

Subchapter 2. Manufactured Homes, Mobilehomes, Multifamily Manufactured Homes, Commercial Modulares, And Special Purpose Commercial Modulares

Article 1. Administration

§ 4000. Authority for Chapter.

(a) This chapter is adopted pursuant to the provisions of Section 18020 of the Health and Safety Code in order to implement, interpret, and make specific and otherwise carry out the provisions of Division 13, Part 2 (commencing with 18000) of the Health and Safety Code relating to the manufacture, sale, offering for sale, rent or lease of manufactured homes, mobilehomes, multifamily manufactured homes, commercial modulares and special purpose commercial modulares.

(b) Pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (Title VI of Public Law 93-383, 88 Statute 700, 42 U.S.C. 5401, et seq.) the department is authorized responsibility for administration and enforcement of Manufactured Home Procedural and Enforcement Regulations and Construction and Safety Standards relating to any issue with respect to which a Federal standard (Title VI (24 C.F.R.) requirement) has been established.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18000 et seq., Health and Safety Code.

§ 4002. Application and Scope.

(a) Pursuant to Sections 18000-18080.5 of the California Health and Safety Code, the provisions of this chapter relating to plumbing, heat-producing and electrical equipment and installations are applicable to all mobilehomes and travel coaches manufactured after September 1, 1958, all trailer coaches designed or used for industrial professional, or commercial purposes manufactured after May 25, 1967, which are sold, offered for sale, rent or lease within the State of California. The provisions of his chapter relating to construction and fire safety apply to mobile homes and commercial coaches manufactured after September 15, 1971, which are sold, offered for sale, rent or lease within the State of California. The provisions of this chapter are also applicable to the alteration or conversion of any construction or fire safety equipment or installations in mobile homes or commercial coaches manufactured after September 15, 1971, when such vehicle bears or is required to bear a department insignia or HUD label. The provisions of this chapter are also applicable to the alteration or conversion of any plumbing, heat-producing or electrical equipment and installations in any such vehicle bearing, or required to bear, an insignia or HUD label.

(b) The regulations contained in Article 3.5 of this subchapter are applicable to special purpose commercial coaches that are manufactured after July 1, 1979.

AUTHORITY:

Note: Authority cited: Section 18015; Health and Safety Code. Reference: Sections 18021, 18025, 18028, 18029, 18029.5, Health and Safety Code.

§ 4004. Definitions.

Definitions contained in the California Health and Safety Code, Division 13, Part 2, Chapter 1 (commencing with section 18000) and the following shall govern this subchapter.

(a) Alteration. The conversion, replacement, addition, reconstruction, modification or removal of any equipment or installations which may affect the construction, fire safety, occupancy, plumbing, heat-producing or electrical system or the functioning thereof, of units subject to this subchapter.

(b) Carbon Monoxide Alarm. A device that detects the presence of carbon monoxide (CO) gas and sounds an alarm before dangerous levels of carbon monoxide accumulate.

(c) Ceiling Height. The clear vertical distance from the finished floor to the finished ceiling.

(d) Certification or Certified. The approval by the department or a Quality Assurance Agency, of a manufacturer to receive a supply of insignia and a reduced frequency of inspection, subsequent to the manufacturer demonstrating its quality control program which results in the production of units in compliance with applicable provisions of this subchapter.

(e) Construction. The same as "Manufacture."

(f) Design Approval Agency. A third-party entity approved by the department to perform one or both of the following:

(1) Review and approve plans and quality control manuals relating to the manufacture or remanufacture of mobilehomes, multifamily manufactured homes, commercial modulares and special purpose commercial modulares.

(2) Review and approve plans for the design and installation of fire sprinkler systems and ignition resistant construction systems during the manufacture of either manufactured homes or multifamily manufactured homes with two dwelling units.

(g) Dormitory. A room occupied or intended to be occupied by more than two (2) guests.

(h) Dwelling Unit. A single-family manufactured home, mobilehome or each living facility in a multifamily manufactured home intended for human habitation.

(i) Equipment. All materials, appliances, devices, fixtures, fittings or accessories used in the construction, fire safety, plumbing, heat-producing and electrical systems of units subject to this subchapter.

(j) Exit. A continuous and unobstructed means of egress to the exterior of the unit.

(k) Expandable Units. An enclosed room, semi-enclosed room, or roofed porch which expands outward from the basic unit by means of rollers, hinges, or other devices or arrangements, but is designed as a structural portion of the unit and is carried within the unit while traveling on the highway.

(l) Fire-life Safety. The conditions relating to the prevention of fire or for the protection of life and property against fire.

(m) Fire Sprinkler System. An integrated system of piping, connected to a water supply, with listed sprinklers that automatically initiate water discharge over a fire area.

(n) Flame Spread. The propagation of flame over a surface.

(o) Floor Area. The area included within the surrounding exterior walls of a unit or portion thereof, subject to these regulations.

(p) Guest Room. Any room or rooms used, or intended to be used by a guest for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory shall be considered to be a guest room.

(q) Habitable Room. A room or enclosed floor space arranged for living, eating, food preparation, or sleeping purposes (not including bathrooms, toilet compartments, laundries, pantries, foyers, hallways, and other accessory floor spaces).

(r) HUD Label. A label issued to manufactured homes manufactured on or after June 15, 1976, indicating compliance with Federal Standards and Regulations of the U.S. Department of Housing and Urban Development, pursuant to Title 42 of the United States Code (USC), section 5401, et seq. and Title 24 of the Code of Federal Regulations (24 CFR).

(s) Insignia. A tab or tag issued by the department to indicate compliance, on the date of issue, with the requirements of this subchapter.

(t) Insignia Administrator. A person on the staff of a Quality Assurance Agency designated as responsible for the procurement and administration of insignia and the maintenance of insignia security.

(u) Insignia Security. A system designed for the safekeeping of insignia which accounts for the disposition of each insignia, which ensures the proper entry of information on the insignia in the case of a commercial modular which maintains restricted access to the insignia as necessary to eliminate the potential for loss, damage and misappropriation of the insignia.

(v) Installations. All arrangements and methods of construction, fire safety, plumbing, heat-producing and electrical systems used in units subject to this chapter.

(w) Interior Finish. The surface material of walls, fixed or movable partitions, ceilings and other exposed interior surfaces affixed to the unit's structure including any material such as paint or wallpaper and the substrate to which they are applied. Interior finish does not include windows and doors or their frames, skylight, trim, moldings, decorations or furnishings which are not affixed to the unit's structure.

(x) Labeled. Materials, products, or equipment bearing the inspection label of an approved listing agency.

(y) Length. The distance measured from the exterior of the front wall to the exterior of the rear wall of a unit where such walls enclose the living or other interior space, including expandable rooms, but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments.

(z) Listed. Equipment, materials, products, or installations included in a list published by an approved listing agency. The listing agency conducts periodic inspections of the production of the listed equipment, materials, or products, and conducts periodic evaluations of the listed installations. The list means that the listed equipment, material, product or installation fulfills one of the following:

(1) Complies with the corresponding appropriate nationally recognized standard and is suitable for the specified purpose.

(2) Has been tested, and found suitable for use in a specified manner.

(aa) Listing Agency. An independent agency approved by the department, that is in the business of listing and labeling equipment, materials, products, or installations and that maintains a periodic inspection program on current production of listed equipment, materials, or products or periodic evaluations of listed installations. A listing agency makes available at least annually a published report of listings that includes specific information about the nationally recognized standard with which each item complies and the manner in which the item is safe for use, or information about a listed equipment, material, product, or installation that has been tested and found suitable for use in a specified manner.

(bb) Loads.

(1) Dead Load is the vertical load due to the weight of all permanent structural and nonstructural components of a unit such as walls, floors, and fixed service equipment.

(2) Live Load. The load superimposed by the use and occupancy of the unit not including the wind load seismic load or dead load.

(3) Wind Load. The lateral or vertical pressure or uplift on the unit due to wind blowing in any direction.

(cc) Manufacture. The manufacture, fabrication, erection or building up of elements of a unit subject to this subchapter including, but not limited to, structural, fire and life safety, mechanical, plumbing and electrical materials and installations.

(dd) Manufactured Home. A structure as defined by section 18007 of the Health and Safety Code.

(ee) Mobile Food Preparation Unit. A special purpose commercial modular upon which food is cooked, wrapped, packaged, processed, portioned, or any combination thereof, for service, sale or distribution.

(ff) Mobilehome. A structure as defined by section 18008 of the Health and Safety Code.

(gg) Model. A manufactured home, mobilehome, commercial modular, special purpose commercial modular or multifamily manufactured home of a specific design designated by the manufacturer based on width, type of construction, or room configuration

(hh) Multifamily Manufactured Home. A structure as defined by section 18008.7 of the Health and Safety Code. "Multi-unit manufactured housing" has the same meaning as "multifamily manufactured home", as that term is defined by section 18008.7 of the Health and Safety Code.

- (ii) Occupancy. The designate purpose for which a unit or part thereof, is used or intended to be used.
- (jj) Plan. A drawing or set of drawings pertaining to one design for a unit distinguished by size, room configuration or type of construction, or pertaining to one typical system to be used in production models.
- (kk) Plan Approval. Relates to plans approved by the department or a Design Approval Agency as meeting the requirements of law and this subchapter for one or both of the following:
- (1) Manufacture or remanufacture of mobilehomes, multifamily manufactured homes, commercial modulars or special purpose commercial modulars.
 - (2) Design and installation of fire sprinkler systems in manufactured homes and in multifamily manufactured homes with two dwelling units.
- (ll) "Professional Engineer." A person engaged in professional practice as defined in Business and Professions Code Section 6701.
- (mm) Prohibited Sales Notice. A printed notification issued by the department that the unit may not be offered for sale because of violations of the provisions of law or this subchapter.
- (nn) Quality Assurance Agency. A third-party entity approved by the department to conduct inspections and monitor in-plant quality assurance programs to determine compliance with approved plans, quality control manuals and/or this subchapter during one or any of the following:
- (1) Manufacture or remanufacture of mobilehomes, multifamily manufactured homes, commercial modulars or special purpose commercial modulars subject to this subchapter.
 - (2) Installation of a fire sprinkler system or ignition resistant construction system in a manufactured home or in multifamily manufactured home with two (2) dwelling units.
- (oo) Quality Assurance and Quality Control. When used in Health and safety Code Sections 18013.2 and 18020 and this subchapter, shall mean the same.
- (pp) Quality Assurance Inspector. A person approved by the department and employed by an approved Quality Assurance Agency to conduct inspections and monitor quality assurance programs pursuant to this subchapter.
- (qq) Quality Control Manual. A manual developed by a manufacturer and approved by the department or a Design Approval Agency, which describes in detail a program of procedures, tests, and inspections to be performed by the *manufacturer during the manufacturing process to assure that all materials, systems, equipment and assemblies of a mobilehome, multifamily manufactured home, commercial modular or special purpose commercial modular, comply with approved plans, the Health and Safety Code, Division 13, Part 2, and this subchapter.*
- (rr) Remanufacture. The alteration, conversion, replacement, addition, reconstruction, modification or removal by a mobilehome, multifamily manufactured home, commercial modular, or special purpose commercial modular manufacturer within the manufacturer's facility, of any equipment or installations comprising the structural, fire-life safety, electrical, heat-producing and plumbing systems of an existing structure.
- (ss) Running Gear. An assembly subsystem consisting of suspension springs, axles, bearings, wheels, hubs, tires, brakes and related hardware for the purposes of transportation and support.
- (tt) Section. A transportable portion of an entire manufactured home, multifamily manufactured home or commercial modular unit.
- (uu) Serial Number. An identification number assigned by the manufacturer for the purpose of distinguishing each individual section.
- (vv) Smoke Detector. An approved device which senses visible or invisible particles of combustion.
- (ww) Supplier. A person or firm which manufactures or sells equipment, materials and goods used in the manufacture of mobilehomes, multifamily manufactured homes, commercial modulars and special purpose commercial modulars.
- (xx) Technical Service. Interpretation and clarification by the department of technical data relating to the application of this subchapter.
- (yy) Testing Agency. An organization that is all of the following:
- (1) In the business of testing materials, products, equipment or installations.
 - (2) Qualified and equipped for such experimental testing.
 - (3) Not under the jurisdiction or control of any manufacturer or supplier for any affected industry.
 - (4) Approved by the department pursuant to Section 4006 of this subchapter.
- (zz) Typical Systems. A design for either a structural, fire-life safety, electrical, mechanical or plumbing system which is designed for use in more than one model.
- (aaa) Unit. A manufactured home, mobilehome, multifamily manufactured home, commercial modular or special purpose commercial coach modular.
- (bbb) Vehicle Identification Number (VIN). A serial number.
- (ccc) Wall-Loading. A wall which supports any superimposed load in excess of 100 pounds per lineal foot.
- (ddd) Wall-Exterior. A wall or element of a wall which defines the exterior boundaries of a unit.
- (eee) Wall-Non-load Bearing. Any wall which is not a load-bearing wall.

AUTHORITY:

Note: Authority cited: Sections 18015, 18015.5, 18020, 18025, 18028, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18007, 18007.7, 18008, 18015, 18015.5, 18020, 18025, 18025.5, 18026, 18028, 18029, 18029.3, 18029.5, 18030 and 18031.5, Health and Safety Code.

§ 4005. Enforcement.

(a) The department shall administer and enforce as applicable, all provisions of this subchapter for the manufacture, remanufacture or alteration of multifamily manufactured homes, commercial modulars and special purpose commercial modulars.

(b) The department shall administer and enforce all provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (Title VI of Public Law 93-383, 88 Statute 700, 42 U.S.C. 5401, et seq.) for the alteration of manufactured homes.

(c) Any representative of the department may examine records and inspect any units, equipment or installations to ensure compliance with this subchapter.

(d) Any representative of the department may require that a portion or portions of units be removed or exposed in order that an inspection or required tests be made, if deemed necessary by the representative to determine compliance.

(e) Any representative of the department has the right at any reasonable time to enter and inspect all manufactured home factories or establishments in the state in which manufactured homes are manufactured (Health and Safety Code Section 18025.5(d)), when the action is taken on behalf of the United States Department of Housing and Urban Development (HUD).

AUTHORITY:

Note: Authority cited: Sections 18015, 18025 and 18028, Health and Safety Code. Reference: Sections 18015, 18025, 18025.5, 18028, 18029 and 18029.5, Health and Safety Code.

§ 4006. Equipment and Installations.

(a) All equipment and installations in the construction, fire safety, plumbing, heat-producing and electrical systems of vehicles shall be subject to the approval of the department and the provisions of this chapter. The department may accept for approval such equipment and installations which are listed and labeled by an approved testing or listing agency. Equipment and installations not listed and labeled may be accepted for approval by the department when it determines such equipment and installations are adequate for the protection of health, safety and the general welfare.

(b) Existing equipment and installations may be accepted for approval by the department provided such equipment and installations do not present a hazard to the health and safety of the occupants of a vehicle and the public.

(c) The following information and criteria will be required by the department in considering acceptance of approved listing and testing agencies.

(1) Names of agents or officers and location of offices.

(2) Specification and description of services proposed to be furnished under these Rules and Regulations.

(3) Description of qualifications of personnel and their responsibilities.

(4) Summary of organizational experience.

(5) General description of procedures and facilities to be used in proposed services, including evaluation of the product, factory follow-up, quality assurance, labeling of production units, and specific information to be furnished with the listing.

(6) How defective units resulting from oversight are to be dealt with.

(7) Proof of independence and absence of conflict of interest.

(8) A published directory including product manufacturer and product information.

(d) The following information and criteria will be required by the department in considering acceptance of independent engineers qualifying under Section 4019.

(1) Names of agents or officers and location of offices.

(2) Specification and description of services proposed to be furnished under these Rules and Regulations.

(3) Description of qualifications of personnel and their responsibilities.

(4) Summary of organizational experience.

(5) How defective units resulting from oversight are to be dealt with.

(6) Proof of independence and absence of conflict of interest.

§ 4007. Department Disapproval of Listed or Labeled Equipment and Installations.

Equipment and installations may be disapproved by the department when it determines that such equipment and installations, even though listed and labeled by an approved testing and listing agency, are not adequate for the protection of health, safety and the general welfare.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18001, 18020, 18022, Health and Safety Code.

§ 4008. Approval of Alternates and Equivalents.

Any construction, equipment or installations may be submitted to the department for approval as an alternate or equivalent pursuant to Section 18016 of the California Health and Safety Code. Requests for approval of alternates and equivalents shall be submitted to the department on Form HCD 415, dated August, 1983 supplied by the department together with an alternate approval fee and the plan check fee for a minimum of one (1) hour as specified in Section 4044 of this chapter and three sets of substantiating plans and information. If the plan checking exceeds one (1) hour the balance due shall be paid prior to the issuance of the department approval.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Section 18016, Health and Safety Code.

§ 4009. Manufacturer's Approval.

(a) Every manufacturer of vehicles subject to requirements of this chapter shall obtain approval and insignia for each vehicle by requesting an inspection pursuant to Sections 4010 and 4011 or by the plan approval method pursuant to Sections 4015–4026. Where insignia are obtained pursuant to the plan approval method, those vehicles for which plan approval insignia have been issued shall be manufactured in accordance with approved plans.

(b) Every manufacturer of mobilehomes subject to the requirements of Title VI (24 C.F.R.) shall obtain approval and labels for each mobilehome manufactured on or after June 15, 1976, pursuant to Sections 4010.5 and 4015.

§ 4010. Required Inspection.

Any person selling, offering for sale, renting, leasing, altering or converting any mobilehome or trailer coach manufactured after September 1, 1958, any trailer coach or commercial coach designed or used for industrial, commercial or professional purposes, manufactured after May 25, 1967, shall request an inspection by the department under any of the following conditions:

- (a) If the vehicle does not bear a department insignia or HUD label.
- (b) When the vehicle bearing or required to bear a department insignia or HUD label is to be altered or converted.
- (c) Where a notice requiring corrections has been given and a reinspection is necessary to determine compliance.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18020, 18025.5, 18026 and 18029, Health and Safety Code.

§ 4010.5. Monitoring Inspection Fees.

(a) When the department conducts inspections of the production of manufactured homes, multifamily manufactured homes, commercial modulars, or special purpose commercial modulars subject to this subchapter, the manufacturer shall submit in-plant monitoring fees to the department pursuant to Section 4044 of this subchapter. In-plant monitoring fees are payable to the department, at the option of either the manufacturer or the department, in either of the following manners:

- (1) Monthly, after billing by the department for in-plant monitoring hours during the billing period.
- (2) Advance deposit with the department by manufacturers for in-plant monitoring hours during a monthly period.

(b) The department may for cause:

- (1) Require that payments be made in the form of cashier's check drawn upon a recognized bank.
- (2) Discontinue in-plant monitoring for failure to pay in-plant monitoring fees or for failure to pay such fees with good and sufficient funds.
- (3) Discontinue the issuance of labels or insignia for failure to pay in-plant monitoring fees or for failure to pay such fees with good and sufficient funds.
- (4) Reappropriate labels or insignia previously issued for failure to pay in-plant monitoring fees or for failure to pay such fees with good and sufficient funds.
- (5) Take any other administrative and judicial action authorized by law.

(c) Where manufacturers are subject to monthly billing for in-plant monitoring fees, the department or monitoring entity shall mail a statement to the manufacturer on either the 1st, 10th, or 20th day of the month. The statement shall set forth the amount due the department for in-plant monitoring services during the billing period. The amount set forth in the statement shall be due and payable upon receipt and shall be past due if not received by the department on the 10th day after the statement date.

(d) The department, upon written notice from the manufacturer indicating that in-plant monitoring will no longer be necessary and explaining the reasons therefore, shall within 60 days from receipt of such notice refund any credits due the manufacturer from advance deposits made in accordance with Subsection (a) (2) of this section.

(e) The department shall charge manufacturers Technical Service Fees in accordance with Section 4044 of this subchapter for the actual time spent in processing checks or drafts which cannot readily be converted to good and sufficient funds.

(f) When the enforcement of this subchapter has been delegated to third-party entities, monitoring fees shall not be charged a manufacturer for department inspections conducted to evaluate the performance of a third-party entity.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18020 and 18031, Health and Safety Code.

§ 4011. Inspection Approval.

(a) Any person manufacturing, owning, selling, offering for sale, renting, leasing, altering or converting any vehicle may request the department to make an inspection of such vehicle for approval pursuant to this chapter.

(b) Request for inspection shall be made in writing to the department at least five working days prior to the desired date of inspection and shall indicate the date upon which the inspection is to be made, the location, make, model, serial number of the vehicle, and the serial number of the department insignia or HUD label affixed to the vehicle, if any, and be accompanied by the minimum inspection fees pursuant to Section 4044 of this subchapter. All additional inspection fees are payable upon completion of each inspection. Written requests shall be submitted to the appropriate department office.

Where the vehicle is not available or ready for inspection at the location indicated on the request, a one hour inspection fee shall be charged.

(c) The department may require plans, specifications, calculations or test results pursuant to Sections 4015, 4016, 4017 and 4019 of this chapter.

(d) Where it is necessary to determine compliance with the regulations the department may require inspections prior and subsequent to completion of construction.

(e) Where a manufacturer requests an inspection of a mobilehome or commercial coach under construction he shall have an approved structural plan on file with the department for the structural system, pursuant to Section 4015.

(f) Where a person proposes to sell, offer for sale, rent or lease a mobilehome manufactured after September 15, 1971, and before June 15, 1976, or commercial coach manufactured after September 15, 1971, for which an insignia of approval has not been issued, it will be necessary for such person to supply the division with written certification by a California licensed architect or professional engineer stating that the vehicle has been inspected and the structural system of the vehicle is constructed in accordance with the regulations. The division will make an inspection of the fire safety, exits, ceiling heights, room and hallway sizes, light and ventilation, safety glass, electrical, mechanical and plumbing equipment and installations in order to determine compliance with the regulations.

The applicant shall also furnish written certification to the division that the vehicle or structure is designed to comply with Section 4049.3 (a) (21), (22), (23) and (24) or Section 4369.5 of this subchapter.

(g) Pursuant to Sections 4021 and 4021.5 out-of-state manufacturers shall request an inspection to be made at the manufacturer's plant while the vehicle(s) is under construction and at a stage where it is possible to inspect structural components such as roof trusses, wall and floor assemblies and rough-in for electrical, mechanical and plumbing systems. If it is no possible, after inspection, to approve the vehicle(s) it will be necessary for the manufacturer to request a reinspection to be made at the manufacturer's plant. Requests for out-of-state inspections shall be submitted, in writing, together with the out-of-state inspection fees pursuant to Section 4044, to the Sacramento, California office at least 10 working days prior to the desired date of inspection and shall indicate the date upon which the inspection is to be made, the location, type of vehicle, model and serial number.

(h) California insignia of approval will not be issued until the Department can effectively determine, that the manufacturer's assembly, quality-control procedures and vehicles produced for sale in California comply with the California regulations. The department shall make inspections of vehicles under construction at the manufacturer's facilities to determine compliance.

(i) Where any person has made an application for an inspection and paid the required fees, such person shall request the inspection within 90 days after making such application or the application shall be voided and fees forfeited.

AUTHORITY:

Note: Authority cited: Sections 17003.5 and 18015, Health and Safety Code. Reference: Sections 18025, 18028, 18029.5 and 18031.5, Health and Safety Code.

§ 4012. Action After Requested Inspection.

After a requested or required inspection pursuant to Sections 4010 and 4011 of this subchapter, if the vehicle inspected meets the requirements of this subchapter and the applicant submits insignia fees pursuant to Section 4044, an insignia shall be issued for such vehicle.

AUTHORITY:

Note: Authority cited: Section 18020, Health & Safety Code. Reference: Sections 18020, 18055.5, 18056, 18056.1, Health & Safety Code.

§ 4013. Notice of Violations.

When an inspection reveals that a vehicle bearing, or required to bear, a department insignia, is in violation of any provisions of this subchapter, the department shall serve upon the owner, person responsible for violation, or their agents, a Notice of Violations setting forth in what respect the provisions of this chapter have been violated. The department may also post the vehicle with a Prohibited Sales Notice. Violations shall be corrected within 20 days or such other period of time as may be allowed by the department, and an inspection shall be requested by the person served with the Notice of Violations. Should the violations not be corrected within the allotted time, the department shall institute legal and/or administrative actions as necessary to secure compliance and may reappropriate the department's insignia.

Any person served with a Notice of Violations shall, within 20 days of receipt, notify the department in writing of the action taken to correct the violations, and may file a request for a hearing pursuant to Section 4045 of this subchapter. No person served with a Notice of Violations shall move or cause to be moved said vehicle until the department has been furnished written notification of its destination and disposition. No person shall remove or cause to be removed a Prohibited Sales Notice until so authorized by the department.

AUTHORITY:

Note: Authority cited: Section 18020, Health & Safety Code. Reference: Sections 18055.5, 18056.1, 18080, Health and Safety Code.

§ 4013.5. Complaint Investigation.

Any owner of a vehicle bearing, or required to bear, a department insignia or HUD label may file a written complaint with the department setting forth the items which the owner believes do not comply with the provisions of this subchapter.

(a) Upon receipt of a complaint indicating the possible existence of a violation of this subchapter, the department shall forward a copy of the complaint or other information to the manufacturer, seller, or person responsible for violations, or their agents.

(b) Any person served with a complaint or other information shall, as soon as possible, but not later than 20 days after receipt of the complaint or other information, make an investigation, any necessary inspections and determine if there are violations of this subchapter for which the person served is responsible. Where the person served with a complaint or other information determines responsibility for

correcting the violations, such person shall notify the department in writing of the action proposed to correct the violations. Violations shall be corrected within 20 days or such other time specified by the department. Upon request the department may grant an extension of time for correction of violations.

(c) Where the person served with a complaint or other information fails to take action within the specified time the department may make an inspection of the unit(s) and may institute legal and/or administrative action as necessary to secure compliance with this subchapter.

(d) Where a reinspection is required to determine compliance with any order requiring corrective action, the person responsible for taking the corrective action shall request inspection(s) pursuant to Section 4010 and submit fees for such inspection(s) pursuant to Section 4044.

(e) Where the department determines that an imminent safety hazard or serious defect may exist the department shall notify the manufacturer, seller or person responsible for the violation(s) and may require that immediate action be taken by the responsible person to correct such violations. The department may make necessary inspections to determine if violations exist and to secure compliance.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055, 18055.5, 18056.1 and 18060, Health and Safety Code.

§ 4014. Technical Service.

Any person may request technical service. Requests for such service shall be submitted to the department in writing and accompanied by the technical service fee specified in Section 4044. Requests for out-of-state technical service shall also include the requested out-of-state technical service fees specified in Section 4044. Fees shall be submitted by a cashier's check, money order, personal or company check, payable to the Department of Housing and Community Development.

§ 4015. Plan or Design Approval.

(a) Design Approval Required. Manufacturers of mobilehomes subject to Title VI (24 C.F.R.) requirements shall obtain approval of their designs pursuant to:

1. Design (plan) approval by the department pursuant to Sections 4015–4026, as applicable, and the applicable requirements of Title VI (24 C.F.R.). (See Article 2 for Title VI (24 C.F.R.) requirements) or
2. Design approval by a Design Approval Primary Inspection Agency (DAPIA) approved by the United States Department of Housing and Urban Development (HUD) as meeting Title VI (24 C.F.R.) requirements.

(b) Application for Structural System Approval. All manufacturers of mobilehomes using the department for DAPIA services and commercial coaches subject to structural regulations which are to be sold, offered for sale, rented, or leased in California shall make application to the Southern California Office of the department for a typical structural design approval prior to construction, which may be referenced on subsequent plans submitted pursuant to Section 4017.

(1) General Requirements.

- (A) Dimensioned drawings and specifications which clearly indicate the nature and extent of the work proposed.
- (B) Two copies of all documents submitted for approval shall be on substantial paper or cloth, not less than 8 1/2 x 11 inches or multiples thereof but not exceeding 25 1/2 x 36 inches.
- (C) An application on forms supplied by the department.
- (D) Plan filing fees as required by Section 4044 for each system or plan.
- (E) Plan checking fees as required by Section 4044. A minimum plan checking fee shall accompany all plans and specifications.

(2) Specific Requirements.

- (A) All necessary cross sections.
- (B) Floor, wall, ceiling and roof construction details.
- (C) Typical connections.
- (D) Design live and wind loads.
- (E) Grade or quality of materials including fire protection.
- (F) List of all applicable approvals.
- (G) Substantiating calculations or test results, where required.
- (H) Plans and calculations signed by a California licensed architect or professional engineer as required by Section 4019.

Note: The letter "S" shall be used on plans to designate typical structural systems.

(c) When it becomes necessary to resubmit plans to the department for checking an hourly resubmission fee rate shall be charged pursuant to Section 4044(a)(3). A minimum resubmission fee shall accompany all plans and specifications.

(d) mobilehome manufacturers shall either include structural, electrical, mechanical, or plumbing requirements in their basic design or make application for systems approval pursuant to this section and Section 4016.

AUTHORITY:

Note: Authority cited: Section 18020, Health & Safety Code. Reference: Section 18056.5, 18060, Health & Safety Code.

§ 4015.5. Prototypes General.

Regardless of the provisions of these regulations, a manufacturer may build, prior to obtaining an approved structural plan, one (1) prototype of each model he proposes to manufacture provided:

- (a) The manufacturer informs the department in writing that he proposes to build a prototype, submitting the proposed unit serial number and a complete description of his proposal.
- (b) If acceptable to the department, he will receive written approval to build said prototype.
- (c) Requests for inspection shall be made to the department pursuant to Sections 4010 and 4011.
- (d) Appropriate fees shall accompany requests for inspection pursuant to Section 4044.
- (e) Prior to the issuing or affixing of a department insignia or HUD label to a completed prototype, the manufacturer shall have plan and/or design approvals for the as built structural system, including an approved floor plan, available at the facility for review. The department's inspection report authorizing the issuance or affixing of a department insignia or HUD label to a completed prototype shall indicate that approved structural and floor plans have been obtained, compared to the as built prototype, and are on file at the facility.

AUTHORITY:

Note: Authority cited: Section 18020, Health & Safety Code. Reference: Section 18056.5, 18060, Health & Safety Code.

§ 4016. Application for Electrical, Mechanical and Plumbing System Approval.

A manufacturer of vehicles may make application to the Southern California office of the department for approval of typical equipment and installations prior to construction, which may be referenced on subsequent plans submitted pursuant to Section 4017.

(a) General Requirements.

- (1) Dimensioned drawings and specifications which clearly indicate the nature and extent of the work proposed.
- (2) Two copies of all documents submitted for approval shall be on substantial paper or cloth, not less than 8 1/2 x 11 inches or multiples thereof but not exceeding 25 1/2 x 36 inches.
- (3) An application on forms supplied by the department.
- (4) Plan filing fees as required by Section 4044 for each system or plan.
- (5) Plan checking fees as required by Section 4044. A minimum plan checking fee shall accompany all plans and specifications.

Note: The following letters shall be used on plans to designate typical systems: Electrical—"E"; Mechanical—"M"; and Plumbing—"P".

(b) When it becomes necessary to resubmit plans to the department for checking a plan resubmission fee rate shall be charged pursuant to Section 4044. A minimum resubmission fee shall accompany all plans and specifications.

(c) Electrical. Complete electrical specifications:

- (1) Type and size of feeder assembly.
- (2) Voltage and amperage of branch circuit panelboard.
- (3) Branch circuit identification, amperage of overcurrent protection device, wire size and type.
- (4) Voltage and amperage of fixed appliances.
- (5) Calculations.
- (6) When designated for low voltage systems, a complete schematic of the electrical system, including wire sizes, overcurrent protection, and equipment ratings shall be made.
- (7) Type and rating of generators and switching equipment.

(d) Mechanical. Plan may be to scale or schematic, and must show:

- (1) Description of all materials, appliances, fittings, pipe tubing, vents and ducts.
- (2) Btuh input rating of all fuel-burning appliances.
- (3) Size of openings for combustion air except where an integral part of an approved appliance.
- (4) Type(s) of fuel.
- (5) Diameter and type of pipe and tubing, including method of calculating the system.
- (6) Size and location of liquid fuel tanks and LPG cylinders.
- (7) Size, location and construction of fuel storage compartments.
- (8) Vertical clearances between range burners and combustible materials and methods of protection where required.
- (9) Size, length, type and location of vents and vent connectors.
- (10) Type, size and material of air ducts.
- (11) Minimum free area and location of circulating air supply inlet.
- (12) Minimum size and location of all conditioned and return air openings.
- (13) Certification that heating facilities for mobilehomes comply with Title VI (24 C.F.R.) requirements.

(e) Plumbing. Plan may be to scale or schematic, and must show:

- (1) Description of all materials, fixtures, fittings, pipe, tubing, shower stalls and walls.
- (2) Diameter and type of pipe and tubing, length of three-eighths inch O.D. tubing, and all trap arms.
- (3) Size and type of fittings.
- (4) Grade of drainage piping.
- (5) Method of securing all piping.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055, 18056.5, 18060, Health and Safety Code.

§ 4017. Application for Model Plan Approval.

Any manufacturer of vehicles may make application to the department for, plan approval of a model or model group prior to construction. The application shall be made to the Southern California office of the department and shall include:

- (a) An application on forms supplied by the department.
- (b) Plan filing fees, as required by Section 4044, for each model plan.
- (c) Plan checking fees as required by Section 4044. A minimum plan checking fee shall accompany all plans and specifications.
- (d) Quality control manual as outlined in Sections 4018 and 4025 unless previously filed with and approved by the department.
- (e) When required, substantiating calculations or test results, indicating details of construction, plumbing, mechanical and electrical equipment and installations for each model or model group or approved system designations pursuant to Sections 4015 and 4016.
- (f) Mobile homes and Commercial Coaches. General Requirements. Two copies of complete plans and specifications shall be on substantial paper or cloth not less than 8 1/2 x 11 inches or multiples thereof, but not exceeding 25 1/2 x 36 inches.
- (g) Specific Requirements:
 - (1) A dimensioned floor plan(s).
 - (2) Proposed use of rooms and method of ventilation.
 - (3) Size, type and location of windows and exterior doors.
 - (4) Location of all appliances and fixtures.
 - (5) Location of plumbing drain, water, gas and electrical connections.
 - (6) Location of all electrical outlets (receptacle and lights).
 - (7) Number of outlets and appliances on each circuit and circuit rating.
 - (8) Occupancy classification for commercial coaches pursuant to the Uniform Building Code, 1976 edition or designation of occupancy group SPCC (Special purpose commercial coach) for vehicles subject to Article 3.5 of this subchapter.
 - (9) Type and location of fire warning equipment.
- (h) When it becomes necessary to resubmit plans to the department for checking a plan resubmission fee shall be charged pursuant to Section 4044. A minimum resubmission fee shall accompany all plans and specifications.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025, 18028 and 18031, Health and Safety Code.

§ 4018. Application for In-Plant Quality Control Manual Approval.

A manufacturer of vehicles shall make application to the Southern California office of the department for an in-plant quality control manual approval. The submittal shall contain at least the following:

- (a) An outline of the procedure which will direct the manufacturer to construct vehicles in accordance with the approved plans, as per Section 4025.
- (b) Two copies of all documents submitted for approval shall be on substantial paper or cloth, 8 1/2 x 11 inches.
- (c) An application on forms supplied by the department.
- (d) Quality control manual filing and plan checking fee as required by Section 4044.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Section 18056.5, 18060, Health and Safety Code.

§ 4019. Calculations and Test Procedures.

(a) The load bearing capacity of elements or assemblies may be established either by specifications or calculations in accordance with generally established principles of engineering design, or by tests acceptable to the department. When the composition or configuration of elements, assemblies or details of structural members are such that calculations of their safe load-carrying capacity and basic structural integrity cannot be accurately determined in accordance with generally established principles of engineering design, structural properties of such members or assemblies shall be established by the results of tests acceptable to the department.

(b) When any structural design or method of construction is substantiated by calculations and supporting data, such calculations and supporting data shall be signed by a California licensed architect, or professional engineer and shall be submitted to the department. Such calculations or data supporting the design shall bear the architect's or professional engineer's seal, which may be a wet seal, or a secured electronic seal.

(c) When any structural design or method of construction is substantiated by tests, all such tests shall be performed by an approved testing agency acceptable to the department or shall be directed, witnessed and evaluated by an independent California licensed architect or professional engineer. All test procedures and results shall be reviewed and evaluated by a California licensed architect or professional engineer. The approved testing agency, architect or professional engineer shall submit the evaluation of test results, calculations and recommendations, accompanied by test reports from the laboratory, to the department. The department may require that a representative of the department witness the test.

(d) Notwithstanding the provisions of Subsections (b) and (c) of this section the department, in the capacity of a Title VI (24 C.F.R.) approved Design Primary Inspection Agency (DAPIA) may accept calculations and test results submitted by other than a California licensed architect or professional engineer providing such calculations or test results are found acceptable to the department upon review.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Section 18025, Health and Safety Code.

§ 4020. Commercial Coach Model Manufactured at More Than One Location.

(a) If the manufacturer plans to produce the same model at more than one location, approval may be obtained at the time of filing (Sections 4015, 4016, 4017 and 4018), subject to submission of the following:

(1) One set of application forms for plan approval for each location of manufacture and fees pursuant to Section 4044.

(2) One additional set of identical plans and quality control manual for each location of manufacture (duplicate approved plans and quality control manuals may be used for the additional locations).

(b) If, subsequent to plan approval, the manufacturer wishes to produce the same model at additional locations of manufacture, it will be necessary to submit the following:

(1) One set of application forms for plan approval for each location of manufacture and fees pursuant to Section 4044.

(2) One additional set of identical approved plans and quality control manuals for each location of manufacture (duplicate approved plans and quality control manuals may be used for the additional locations).

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18028 and 18031, Health and Safety Code.

§ 4021.5. Out-of-State Manufacturer—Commercial Coaches.

Where the applicant is an out-of-state commercial coach manufacturer, the application for plan approval shall include a signed statement that the manufacturer agrees to:

(a) In-plant inspection.

(b) Apply for an insignia for each vehicle to be sold, offered for sale, rent or lease in California.

(c) Affix insignia to only those vehicles that are to be sold, offered for sale, rent or lease in California.

(d) Submit to the department, and maintain current, a list of the names and addresses of all California distributors and dealers.

(e) Request inspection, by the department of any commercial coach under construction that is to be shipped to California.

(f) Requested out-of-state inspection fees pursuant to Section 4044 of this subchapter.

(g) Provide the department annually with the total number of commercial coaches shipped into California.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Section 18021, 18056.5, Health and Safety Code.

§ 4022. Non-Conforming Application and Plans.

Should the application and plans not conform with this chapter, the applicant shall be so notified in writing by the department within ten working days of the date they are received. Should the applicant fail to submit completely corrected application and plans in accordance with the information supplied on the plan correction notice within 90 days of such notice, the application will be deemed abandoned and all fees submitted will be forfeited to the department. Additional submissions shall be processed as new applications.

§ 4023. Evidence of Approval.

Approved plans, specifications and quality control manual shall be evidenced by a stamp of approval of the department or an approved Title VI (24 C.F.R.) DAPIA, as applicable. An approved copy of the plans, specifications and quality control manual shall be returned to the manufacturer. An approved copy of plans, specifications and quality control manual shall be retained at each place of manufacture.

§ 4024. Plan Approval Expiration—Commercial Coaches.

(a) Model Plan Approvals. Plan approvals shall expire 15 months from the date of department approval. Plans may be renewed prior to the expiration date by submission of an application for plan approval renewal form obtainable from the department. Application for plan approval renewal shall be submitted in duplicate together with the appropriate plan renewal fees pursuant to Section 4044 of this subchapter. Plan approval renewal is permitted only when the plans for the designated model are identical to those on file with the department. A change of model name or designation is permitted on a renewal of approval. After expiration date, application for renewal of approval of any such expired plan approvals shall be submitted and processed as for a new plan approval. Insignia not assigned to a vehicle under construction prior to the expiration of plan approval are void and shall be returned to the department.

(b) System Plan Approvals. System plan approvals, on file with the department, shall expire 15 months from the date of department approval. System plans may be renewed prior to the expiration date by written application to the department. The written application shall contain a listing of the valid system(s) plan approvals the manufacturer wishes to maintain as current and a plan renewal fee pursuant to Section 4044. Where system plan approvals contain supplements, the supplements shall be incorporated into a single revised plan and filed with plan filing and supplement fees pursuant to Section 4044. When renewal involves changes from original approval, plan resubmission fees shall be charged pursuant to Section 4044.

(c) Title VI (24 C.F.R.) Design Approvals. Plans, designs, calculations, specifications, and quality control manuals approved pursuant to Title VI (24 C.F.R.) are subject to those requirements for expiration. (See Federal Mobile Home Procedural and Enforcement Regulations, Title VI, 24 C.F.R., Part 3282)

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025, 18025.5 and 18028, Health and Safety Code.

§ 4025. In-Plant Quality Control.

(a) The manufacturer shall submit a manual, or shall reference an applicable manual previously approved by the department, outlining a program of quality control concurrent with his request for plan approval. The program outlined must meet the standards of and be approved by the department. In addition, the manufacturer shall designate a company or corporate officer or other responsible person to be responsible for the quality control program and shall maintain records to substantiate that each unit has been inspected and complies with the plans as approved by the department.

(b) Specific Requirements for Manual for Mobilehomes and Commercial Coaches:

- (1) Scope and purpose of manual.
- (2) Receiving inspection procedure for basic materials.
- (3) Material storage and stock rotation procedure.
- (4) Drawings and bills of material.
- (5) Types and frequency of product inspection.
- (6) Sample of inspectional control form used.
- (7) Record-keeping procedures for quality control forms.
- (8) List of major pieces of production equipment.
- (9) Responsibility for quality control program.
- (10) Test procedural manual, including electrical, gas line, water systems and drain/vent/plumbing fixture tests and type of test equipment used.
- (11) List of test equipment.

(c) The manufacturer shall provide a control card or other approved documents with each vehicle on the assembly line. The card or other approved documents shall identify the structural, electrical, mechanical and plumbing system in the vehicle and the vehicle identification number (VIN).

(d) The department shall make inspections of both vehicles under construction and of completed vehicles. The issuance of insignia shall be conditioned to compliance with the regulations as indicated by these inspections.

(e) Where either vehicles under construction or completed vehicles are found to be in violation during inspection and such violations are not corrected at the time of inspection, the department shall serve upon the manufacturer a Notice of Violations as prescribed in Section 4013. A reinspection shall be requested by a manufacturer served with Notice of Violations pursuant to Sections 4010 and 4011.

(f) The quality control manual and procedure requirements of Title VI (24 C.F.R.) are applicable to mobile homes manufactured after June 15, 1976. (See Federal Mobile Home Procedural and Enforcement Regulations, Title VI, 24 C.F.R., Part 3282.)

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025, 18025.5 and 18028, Health and Safety Code.

§ 4026. Changes to Approved Plans.

(a) Where the manufacturer proposes changes in the construction, fire safety, occupancy, plumbing, heat-producing, or electrical equipment or installations, or the department's regulations are amended to necessitate such change, two sets of supplemental detailed plans and specifications of such changes shall be submitted to the department for plan checking and comparison. Plans shall be accompanied by Transmittal of Supplementary Plan Application form, obtainable from the department, plan filing and plan checking fees pursuant to Section 4044 of this subchapter. If the department determines that such supplemental details do not constitute a new model, or system, the supplement will be filed with and become a part of the existing plan approval. Where the supplemental details constitute a new model or system, the application for plan approval is to be processed as a new model or system.

(b) A model designation may be changed or added prior to the expiration date by filing an amended application and plan filing fee pursuant to Section 4044 of this subchapter.

(c) Where the manufacturer proposes changes to the quality control manual, two copies of such changes shall be submitted to the department for approval accompanied by a quality control manual filing and plan checking fee pursuant to Section 4044 of this subchapter.

(d) Where changes are proposed to mobilehome plans, designs, calculations, specifications, or quality control manuals subject to Title VI (24 C.F.R.), those requirements shall be applicable. (See Federal Mobilehome Procedural and Enforcement Regulations, Title VI, 24 C.F.R., Part 3282.)

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055, 18055.5, 18056.5, 18060, Health and Safety Code.

§ 4027. Change of Ownership.

(a) Where there is a change of ownership of a vehicle manufacturing business having department plan approval, the new owner shall notify the department in writing of such change within ten days. The notification shall be accompanied by a change in ownership fee pursuant to Section 4044 of this subchapter. If the new owner submits a statement that he will continue to manufacture in accordance with previously approved plans, new applications and plan filing fees pursuant to Section 4044 of this chapter shall not be required.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 18055, 18056.5, 18060, Health and Safety Code.

§ 4028. Change of Name or Address.

In the event of a change in the name or address of any vehicle manufacturer, the manufacturer shall so notify the department in writing within ten days. The notification shall be accompanied by a change in name or address fee pursuant to Section 4044 of this subchapter.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055, 18055.5, 18056.5, 18060, Health and Safety Code.

§ 4029. Discontinuance of Manufacture.

When a vehicle manufacturer discontinues production of a model carrying department plan approval, the manufacturer shall, within ten days, advise the department of the date of such discontinuance and return all insignia allocated for such discontinued vehicles.

§ 4030. Unit Identification.

(a) Each unit manufactured, sold, offered for sale, rented or leased in California shall bear a permanently affixed label which contains the following information: Name of manufacturer; month and year of manufacture; vehicle identification number (VIN) or serial number; where applicable, the plan approval number; and manufacturer's assigned identification number.

(b) The label shall be permanently attached in one of the following locations:

- (1) On the exterior wall immediately adjacent to the main door.
- (2) On the rear of the unit on the lower left corner of the exterior wall.
- (3) On the forward half of the left road side of the exterior wall.

Note: See Article 1, Section 4031 for label size and type of material.

(c) Each section of a multiple mobile home shall have the same serial number, except that the serial number of the primary or left (road) side section shall be prefaced by the letter "A". The serial number of the first connecting section shall be prefaced by the letter "B" and each additional section similarly identified in alphabetical order. (Should the number of connected sections exceed 26, the serial number of the 27th section would be preceded by the letters "AA" and the 28th "BB", etc.) Each connecting section after the primary section shall have an identification label as prescribed in (a) above permanently attached to the front left corner (road side) of the exterior wall, not less than six inches above the floor line.

(d) Each section of a multiple commercial coach shall bear an individual serial number which shall not have any identifying letters as prescribed in subsection (c) of this section.

(e) Manufactured homes manufactured on and after June 15, 1976, shall have identification as required by the Federal Manufactured Home Construction and Safety Standards, Title VI, 24 C.F.R., Part 3280.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025-18028.5, Health and Safety Code.

§ 4031. Labels for Exterior Locations.

The label shall be either of 3 basic types, each capable of 20 year life expectancy when exposed to ordinary outdoor environments. Letters and numbers shall be bold Gothic or similar style varied for emphasis as large as space permits with smallest size being 5/64". Wording shall be easily read and concise.

(a) Type I.* Rigid metal plates affixed by screws, rivets, or permanent type adhesives.

Minimum Size: .020" x 1 1/2" x 3" net dimensions (inside fastener heads).

Material: Aluminum, brass or stainless steel etched, stamped, engraved, or embossed to .015 minimum depth differential—color anodized or enamel filled.

(b) Type II.* Flexible metal plates affixed by permanent adhesives—either pressure sensitive acrylics or solvent activated resins.

Minimum Size: .005" x 1 1/2" x 3".

Material: Aluminum foil etched or stamped to .001 minimum depth differential with color anodized background.

(c) Type III.*

(1) Metalized polyester—surface bonded. Minimum Size: .003" x 1 1/2" x 3" where variable information is not required.

(2) Aluminum/vinyl—surface bonded. Minimum Size: .006" x 1 1/2" x 3" where variable information is required by debossing with a conventional typewriter.

(d) No person shall alter, remove, or cause to be altered or removed, any insignia or label required by this chapter.

(e) Labels for exterior locations on mobilehomes shall conform to the Federal Mobilehome Construction and Safety Standards, Title VI, 24 C.F.R., Part 280.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055, 18055.5, 18056.4, 18056.5, Health and Safety Code.

*Where permanent type adhesives are used on Type I, II or III plates, adhesives shall have a minimum thickness of .004 inch, they shall be properly affixed to a smooth surface.

§ 4032. Insignia Required.

(a) Unless prior written approval is granted by the department, all commercial coaches manufactured for sale in California shall bear a department insignia prior to leaving the manufacturing plant.

(b) Each insignia shall be assigned and affixed to a specific completed vehicle. Insignia shall only be affixed to vehicles that comply with the provisions of these regulations. Insignia shall only be issued to out of state manufacturers for those vehicles constructed for sale in California.

(c) Assigned insignia are not transferable and are void when not affixed as assigned. All voided insignia shall be returned to, or may be confiscated by, the department. The insignia shall remain the property of the department and may be reappropriated by the department in the event of violation of the conditions of approval.

(d) The insignia shall be securely affixed to the rear of the vehicle on the lower left corner of the exterior wall not less than six inches above the floor line, or on the exterior wall immediately adjacent to the main door, not less than six inches above the floor line.

(e) The manufacturer shall maintain a current list of departmental insignia designating:

- (1) Insignia affixed to vehicles.
- (2) Insignia not affixed to vehicles.

(f) Mobile homes manufactured on and after June 15, 1976 are subject to Title VI (24 C.F.R.) requirements and shall bear a label pursuant to those requirements. (See Federal Mobile Home Procedural and Enforcement Regulations, Title VI, 24 C.F.R., Part 3282)

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025.5 and 18026, Health and Safety Code.

§ 4033. Insignia Not Required.

(a) Vehicles falling into any of the following categories are not required by this subchapter to bear a department insignia or HUD label:

(1) Any mobilehome or trailer coach manufactured prior to September 1, 1958, any commercial coach or trailer coach designed for industrial, professional or commercial purposes manufactured prior to May 25, 1967.

(2) A commercial coach manufactured in California, designated by the manufacturer as an out-of-state delivery for, and delivered by the manufacturer or his agent to, a purchaser in another state.

(3) A commercial coach delivered in-state when:

(A) purchased by a common carrier, shipped by the seller via the purchaser, carried under a bill of lading whether the freight is paid in advance or the shipment is made freight charges collect to a point in another state, and the property is actually transported to the out-of-state destination for use by the carrier in the conduct of its business as a common carrier;

(B) purchased from a dealer located in another state for use outside of this state, delivered by the seller in California to the purchaser within this state, and such purchaser drives or moves such vehicle from the California manufacturer's place of business in this state to any out-of-state point within 30 days from and after the date of delivery.

(4) Mobile homes manufactured on and after June 15, 1976, bearing a Title VI (24 C.F.R.) label. (See Federal Mobile Home Procedural and Enforcement Regulations, Title VI, 24 C.F.R.)

(b) In each case the vehicle manufacturer shall supply the department with the following information within 30 days after shipment:

- (1) Make and model of the vehicle
- (2) Vehicle Identification Number (VIN)
- (3) Date of manufacture
- (4) Date of sale
- (5) Name of purchaser
- (6) Destination.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025.5 and 18026, Health and Safety Code.

§ 4034. Application for Insignia Pursuant to Plan Approval.

(a) Following receipt of plan approval, the vehicle manufacturer shall make application for an insignia for each vehicle manufactured, except as provided in Section 4033. The application shall be submitted to the department in duplicate, accompanied by the appropriate insignia fees pursuant to Section 4044. The application shall include the name of the vehicle manufacturer, manufacturer's identification number, plan approval number and the vehicle identification number (VIN) of each vehicle for which an insignia is requested. Multiple vehicles shall be designated where applicable.

(b) Out-of-State Manufacturers. Insignia shall only be issued to out-of-state manufacturers for those vehicles constructed for sale in California. The following additional information shall be supplied to the department with each request for insignia prior to shipment of the vehicle(s) to California:

- (1) Estimated date of manufacture of vehicle.
- (2) Estimated date of vehicle sale by manufacturer.
- (3) Name and address of purchaser.
- (4) Destination of vehicle (including address).
- (5) Estimated date of arrival at destination.

The department shall be notified immediately, by the manufacturer, of any changes in the information provided pursuant to this section.

(c) Commercial Coaches. Insignia will only be issued for commercial coaches where the manufacturer designates at least the following on the application for insignia and the vehicle complies with all applicable provisions of the regulations:

- (1) Vehicle identification number.
- (2) Plan approval number.
- (3) Occupancy classification.
- (4) Roof and floor live loads.
- (5) Windload.

(d) The department shall determine that the manufacturer's assembly, quality control procedures, plant equipment and personnel will assure that vehicles manufactured for sale in California comply with the California regulations for such vehicles.

(e) The department shall make inspections of vehicles under construction at the manufacturer's facilities to determine compliance and may accept the inspection and certification of other states pursuant to a reciprocity agreement.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055.5, 18056, Health and Safety Code.

§ 4034.3. Application for HUD Labels.

California manufacturers of manufactured homes subject to Title VI (24 C.F.R.), shall obtain HUD labels for each manufactured home manufactured on and after June 15, 1976. Applications for HUD labels shall be submitted to the department's Sacramento, California Office in triplicate, on Form 301 Request and Payment for Labels, dated October, 1986 and provided by the department, and shall be accompanied by administrative handling fees pursuant to Section 4044 of this subchapter. The application shall include the manufactured home manufacturer's name, the manufacturer's identification number, plan or design approval designation, and the manufactured home VIN (serial) number of each manufactured home for which labels are requested. Multiple unit manufactured homes shall be designated where applicable.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Section 18025.5, Health and Safety Code.

§ 4034.5. Application for Insignia Pursuant to Requested Inspection.

(a) Any person selling, offering for sale, renting, or leasing any mobilehome manufactured between September 2, 1958, and June 15, 1976, any trailer coach manufactured after September 1, 1958; any trailer coach or commercial coach designed or used for industrial, professional or commercial purposes manufactured after May 25, 1967; shall obtain an insignia for such vehicle from the department, prior to sale, offering for sale, renting, or leasing said vehicle. (See Sections 4010 and 4011 relating to inspections.)

(b) Application for insignia shall be made on forms obtainable from the department together with the insignia fees required pursuant to Section 4044 of these regulations.

(c) The provisions of this section are not applicable to mobile homes manufactured on and after June 15, 1976, which are required to meet Federal Mobile Home Regulations. (See Federal Mobile Home Procedural and Enforcement Regulations, Title VI, 24 C.F.R.)

(d) Commercial Coaches. Prior to application pursuant to requested inspection, the commercial coach manufacturer shall have approved commercial coach structural system plans on file with the Department and an approved floor plan for all commercial coaches having in excess of 1000 square feet of gross floor area or toilet facilities.

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 18025.5, 18026 and 18031, Health and Safety Code.

§ 4035. Denial of Insignia.

Should inspection reveal that a manufacturer is not manufacturing vehicles according to plans approved by the department, and such manufacturer, after having been served with a notice setting forth in what respect the provisions of this chapter have been violated, continues to manufacture vehicles in violation of this chapter, applications for new insignia shall be denied and the insignia previously issued shall be confiscated. Upon satisfactory proof of compliance such manufacturer may resubmit an application for insignia.

§ 4036. Insignia Removal.

In the event that any vehicle bearing department insignia is found in violation of this chapter, and a Notice of Violations has been served pursuant to Sections 4013 or 4013.5, the department may remove the insignia. The department shall not issue a new insignia until corrections have been made; an inspection requested pursuant to Section 4010; inspection and insignia fees have been paid pursuant to Section 4044; and the vehicle has been inspected and found in compliance with these regulations.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055.5, 18056, Health and Safety Code.

§ 4037. Lost or Damaged Insignia.

(a) When an insignia of approval becomes lost or damaged, after sale by the manufacturer, the department shall be notified in writing by the owner. The notification shall specify:

1. That the vehicle had a California Department insignia of approval.
2. The manufacturer of the vehicle
3. The year of manufacture
4. The vehicle identification number (VIN)
5. When possible, the insignia number
6. Whether any alterations or conversions were made to the vehicle by the owner.

(b) Whenever possible, all damaged insignia shall be promptly returned to the department. Damaged and lost insignia shall be replaced by the department with a replacement insignia, on payment of the replacement insignia fee as provided in Section 4044, where the owner certifies that no alterations or conversions have been made to the vehicle. Where alterations or conversions have been made it will be necessary to also request an inspection pursuant to Section 4011.

(c) Whenever it becomes necessary to replace insignia for a manufacturer, the manufacturer shall submit a request in writing outlining all related circumstances and where possible, shall return insignia to be replaced together with replacement insignia fees pursuant to Section 4044.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055.5, 18056, Health and Safety Code.

§ 4038. Refund of Fees.

Upon receipt of a written request, the department shall consider a refund of fees paid pursuant to Section 4044. The department shall consider such refunds on their individual merit based upon the fee paid less costs already incurred and the administrative costs of processing the refund.

AUTHORITY:

Note: Authority cited: Sections 17003.5 and 18015, Health and Safety Code. Reference: Sections 18025.5, 18026 and 18031, Health and Safety Code.

§ 4040. Alteration or Conversion.

(a) No person shall make any alteration or conversion of the electrical, mechanical or plumbing equipment or installations of a vehicle bearing, or required to bear, an insignia of approval or Title VI (24 C.F.R.) label, unless an application for such alteration or conversion has been filed with, and approved by, the department.

(b) No person shall make any alteration or conversion of the construction or fire safety equipment or installations of any mobile home or commercial coach, bearing or required to bear an insignia of approval, or Title VI (24 C.F.R.) label, manufactured after September 15, 1971, unless an application for such alteration or conversion has been filed with, and approved by, the department.

(c) No person shall make any alteration, conversion, or change relating to the occupancy of any unit bearing or required to bear an insignia of approval or Title VI (24 C.F.R.) label, unless an application for such alteration, conversion, or change relating to the occupancy has been filed with and approved by the department. This shall not prevent the granting of a permitted use by a local jurisdiction pursuant to the authority of Section 18300 of the Health and Safety Code providing the vehicle is not altered or converted from the condition and occupancy approved by the department.

(d) All alterations and conversions shall be made in compliance with these regulations.

AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18028 and 18029, Health and Safety Code. Reference: Sections 18025, 18028, 18029 and 18029.3, Health and Safety Code.

§ 4040.5. Additions.

(a) No person shall make any additions to the electrical, mechanical, plumbing, construction, or fire safety equipment and installations nor any additions affecting the occupancy of any vehicle bearing, or required to bear, an insignia of approval or Title VI (24 C.F.R.) label unless an application has been filed with, and approved by, the department.

(b) All additions shall be made in compliance with these regulations including any modification of the original vehicle necessary to accommodate said additions and provide minimum health and safety.

AUTHORITY:

Note: Authority cited: Section 18057, Health and Safety Code. Reference: Section 18057, Health and Safety Code.

§ 4041. Not Applicable.

The following shall not constitute an alteration or conversion:

- (a) Repairs with approved component parts.
- (b) Conversion from one fuel to another of the listed appliances in accordance with the terms of their listing.
- (c) Adjustment and maintenance of equipment.
- (d) Replacement of equipment in kind.

(e) The addition of appliances, where a mobilehome has been designed and equipped for such additions, including all necessary systems, circuits, etc.

AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18028 and 18029, Health and Safety Code. Reference: Sections 18025, 18028, 18029 and 18029.3, Health and Safety Code.

§ 4042. Application Requirements.

(a) Any person proposing to make an alteration, conversion, or addition to a vehicle bearing or required to bear an insignia of approval, or Title VI (24 C.F.R.) label, shall file an application with, and obtain approval of, the department.

(b) Applications for alteration, conversion, or addition shall include:

- (1) Type of vehicle (if commercial coach, occupancy classification).
- (2) Make and model of the vehicle.
- (3) Vehicle Identification Number (VIN).
- (4) Insignia number, or HUD label number.
- (5) Month and year of manufacture.
- (6) A complete description of the work to be performed together with plans and specifications as required.
- (7) Location of the vehicle where work is to be performed.
- (8) Alteration or conversion fee and inspection fee pursuant to Section 4044.
- (9) Name and address of the owner of the vehicle.
- (10) Any proposed change in occupancy classification.

(c) Applications for addition of air-conditioning (comfort cooling) by licensed contractors where no alteration, conversion, or addition is made other than the installation and connection of listed air-conditioning (comfort cooling) components to systems provided by the manufacturer of the vehicle shall include:

- (1) Type of vehicle (if commercial coach occupancy classification).
- (2) Make and model of the vehicle.
- (3) Vehicle Identification Number (VIN).
- (4) Insignia number or HUD label number.
- (5) A complete description of the work to be performed together with specifications as required.
- (6) Location of the vehicle where the work is to be performed.
- (7) Name and address of the vehicle owner.
- (8) Alteration or conversion and a component label fee pursuant to Section 4044.
- (9) Contractor's license number.

(10) Certification by the mobilehome park operator or contractor that the lot service equipment and the mobilehome park electrical system have the ampacity to accommodate the proposed installation, if the mobilehome is located in a mobilehome park; or certification by the contractor making application if the vehicle is located outside of a mobilehome park, as applicable.

(d) Where the application for alteration conversion, or addition is made in accordance with subsection (b), the department may require inspections of the vehicle during the course of alteration, conversion, or addition to determine compliance with the regulations. The applicant shall make such requests for inspection, on forms furnished by the department, pursuant to Sections 4010 and 4011 together with inspection fees pursuant to Section 4044 of these regulations. Upon completion of the alteration, conversion, or addition the applicant shall request the department to make an inspection pursuant to Sections 4010 and 4011 of these regulations.

(e) Where the application for alteration, conversion, or addition is made in accordance with subsection (b) and includes any structural assembly subject to this chapter which is assembled at a location other than that of the vehicle being altered, converted, or added to, the department may require inspections of both the vehicle and the structural assembly. The applicant shall make such requests for inspection, on forms furnished by the department, pursuant to Sections 4010 and 4011 together with inspection fees and a component label fee pursuant to Section 4044 of these regulations. The component label shall be affixed to the structural assembly indicating compliance with this chapter prior to delivery of the structural assembly to the site of installation.

(f) Where the application is for the addition of air-conditioning (comfort cooling) pursuant to Subsection (c), the department may issue a series of component labels to a licensed contractor where an application has been approved by the department. The department will provide the contractor with a normal 30 day supply, except where a contractor makes application for and certifies a contract exists for a specified number of installations in excess of the normal 30 day supply. Component labels shall be assigned and affixed to installations by the contractor beginning with the lowest sequential number. The component label shall be affixed to the condensing unit of the air-conditioning (comfort cooling) system at or near the point of entrance of its electrical inlet to indicate the contractor's compliance with these regulations relating to the installation of air-conditioning (comfort cooling). The contractor shall submit a report to the Department at the end of each month, indicating the assignment and inventory of component labels that have been issued by the department. Where a contractor fails to submit a report, properly affix labels or fails to comply with other requirements of these regulations for additions, alterations or conversions, applications for component labels shall be denied and all unassigned component labels previously issued may be confiscated by the department. The department may make inspections of air-conditioning (comfort cooling) installations permitted under this subsection to determine compliance with these regulations. Where inspection indicates a violation of these regulations a Notice of Violations pursuant to Section 4013 shall be issued to the contractor. Violations shall be corrected within 10 days

or such other period of time as may be allowed by the department and an inspection shall be requested by the contractor. Where violations are not corrected within the allotted time the department shall institute legal and/or administrative actions as necessary to secure compliance. Applications made by contractors with outstanding Notices of Violations on file with the department shall be made pursuant to Subsection (b) of this section.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Section 18057, Health and Safety Code.

§ 4044. Fees.

(a) Plan Fees.

(1) Plan Checking Fee. Two hundred three dollars (\$203) provided the plan check does not exceed one hour. When the plan check exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: ninety-two dollars (\$92).

(B) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).

(2) Plan Resubmission Fee. Two hundred three dollars (\$203) provided the plan resubmission plan check does not exceed one hour. When the plan resubmission plan check exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: ninety-two dollars (\$92).

(B) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).

(3) Plan Supplement Fee. Two hundred three dollars (\$203) provided the plan supplement plan check does not exceed one hour. When the plan supplement plan check exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: ninety-two dollars (\$92).

(B) Each thirty (30) minutes, or fractional part thereof: forty-six dollars (\$46).

(4) Plan Renewal Fee. Two hundred three dollars (\$203) for each plan or group of plans.

(b) Quality Control Manual Filing Fee. Ten dollars (\$10).

(c) Inspection, Reinspection, or Monitoring Fees.

(1) Manufactured Home, Mobilehome, Multi-Unit Manufactured Housing, Commercial Modular and Special Purpose Commercial Modular Manufacturer Monitoring. One hundred ninety-six dollars (\$196) provided the in-plant monitoring does not exceed one hour. When the in-plant monitoring exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(2) Inspection Fees. One hundred ninety-six dollars (\$196) provided the inspection or reinspection does not exceed one hour. When the inspection or reinspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(d) Technical Service Fees.

(1) One hundred ninety-six dollars (\$196) provided the technical service does not exceed one hour. When the technical service exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(e) Alternate Approval Fees. Two hundred three dollars (\$203) for the plan check fee for a minimum of one hour as established in Section 4008.

(f) Administrative Handling Fees for Federal Labels.

(1) Six dollars (\$6.00) for each new manufactured home label, issued to cover the costs of postage, handling and administration.

(g) Insignia Fees.

(1) Fifty-one dollars (\$51) for each manufactured home, mobilehome, multi-unit manufactured housing, commercial modular, or special purpose commercial modular insignia.

(2) Eighty-three dollars (\$83) for each department replacement insignia.

(h) Requested Out-of-State Inspection or Technical Service Fee. Total travel cost based on published air fare, or equivalent rate, between the point of departure from California and the point of inspection, plus necessary supplemental surface transportation, reimbursement for food and lodging consistent with California State Department of Personnel Administration allowances and inspection or technical service fees as specified in this section.

(i) Change in Manufacturer Name, Ownership or Address Fee. Sixty-two dollars (\$62).

(j) Component Label Fee. Twenty-four dollars (\$24).

AUTHORITY:

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Section 18031, Health and Safety Code.

§ 4045. Appeals.

Any person refused department approval, receiving a notice of violation, or who feels aggrieved by application of this subchapter, may request and shall be granted a hearing on the matter before the director of the department or his duly authorized representative. Such person shall file with the department a written petition requesting such hearing which shall set forth a brief statement of the grounds therefor.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055.5, 18080, Health and Safety Code.

§ 4046. Notice of Hearing.

Upon receipt of such petition, the department shall set a time and place for such hearing and shall give the petitioner written notice thereof. Said hearing shall commence no later than 30 days after the day on which said petition was filed provided that, upon application of the petitioner, the department may postpone the date of such hearing for a reasonable time beyond such 30-day period, if in its judgment the petitioner has submitted a good and sufficient reason for such postponement. Should petitioner fail to appear at the scheduled time and place of said hearing, the department may dismiss the petition without further action.

§ 4046.5. Result of Hearing.

Upon conclusion of such hearing, the director of the department, or his duly authorized representative shall notify the petitioner in writing of his decision in the matter.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055–18063, Health and Safety Code.

§ 4046.7. Title VI (24 C.F.R.) Appeals Procedure.

The appeals procedure is outlined in the Title VI (24 C.F.R.) for mobilehomes manufactured on or after June 15, 1976, Federal Mobilehome Procedural and Enforcement Regulations.

AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055.5 and 18080, Health and Safety Code.