 18)*

675 IAC 15-1.2-10 Expiration of design release
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 10. (a) A design release shall not expire, except as provided in this section.

(b) If the rules of the commission applicable to the system for which the design release was issued are revised or replaced, a design release will expire on the effective date of this revision or replacement. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-10; filed Aug 18, 2005, 4:30 p.m.: 29 IR 19)*

675 IAC 15-1.2-11 Addenda to released system

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4

Affected: IC 22-12; IC 22-15

Sec. 11. (a) An addendum application shall be filed with the office of the state building commissioner for any proposed addition or revision to a released system plan, which could include any of the following:

(1) A structural/typical system plan.

(2) A quality control manual.

(3) Specifications.

(4) Manufacturer's installation instruction.

(b) All design, specification, or construction process changes that affect a released system plan shall be filed by the manufacturer in the same manner as required by section 3 of this rule.

(c) Signatures and affirmations in compliance with section 4 of the rule *[section 4 of this rule]* **are required, if applicable.**

(d) An addendum shall include any pertinent information as described in section 5 of this rule.

(e) A maximum of six (6) addenda may be made to a released system plan before the system plan must be resubmitted.

(f) The fees required by 675 IAC 15-1.6 shall be submitted with the application.

(g) The following revisions or changes do not require an addendum application to be filed:

(1) A total length of up to four (4) feet may be added to, or deleted from, a released system floor plan without necessitating resubmittal and release. This change may be made anywhere within the floor plan provided all other applicable code requirements are met and such changes in length are addressed within the released manufacturer's installation instructions. Among these code requirements are the minimum for natural light, natural ventilation, and emergency egress requirements as well as established minimum room sizes.

(2) Plumbing fixtures and bathrooms may be deleted from a released floor plan without necessitating resubmittal and release, provided the minimum code requirements are met by the resulting floor plan.

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-11; filed Aug 18, 2005, 4:30 p.m.: 29 IR 19)

675 IAC 15-1.2-12 Prototype

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4

Affected: IC 22-12; IC 22-15

Sec. 12. (a) To obtain prototype status for a system, the manufacturer of a proposed prototype system shall submit the following to the office of the state building commissioner at least ten (10) days before the commencement of the construction of the prototype:

(1) The following information:

(A) Projected start and finish dates.

(B) Model number.

(C) Serial number.

(D) Production plant location.

(E) Third party inspection agency or name of inspector from the office of the state building commissioner.

(2) Payment of appropriate fees in accordance with 675 IAC 15-1.6.

(b) The manufacturer shall not conceal any major portion of work on the prototype system until that portion has been inspected by a representative of the office of the state building commissioner or an authorized third party inspection agency.

(c) A prototype system shall comply with all applicable rules of the commission.

(d) The prototype system shall not be moved from the place of manufacture until a design release for the prototype system has been obtained from the office of the state building commissioner and an Indiana seal of acceptance has been applied in accordance with 675 IAC 15-1.3. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-12; filed Aug 18, 2005, 4:30*

p.m.: 29 IR 19)

675 IAC 15-1.2-13 Maintenance of design release; plans and specifications
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 13. An application and a complete set of plans and specifications that conform exactly to the design that was released by the office of the state building commissioner shall be maintained in each manufacturing facility at all times for use by the office of the state building commissioner or the third party inspection agency, or both. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-13; filed Aug 18, 2005, 4:30 p.m.: 29 IR 20)*

675 IAC 15-1.2-14 Compliance with rules
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 14. The issuance of a design release does not relieve the manufacturer from compliance with all applicable rules of the commission even if items contrary to the rules of commission are shown in plans and specifications that have been filed with the office of the state building commissioner. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-14; filed Aug 18, 2005, 4:30 p.m.: 29 IR 20)*

675 IAC 15-1.2-15 Quality control program
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-3-4
Affected: IC 22-12; IC 22-15

Sec. 15. (a) The manufacturer shall develop and implement a quality control program.

(b) As part of the quality control program, a quality control manual is required for each manufacturing facility producing industrialized building systems or mobile structures under a design release. The manual shall outline the manufacturer's program for quality control and compliance assurance within each manufacturing facility, including, but not limited to, the following:

(1) A location map for the manufacturing facility.
(2) A general facility layout diagram indicating the various stations or areas where industrialized buildings or mobile structures are to be produced as well as materials storage areas and office or administration areas.
(3) A general description of the in-plant procedures of quality control, including who is performing the quality control and how routine quality control is performed.
(4) A general description of what corrective actions are to be taken and who is responsible for the implementation of such corrections.
(5) A general description of testing procedures and equipment used to perform test in areas, such as plumbing and electrical, to assure compliance with the released construction documents and the applicable rules of the commission.
(6) A sample data plate as described in section 16 of this rule.
(7) A statement certifying that an Indiana seal of acceptance issued by the office of the state building commissioner will not be attached to an industrialized building system or mobile structure that does not conform to the applicable rules of the commission.

(c) The quality control manual shall be submitted for review and release in accordance with section 3 of this rule.

(d) Any revisions to the quality control manual shall be submitted for review and release in accordance with section 11 of this rule.

(e) The manufacturer shall implement the released quality control program. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-15; filed Aug 18, 2005, 4:30 p.m.: 29 IR 20)*

675 IAC 15-1.2-16 Manufacturer's data plate
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 16. (a) The manufacturer's data plate shall be affixed on each completed industrialized building system or mobile structure in a permanent manner.

(b) The data plate shall be at least four (4) inches by six (6) inches and contain contrasting lettering.

(c) The data plate shall include the following:
(1) The manufacturer's name and complete address and the complete address of the manufacturing point of origin, if different.
(2) The serial number and model number.
(3) The date of manufacture.
(4) Electrical system, as follows:
(A) Size of main service panel.
(B) Phase.
(C) Voltage.
(D) Number of circuits.
(5) Capacities and fuel used, if applicable, for the following:
(A) The water heater.
(B) The furnace.
(C) The air conditioner.
(6) Testing pressure for the following:
(A) Potable water.
(B) Drainage, waste, and vent (DWV).
(7) Design load requirement in pound per square foot (lbs./sq. ft.) as applicable for the following:
(A) The roof.
(B) The floor.
(C) Wind.
(D) Seismic.
(8) Titles of building codes used for design and construction.
(9) Page number or other identification where the installation instructions reference the connection of two (2) or more units.
(10) Energy conservation and accessibility, if applicable.
(11) Inspection authority identified.

(d) No additional information shall be on the data plate. If additional information is needed, it may be provided on a separate attachment. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-16; filed Aug 18, 2005, 4:30 p.m.: 29 IR 20)*

675 IAC 15-1.2-17 Responsibility; manufacturer
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 17. (a) A manufacturer may choose to use the services of a third party inspection agency to perform in-plant inspection and certify industrialized building systems or mobile structures instead of the office of the state building commissioner.

(b) If a manufacturer chooses to use the services of a third party inspection agency, the following information shall be submitted to the office of the state building commissioner within ten (10) working days of making the selection:
(1) A termination letter, indicating termination date.
(2) A list of all system plans affected.
(3) The serial number of the last unit inspected.
(4) Manufacturing facilities, if more than one (1) facility involved.

(c) If a manufacturer wishes to change from their current third party inspection agency to another third party inspection agency, or to the services of the office of the state building commissioner, the following information shall be submitted to the office of the state building commissioner within ten (10) working days of making the selection:
(1) A termination letter, indicating termination date.
(2) The name of the third party inspection agency hired and the effective date.

(3) A list of all system plans affected.
(4) A list of all seals of acceptances that will be transferred.
(5) The serial number of the last unit inspected.
(6) Manufacturing facilities, if more than one (1) facility involved.

(d) When a manufacturer chooses to use the services of the third party inspection agency, the third party inspection agency as well as the manufacturer shall be subject to periodic unannounced monitoring by the office of the state building commissioner. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.2-17; filed Aug 18, 2005, 4:30 p.m.: 29 IR 21)*

SECTION 3. 675 IAC 15-1.3 IS ADDED TO READ AS FOLLOWS:

Rule 1.3. In-Plant Inspection Enforcement and Indiana Seal of Acceptance Affixed for Industrialized Building Systems and Mobile Structures

675 IAC 15-1.3-1 Purpose
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15; IC 25-4; IC 25-31

Sec. 1. The purpose of 675 IAC 15-1.1, 675 IAC 15-1.2, this rule, and 675 IAC 15-1.4 through 675 IAC 15-1.7 is to establish administrative procedures and general provisions for in-plant inspections and affixing the Indiana certification seal of acceptance for industrialized building systems and mobile structures. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 21)*

675 IAC 15-1.3-2 Scope
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15; IC 25-4; IC 25-31

Sec. 2. The office of the state building commissioner shall administer and enforce the rules of the commission for the design and construction of all industrialized building systems and mobile structures. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 21)*

675 IAC 15-1.3-3 Inspections; required
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 3. An in-plant inspection shall be performed to determine that the industrialized building system or mobile structure was constructed in compliance with the rules of the commission. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 21)*

675 IAC 15-1.3-4 Inspections; procedure
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 4. (a) In-plant inspections on an industrialized building system or mobile structure may be preformed *[sic., performed]* **by the office of the state building commissioner or by an authorized third party inspection agency as set out in 675 IAC 15-1.5.**

(b) Inspection frequency shall be based upon the implementation of the manufacturer's quality control program.

(c) The inspector shall perform an inspection on at least one (1) portion of each unit for sale or use in Indiana in order for such unit to qualify for a seal of acceptance.

(d) The office of the state building commissioner or an authorized third party inspection agency may inspect a phase of construction of every industrialized building system or mobile structure to verify the quality control program of the manufacturer.

(e) Construction materials and equipment in stock, which are used in the production of an industrialized building system or mobile structure, may be inspected periodically. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-5 In-plant inspection; travel
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12-7-7; IC 22-13; IC 22-15

Sec. 5. (a) Representatives of the office of the state building commissioner may travel for any purpose relative to enforcement of 675 IAC 15-1.1, 675 IAC 15-1.2, this rule, and 675 IAC 15-1.4 through 675 IAC 15-1.7.

(b) Manufacturers shall reimburse the office of the state building commissioner for actual expenses incurred in accordance with 675 IAC 15-1.6. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-5; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-6 Seal of acceptance; required
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 6. (a) No industrialized building system may be used within the state of Indiana without a seal of acceptance being affixed.

(b) No mobile structure shall be offered for sale or used within the state of Indiana without a seal of acceptance being affixed. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-6; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-7 Seal of acceptance
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 7. (a) Upon application, on a form provided by the office of the state building commissioner, the seal of acceptance will be available for purchase by the manufacturer.

(b) The seal of acceptance shall remain the property of the state of Indiana, office of the state building commissioner.

(c) The seal of acceptance shall be forwarded to the authorized representative of the office of the state building commissioner or the authorized third party inspection agency who shall retain control and responsibility for each seal of acceptance. The seal of acceptance shall be maintained in a secured location. Access to the seal of acceptance shall be limited to the authorized representative of the office of the state building commissioner or the authorized third party inspector. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-7; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-8 Seal of acceptance; reporting use
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 8. (a) The manufacturer shall certify in an affidavit that a seal of acceptance purchased from the office of the state building commission *[sic., commissioner]* **was not affixed to an industrialized building system or mobile structure that did not comply with the rules of the commission.**

(b) The manufacturer shall submit a monthly seal of acceptance report for the previous month. This report is required to be submitted even if the manufacturer did not apply any seals in the previous month. This report shall be submitted to the office of the state building commissioner on forms provided by the office of the state building commissioner.

(c) The manufacturer's monthly report shall be filed with the office of the state building commissioner no later than the tenth day of the following month.

(d) The manufacturer shall maintain a copy of the monthly reports for a minimum of five (5) years. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-8; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-9 Seal of acceptance; affixed
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 9. (a) The industrialized building system or mobile structure shall not leave the manufacturing facility before the seal of acceptance being affixed to each completed and released unit. The seal of acceptance shall be affixed to the electrical service panel door. In units without an electrical service panel, the seal of acceptance shall be affixed to the location indicated in the system plan.

(b) An industrialized building system or mobile structure bearing the seal of acceptance shall be conclusively deemed to comply with the requirements of all ordinances and regulations of any local unit of government which are applicable to an industrialized building system or mobile structure. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-9; filed Aug 18, 2005, 4:30 p.m.: 29 IR 22)*

675 IAC 15-1.3-10 Seal of acceptance; manufacturing ceasing production
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 10. A manufacturer that discontinues the manufacture of industrialized building systems or mobile structures shall return any unused seals of acceptance to the office of the state building commissioner. Unused seals of acceptance shall be returned immediately upon the ceasing of manufacturing. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-10; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

675 IAC 15-1.3-11 Seal of acceptance; damaged or missing
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 11. The office of the state building commissioner may replace a seal of acceptance if it becomes mutilated or damaged upon presentation of the following:
(1) The damaged seal.
(2) A written explanation as to how the seal of acceptance was mutilated or damaged.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-11; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)

675 IAC 15-1.3-12 Seal of acceptance; unaccounted
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 12. (a) Seals of acceptance unaccounted for are not replaceable.

(b) A written explanation of the loss shall be forwarded by the manufacturer of the industrialized building system or mobile structure to the office of the state building commissioner.

(c) For industrialized building systems and mobile structure where the seal of acceptance has been lost, refer to section 11 of this rule. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.3-12; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

SECTION 4. 675 IAC 15-1.4 IS ADDED TO READ AS FOLLOWS:

Rule 1.4. Certification of Industrialized Building Systems and Mobile Structures without Indiana Certification

675 IAC 15-1.4-1 Applicability
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15-4

Sec. 1. 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7 applies to industrialized building systems and mobile structures that are not certified in accordance with IC 22-15-4. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

675 IAC 15-1.4-2 Compliance with commission rules
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 2. Industrialized building systems and mobile structures that are to be certified in accordance with 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7 shall comply with or be made to comply with the current rules of the fire prevention and building safety commission for new construction before the Indiana seal of acceptance being affixed. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

675 IAC 15-1.4-3 Design release for certification; requirement
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 3. It shall be unlawful for any person to certify an industrialized building system or mobile structure or cause the same to be done without compliance with 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

675 IAC 15-1.4-4 Application
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 4. (a) An application shall be filed with the office of the state building commissioner for any existing industrialized building system or existing mobile structure seeking to be certified in Indiana.

(b) The industrialized building system or mobile structure shall be returned to a manufacturing facility, and the manufacturer shall submit:
(1) proof to the office that the office has issued a construction design release in accordance with 675 IAC 15-1.2-9 for the industrialized building system or mobile structure to be certified; or
(2) an application for a construction design release in accordance with 675 IAC 15-1.2-9 for the industrialized building system or mobile structure to be certified.

(c) The manufacturer shall pay the fees as set out in 675 IAC 15-1.6. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 23)*

675 IAC 15-1.4-5 Issuance of construction design release
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 5. If a construction design release has been properly requested under 675 IAC 15-1.2-9, the provisions of that section shall apply. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-5; filed Aug 18, 2005, 4:30 p.m.: 29 IR 24)*

675 IAC 15-1.4-6 In-plant inspection; required
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 6. (a) An in-plant inspection shall be preformed *[sic., performed]* **at the manufacturing facility. Personnel from the office of the state building commissioners office shall perform the in-plant inspection.**

(b) The industrialized building system or mobile structure shall be partially dismantled to readily allow inspection of the following:

(1) Exterior wall construction.
(2) Interior load-bearing wall construction.
(3) Roof/ceiling construction.
(4) Floor construction.
(5) Electrical service panel wall area.
(6) Plumbing, including water distribution, draining, waste, and venting.

(c) The manufacturer shall pay the fees as required by 675 IAC 15-1.6. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-6; filed Aug 18, 2005, 4:30 p.m.: 29 IR 24)*

675 IAC 15-1.4-7 Quality control program
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 7. (a) The manufacturer shall develop and implement a quality control program for industrialized building systems or mobile structures that are to be certified by 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7.

(b) As part of the quality control program, a quality control manual shall be required for each manufacturing facility that will participate in the certification program of uncertified industrialized building systems or mobile structures. The manual shall outline the manufacturer's program for quality control and compliance assurance within each manufacturing facility that participates, including, but not limited to, the following:
(1) A location map for the manufacturing facility.
(2) A general facility layout diagram indicating where the dismantling will be performed.
(3) A general description of the various stations or areas where quality control will be performed.
(4) A general description of the in-plant procedures of quality control, including who is performing the quality control and how routine quality control is performed.
(5) A general description of testing and equipment used to perform tests in areas, such as plumbing and electrical, to assure compliance with the released construction documents and the applicable rules of the commission.
(6) A sample data plate as described in section 7 of this rule.
(7) A statement certifying that an Indiana seal of acceptance issued by the office of the state building commissioner will not be attached to an industrialized building system or mobile structure that does not comply with the requirements of 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7 or the applicable rules of the commission.

(c) The quality control manual shall be submitted for review and released in accordance with 675 IAC 15-1.2-3.

(d) Any revisions to the quality control manual shall be submitted for review and released in accordance with 675 IAC 15-1.2-11.

(e) The manufacturer shall implement the released quality control program. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-7; filed Aug 18, 2005, 4:30 p.m.: 29 IR 24)*

675 IAC 15-1.4-8 Data plate
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 8. (a) The manufacturer's data plate shall be affixed on each industrialized building system or mobile structure that is certified by 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7.

(b) The manufacturer's data plate shall state what areas of reconstruction the manufacturer performed.

(c) The data plate shall be at least four (4) inches by six (6) inches and contain contrasting lettering. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-8; filed Aug 18, 2005, 4:30 p.m.: 29 IR 24)*

675 IAC 15-1.4-9 Seal of acceptance
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 9. The provisions of 675 IAC 15-1.3 shall apply to the seals of acceptance that are to be affixed to industrialized building systems and mobile structures that are certified under 675 IAC 15-1.1 through 675 IAC 15-1.3, this rule, and 675 IAC 15-1.5 through 675 IAC 15-1.7. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.4-9; filed Aug 18, 2005, 4:30 p.m.: 29 IR 25)*

SECTION 5. 675 IAC 15-1.5 IS ADDED TO READ AS FOLLOWS:

Rule 1.5. Third Party Inspection Agency Authorization

675 IAC 15-1.5-1 Purpose; applicability
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-4-3
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 1. The purpose of 675 IAC 15-1.1 through 675 IAC 15-1.4, this rule, and 675 IAC 15-1.6 through 675 IAC 15-1.7 is to establish administrative procedures and general provisions for third party inspection agency authorization. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 25)*

675 IAC 15-1.5-2 Application process
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-4-3
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 2. (a) A person that wishes to become a third party inspection agency shall submit an application to the office of the state building commissioner.

(b) An application shall contain the following:
(1) The company name.
(2) The complete mailing address, including city, state, and zip code.
(3) The physical address if mailing address is different.
(4) The telephone number.
(5) The facsimile number.
(6) An electronic mail (e-mail) address.
(7) An organizational chart of showing the names of managerial and technical personnel responsible for in-plant inspections, including any person who is retained by contractual agreement.
(8) A document certifying that the third party inspection agency will comply with all applicable rules of the commission and the Indiana Code.
(9) A resume for each person named on the organizational chart, including contract employees. The resume shall include the following:
(A) The name of the person.
(B) Academic and professional qualifications.
(C) Experience in related areas and specific duties with the company.
(D) Other states where the person is registered.
(E) Certifications obtained and expiration dates.
(F) Any other pertinent information.
(10) A list of manufacturers and the number of years experience the third party inspection agency has in performing inspections.
(11) For each manufacturer, a list of the third party inspection agency's current status.

(c) The person shall pay the fees in accordance with 675 IAC 15-1.6. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 25)*

675 IAC 15-1.5-3 Qualifications

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-4-3
Affected: IC 22-12; IC 22-13; IC 22-15; IC 25-4; IC 25-31

Sec. 3. (a) At least one (1) of the officers of the third party inspection agencies must be a design professional in accordance with IC 25-4 or IC 25-31.

(b) The manager or chief executive officer shall have a minimum of five (5) years experience in building code enforcement or compliance control of building systems.

(c) A third party inspection agency must have a training program in place to assure that all employees and contractors are adequately trained with respect to their specific job as it relates to the rules adopted by the fire prevention and building safety commission. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 25)*

675 IAC 15-1.5-4 Conflict of interest
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-4-3
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 4. (a) The third party inspection agency shall include an affidavit that the third party inspection agency is independent in that it does not have any actual or potential conflict of interest and is not affiliated with or influenced or controlled by any of the following:
(1) A manufacturer of industrialized building systems or mobile structures.
(2) A manufacturer, vendor, or supplier of products or equipment used in the production of industrialized building systems or mobile structures.

(b) A third party agency shall be deemed to be free of conflicting affiliation, influences, and control if it demonstrates that:
(1) it has no managerial affiliation with any manufacturers of industrialized building systems or mobile structures;
(2) it has no managerial affiliation with producers, suppliers, or vendors of products or equipment used in the construction of industrialized building systems or mobile structures and is not engaged in the sale or promotion of any such product or material;
(3) the result of the third party inspection agency's work does not accrue a financial benefit to the third party inspection agency by way of stock ownership of any producers, suppliers, or vendors of the products involved; and
(4) the third party inspection agency's directors or other management personnel, inspectors, or employees shall receive no stock option or other financial benefit from any manufacturer of industrialized building systems or mobile structures or producer, supplier, or vendor of products or equipment used in the construction of an industrialized building system or mobile structure.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 25)

675 IAC 15-1.5-5 Third party inspection agency; approval process
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2: IC 22-15-4-3
Affected: IC 4-21.5-3-4; IC 4-21.5-3-7; IC 22-12; IC 22-13; IC 22-15

Sec. 5. (a) The fire prevention and building safety commission grants approval as an authorized third party inspection agency for a period of one (1) calendar year.

(b) An authorized representative from the third party inspection agency may be required to attend the fire prevention and safety commission meeting during the approval process.

(c) A written order regarding the decision of the commission shall be sent to the third party inspection agency.

(d) Upon authorization by the fire prevention and building safety commission, the third party inspection agency is an authorized representative of the office of the state building commissioner and acts on behalf of the office of the state building commissioner.

(e) The third party inspection agency shall assure that all industrialized building systems and mobile structures are certified in compliance with the rules of the commission.

(f) An order granting or denying the application shall be issued following the requirements of IC 4-21.5-3-4. If a petition for review is subsequently granted under IC 4-21.5-3-7, the order shall be deemed a preliminary determination.

(g) It shall be the responsibility of the third party inspection agency to keep all information on file with the office of the state building commissioner current. A change in information shall be reported in writing to the office of the state building commissioner within ten (10) working days of the change. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-5; filed Aug 18, 2005, 4:30 p.m.: 29 IR 26)*

675 IAC 15-1.5-6 Third party inspection agency; renewal of authorization
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2; IC 22-15-4-3
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 6. (a) An application for renewal for a third party inspection agency shall be filed with the office of the state building commissioner thirty (30) days before the expiration of authorization.

(b) A renewal application shall be filed in accordance with section 2 of this rule.

(c) If there are no changes to the original application submitted as set out in section 2 of this rule, the third party inspection agency shall be required to submit a letter requesting a renewal.

(d) Fees for a renewal shall be paid in accordance with 675 IAC 15-1.6.

(e) If the third party inspection agency fails to renew their authorization, the third party inspection agency may no longer perform in-plant inspections or certify industrialized building systems or mobile structures. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.5-6; filed Aug 18, 2005, 4:30 p.m.: 29 IR 26)*

SECTION 6. 675 IAC 15-1.6 IS ADDED TO READ AS FOLLOWS:

Rule 1.6. Schedule of Fees for Industrialized Building Systems and Mobile Structures

675 IAC 15-1.6-1 General
Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 1. (a) Payment for fees is accepted by one (1) of the following methods:
(1) Cash, exact amount.
(2) Check.
(3) Money order.
(4) Cashier's check.
(5) Bank certified check.
(6) Credit card.

(b) Checks shall be made payable to Department of Fire and Building Services Fund. Credit card payments will be processed in the same manner.

(c) The state building commissioner may authorize the refunding of any fee specified in 675 IAC 15-1.1 through 675 IAC 15-1.5, this rule, and 675 IAC 15-1.7 that was paid or collected in error.

(d) Incorrect fees that are received in the office of the state building commissioner may be returned. A statement stating the reason for the return of the fees shall be given.

(e) Travel fees and mileage will be charged on the following:
(1) All out-of-state trips.
(2) In-state travel for reinspections and audits.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 26)

675 IAC 15-1.6-2 Construction design release fees

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 2. Fees for construction design release shall be as follows:

(1) System plan review, including structural/typical system:	
(A) filing fee	**$30**
(B) residential, add-a-room, or duplex	**$320[1]**
(C) commercial	**$505[1,2]**
(2) Addenda, including structural/typical system:	
(A) filing fee	**$30**
(B) residential, add-a-room, or duplex	**$85[1]**
(C) commercial	**$105[1,2]**

Notes:

[1]Includes only the original floor plan. A fifty dollar ($50) fee is charged for each additional floor plan. Crawlspace or basement plans are considered a floor plan.

[2]Includes two (2) units as a completed structure. A fifty dollar ($50) fee is charged for each additional module unit.

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-3 Penalty fees

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 3. (a) In accordance with 675 IAC 15-1.2-3, it shall be unlawful for production of an industrialized building system or mobile structure to begin without first obtaining a construction design release.

(b) The following fees are applicable if production is started before the issuance of a design release:	
(1) System plan review, including structural/typical systems:	
(A) filing fee	**$60**
(B) residential, add-a-room, or duplex	**$640[3]**
(C) commercial	**$1,010[3,4]**
(2) Addenda, including structural/typical systems:	
(A) filing fee	**$60**
(B) residential, add-a-room, or duplex	**$170[3]**
(C) commercial	**$210 [3,4]**

Notes:

[3]Includes only the original floor plan. A one hundred dollar ($100) fee is charged for each additional floor plan. Crawlspace or basement plans are considered a floor plan.

[4]Includes two (2) units as a completed structure. A one hundred dollar ($100) fee is charged for each additional module unit.

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-4 Prototype fees

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 4. (a) Obtaining prototype status does not relieve the manufacturer from compliance with 675 IAC 15-1.2-3.

(b) The prototype filing fees shall be as follows:

(1) Completed width of structure up to and including 12 feet	**$70**
(2) Completed width of structure up to and including 24 feet	**$85**
(3) Completed width of structure up to and including 36 feet	**$105**
(4) Completed width of structure exceeding	

36 feet **$130**

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-5 Inspection fee

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 5. Inspection fees shall be as follows:

(1) In-state inspection for certification under 675 IAC 15-1.5 **$65 per hour/per person**

(2) In-state reinspection **$65 per hour/per person**

(3) Out-of-state inspection or reinspection **$65 per hour/per person**

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-5; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-6 Seal of acceptance fee

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 6. The Indiana seal of acceptance fee shall be sixty-five dollars ($65) per label. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-6; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)*

675 IAC 15-1.6-7 Third party inspection agency authorization fees

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 7. Third party inspection authorization fees shall be as follows:

(1) Original application for Indiana third party inspection authorization **$830**

(2) Yearly third party inspection authorization renewal **$550**

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-7; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-8 Third party inspection agency audit fees

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 8. Audit fees shall be as follows:

(1) In-state audit **$65 per hour/per person**

(2) Out-of-state audit **$65 per hour/per person**

(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-8; filed Aug 18, 2005, 4:30 p.m.: 29 IR 27)

675 IAC 15-1.6-9 Mileage fee

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 9. Mileage charge for in-state and out-of-state travel will be charged at the current rate established by policy by the department of administration, travel division. Mileage is based on roundtrip travel from the employee's base station. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-9; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)*

675 IAC 15-1.6-10 Travel fee

Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 10. Lodging expense and meals (per diem) for in-state and out-of-state travel will be charged at the current rate

established by policy by the department of administration, travel division. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-10; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)*

675 IAC 15-1.6-11 Returned check fee
Authority: IC 22-12-6-1; IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 22-12; IC 22-13; IC 22-15

Sec. 11. This section is applicable to all fees prescribed in 675 IAC 15-1.1 through 675 IAC 15-1.5, this rule, and 675 IAC 15-1.7. There will be an additional surcharge of thirty-five dollars ($35) for any returned check. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.6-11; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)*

SECTION 7. 675 IAC 15-1.7 IS ADDED TO READ AS FOLLOWS:

Rule 1.7. Sanctions Regarding Design Release, Seals of Acceptance and Third Party Inspection Agencies

675 IAC 15-1.7-1 Purpose
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 4-21.5-4; IC 22-12-6-7; IC 22-13; IC 22-15

Sec. 1. The purpose of 675 IAC 15-1.1 through 675 IAC 15-1.6 and this rule is to establish sanctions regarding design releases, seals of acceptance, and third party inspection agencies. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.7-1; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)*

675 IAC 15-1.7-2 Sanctions; design release
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 4-21.5-4; IC 22-12-6-7; IC 22-13; IC 22-15

Sec. 2. (a) Under IC 22-12, the office of the state building commissioner may impose a sanction concerning any type of design release previously issued. Available sanctions are the following:
(1) Revocation.
(2) Suspension.
(3) Censure.
(4) Reprimand.
(5) Probation.

(b) The office of the state building commissioner may impose an appropriate sanction whenever one (1) or more of the following exists:
(1) The office of the state building commissioner determines that the design release was obtained by fraudulent or misleading statements or information including information on plans and specifications.
(2) Circumstances have materially changed since a design release was granted so that if the sanction is not imposed, public health, safety, or welfare will be adversely affected.
(3) The construction done subsequent to the issuance of a design release is contrary to the rules of the commission.
(4) A check paying an applicable fee is returned for any reason.
(5) The design release was issued in error on the basis of incorrect information or in violation of a rule of the commission or a building law.

(c) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative procedure shall be conducted by the commission. *(Fire Prevention and Building Safety Commission; 675 IAC 15-1.7-2; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)*

675 IAC 15-1.7-3 Sanctions; seal of acceptance
Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 4-21.5-4; IC 22-12-6-7; IC 22-12-7; IC 22-13; IC 22-15

Sec. 3. (a) Under IC 22-12-7, the office of the state building commissioner may impose a sanction concerning seal of

acceptance previously issued. Available sanctions are the following:

(1) Revocation.
(2) Suspension.
(3) Censure.
(4) Reprimand.
(5) Probation.

(b) The office of the state building commissioner may impose an appropriate sanction whenever one (1) or more of the following exists:

(1) The office of the state building commissioner determines that the certification label was obtained by fraudulent of misleading statements or information including information on the design release or plans and specifications.
(2) The construction did not comply with the rules of the commission.
(3) The certification label was affixed to an industrialized building system or mobile structure for which a design release was not obtained.
(4) A check paying an applicable fee is returned for any reason.

(c) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.7-3; filed Aug 18, 2005, 4:30 p.m.: 29 IR 28)

675 IAC 15-1.7-4 Sanctions; third party inspection agency

Authority: IC 22-13-2-2; IC 22-13-2-13; IC 22-13-4-2
Affected: IC 4-21.5-3-6; IC 4-21.5-3-7; IC 4-21.5-4; IC 22-12-6-7; IC 22-12-7; IC 22-13; IC 22-15

Sec. 4. (a) Under IC 22-12-7, the office of the state building commissioner may impose a sanction concerning the authorization of any third party inspection agency that it has previously granted. Available sanctions are the following:

(1) Revocation.
(2) Suspension.
(3) Censure.
(4) Reprimand.
(5) Probation.

(b) The office of the state building commissioner may investigate any authorized third party inspection agency in accordance with 675 IAC 15-1.1 through 675 IAC 15-1.6 and this rule.

(c) The office of the state building commissioner may impose an appropriate sanction whenever one (1) or more of the following exists:

(1) The office of the state building commissioner determines that the authorization was obtained by the applicant by fraudulent or misleading statements or information.
(2) That circumstances have materially changed since an authorization was issued so that, if the sanction is not imposed, public health, safety, or welfare will be adversely affected.
(3) Does not comply with the rules of the commission.
(4) A check paying an applicable fee is returned for any reason.

(d) The order imposing a sanction shall be issued under the requirements of IC 4-21.5-3-6. If a petition for review is subsequently granted under IC 4-21.5-3-7, the resulting administrative proceeding shall be conducted by the commission.
(Fire Prevention and Building Safety Commission; 675 IAC 15-1.7-4; filed Aug 18, 2005, 4:30 p.m.: 29 IR 29)

SECTION 8. THE FOLLOWING ARE REPEALED: 675 IAC 15-1-1; 675 IAC 15-1-2; 675 IAC 15-1-3; 675 IAC 15-1-5; 675 IAC 15-1-6; 675 IAC 15-1-7; 675 IAC 15-1-8.1; 675 IAC 15-1-10; 675 IAC 15-1-11; 675 IAC 15-1-12; 675 IAC 15-1-13; 675 IAC 15-1-14; 675 IAC 15-1-16; 675 IAC 15-1-17; 675 IAC 15-1-19; 675 IAC 15-1-20; 675 IAC 15-1-21; 675 IAC 15-1-22.

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