

Title 25, Subchapter 2  
Manufactured Homes, Mobilehomes, Multifamily Manufactured Homes,  
Commercial Modulars, And Special Purpose Commercial Modulars

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## Title 25. HOUSING AND COMMUNITY DEVELOPMENT

### Division 1. HOUSING AND COMMUNITY DEVELOPMENT

#### Chapter 3. FACTORY-BUILT HOUSING AND MOBILEHOMES

##### Subchapter 2. MANUFACTURED HOMES, MOBILEHOMES, MULTIFAMILY MANUFACTURED HOMES, COMMERCIAL MODULARS, AND SPECIAL PURPOSE COMMERCIAL MODULARS

#### 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 modulars and special purpose commercial modulars.

(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.

##### HISTORY:

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history see Registers 71, No. 13; 76, No. 25; 76 No. 31; 77, No. 24.
2. Amendment of subchapter 2 heading filed 12-29-2005; operative 1-1-2006 pursuant to Government Code section 11343.4 (Register 2005, No. 52).
3. Change without regulatory effect amending subsection (a) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).
4. Amendment of subchapter heading filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

##### § 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.

##### HISTORY:

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36; 75, No. 30; 75, No. 48; 76, No. 25; 76, No. 31 and 77, No. 24.
2. Change without regulatory effect amending subsection (a) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

##### § 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 modulars and special purpose commercial modulars.

(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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
5. Amendment filed 2-11-82 as an emergency; effective upon filing (Register 82, No. 8). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 6-11-82.
6. Certificate of Compliance as to 2-11-82 order filed 6-8-82 (Register 82, No. 24).
7. Amendment of Section 4004 and renumbering and amendment consolidating former Sections 4352 and 4526 with Section 4004 filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
8. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
9. Amendment of Section 4004, and renumbering and amendment consolidating former Sections 4352 and 4526 with Section 4004 filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
10. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
11. Amendment of section and Note filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
12. Change without regulatory effect amending subsections (f)(1)-(2), adding subsections (cc), (ee) and (hh), relettering subsections, amending newly designated subsections (ff), (kk)(1)-(2), (nn)(1)-(2), (qq), (tt) and (zz) and amending Note filed 7-14-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 29).
13. Change without regulatory effect repealing subsections (b), (gg) and (ww), relettering subsections and amending newly designated subsections (e)(1), (ee), (ii)(1), (ll)(1), (oo) and (rr) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).
14. Amendment of subsections (e)-(f), (j), (p), (s), (x)-(x)(2), (z)(2), (cc), (ee), (ii)-(ii)(2), (ll)-(ll)(2) and (oo), repealer of subsections (pp)-(rr) and (vv), new subsections (pp)-(uu), subsection relettering and amendment of newly designated subsections (ww)-(yy) and (aaa)-(ccc) filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
4. Repealer and new section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 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.

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).

2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).

**§ 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.

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).

2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).

3. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).

2. Amendment filed 10-12-89; operative 10-12-89 (Register 89, No. 41).

**§ 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.

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).

2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).

3. Amendment filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).

4. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).

#### § 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.

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
3. Change without regulatory effect amending first paragraph and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### § 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.

#### HISTORY:

1. New section filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
2. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
3. Amendment of NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
5. Amendment of subsection (a) and new subsection (f) filed 10-12-89; operative 10-12-89 (Register 89, No. 41).
6. Amendment filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment of subsections (b), (f) and (g) filed 4-4-79; effective thirtieth day thereafter (Register 79, No. 18).
4. Amendment of subsection (f) filed 7-28-82 as an emergency; effective upon filing (Register 82, No. 31). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11-25-82.
5. Certificate of Compliance including editorial correction of NOTE filed 11-19-82 (Register 82, No. 47).

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

**HISTORY:**

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 74, No. 9; 74, No. 21; 74, No. 49; 75, No. 3; 75, No. 30 and 77, No. 24.

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

HISTORY:

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36; 75, No. 30; 76, No. 25; 76, No. 31 and 77, No. 24.

### § 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.

HISTORY:

1. New section filed 5-4-79; effective thirtieth day after filing (Register 79, No. 18).

### § 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.

**HISTORY:**

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36, 75, No. 30, 76, No. 25 and 76, No. 31.

**§ 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.

**HISTORY:**

- 1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
- 2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
- 3. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
- 4. Change without regulatory effect amending subsection (g), repealing subsections (h)-(i)(7), relettering subsections and amending Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment of subsection (d) filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. New subsection (d) filed 6-15-76, as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
4. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
3. Change without regulatory effect amending section heading and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### § 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.

HISTORY:

1. New section filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

#### § 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.

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).

#### § 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.

HISTORY:

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36, 75, No. 30, 76, No. 25 and 76, No. 31.
2. Change without regulatory effect amending section heading and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register; 2008, No. 41).

#### § 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.

#### HISTORY:

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36, 75, No. 30, 76, No. 25, and 76, No. 31.
2. Change without regulatory effect amending subsection (b) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### § 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.

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. New subsection (d) filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

#### § 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment and new subsections (e) and (f) filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
4. Amendment filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
5. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
6. Amendment filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
7. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
8. Change without regulatory effect repealing subsection (e), relettering subsections and amending Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

### § 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.

#### HISTORY:

1. New section filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. New subsection (e) filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

### § 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.

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. New subsection (f) filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
5. Change without regulatory effect amending subsection (a) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

### § 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.

**HISTORY:**

1. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. New subsection (a)(4) filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
3. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
4. Amendment of subsection (a) filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
5. Change without regulatory effect amending subsections (a)(1)-(3) and (b), redesignating former paragraphs (b)1.-6. as subsections (b)(1)-(6) and amending newly designated subsection (b)(6) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

**§ 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.

**HISTORY:**

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36; 75, No. 30; 76, No. 25 and 76, No. 31.

**§ 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.

**HISTORY:**

1. New section filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
2. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
3. Amendment of NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
5. Amendment filed 10-12-89; operative 10-12-89 (Register 89, No. 41).

**§ 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.

**HISTORY:**

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36, 75, No. 30, 76, No. 25 and 76, No. 31.
2. Change without regulatory effect amending subsection (a) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

**§ 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.

**HISTORY:**

1. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

**HISTORY:**

1. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18). For prior history, see Registers 73, No. 36, 75, No. 30, 75, No. 48, 76, No. 5 and 77, No. 24.

**§ 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.

**HISTORY:**

1. New section filed 5-4-79; effective thirtieth day thereafter (Register 80, No. 12).  
2. Amendment filed 10-12-89; operative 10-12-89 (Register 9, No. 41).

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).  
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).  
3. Amendment filed 7-30-76 as an emergency; effective upon filing. Certificate of Compliance included (Register 76, No. 31).  
4. Change without regulatory effect amending subsections (b)-(c) and adding Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

**§ 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.

**HISTORY:**

1. New section filed 7-30-76 as an emergency; effective upon filing. Certificate of Compliance included (Register 76, No. 31).  
2. Amendment of NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).

**§ 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.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-30-76 as an emergency; effective upon filing. Certificate of Compliance included (Register 76, No. 31).
3. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Change without regulatory effect amending subsection (e) and adding Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

**§ 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.

**HISTORY:**

1. Amendment of subsections (c) and (f) filed 4-3-78; effective thirtieth day thereafter (Register 78, No. 14). For prior history, see Register 73, No. 36; Register 75, No. 30; and Register 76, No. 31.
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

**HISTORY:**

1. Amendment filed 10-12-89; operative 10-12-89 (Register 89, No. 41). For prior history, see Register 81, No. 45).
2. Amendment filed 12/29/2005; operative 1/1/2006; (Register 2005, No. 52).

**§ 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.

**HISTORY:**

1. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
2. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).

**§ 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.

**HISTORY:**

1. New section filed 9-26-75; effective thirtieth day thereafter (Register 75, No. 39).

**§ 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.

**HISTORY:**

1. New section filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25).
2. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
3. Amendment of NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Amendment filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).



## Article 1.1 Issuance of Insignia for Manufactured Homes, Mobilehomes, Commercial Coaches and Recreational Vehicles Not Previously Issued Insignia of Approval

### § 4049.1. Application and Scope.

The provisions of this article relating to construction, energy conservation, fire safety, electrical, mechanical, heating and plumbing equipment and installations and occupancy requirements are applicable to all manufactured homes, mobilehomes and commercial coaches, that have not been issued department insignia, and which meet the requirements; of reasonable standards of health and safety as set forth in this subchapter.

#### AUTHORITY:

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

#### HISTORY:

1. New Article 1.1 (§ 4049.1–4049.17, not consecutive) filed 5–30–75; designated effective 7–1–75 (Register 75, No. 22).
2. Repealer of Article 1.1 (Sections 4049.1–4049.17, not consecutive) and new Article 1.1 (Sections 4049.1–4049.17, not consecutive) filed 12–23–77 as an emergency; effective upon filing. Certificate of Compliance included (Register 77, No. 52). For prior history, see Registers 75, No. 43 and 76, No. 5.
3. Amendment filed 4–2–81; effective thirtieth day thereafter (Register 81, No. 14).
4. Repealer of Article 1.1 (Sections 4049.1–4049.17, not consecutive) and new Article 1.1 (Sections 4049.1–4049.9, not consecutive) filed 7–28–82 as an emergency; effective upon filing (Register 82, No. 31). For prior history, see Registers 80, No. 45 and 79, No. 51. A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11–25–82.
5. Change without regulatory effect amending article heading, section and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

### § 4049.3. Structural, Fire Safety and Energy Requirements.

(a) In lieu of the requirements of Section 4050(b), the structural, fire safety and energy equipment and installations of manufactured homes and mobile homes manufactured on or after September 15, 1971, and before June 15, 1976, shall conform to the following:

(1) Minimum Requirements. The design and construction of a manufactured home or mobile home shall conform with the provisions of this article. Requirements for any size, weight, or quality of material modified by the terms of "minimum," "not less than," "at least," and similar expressions are minimum standards.

(2) Construction. All construction methods shall be in conformance with accepted engineering practice standards to ensure durable, livable, and safe housing. Exposed metal structural members shall be protected to resist corrosion.

(3) Structural Analysis. The strength and rigidity of the component parts and/or the integrated structure shall be determined by engineering analysis.

(4) Design Dead Loads. Design dead loads shall be actual dead load supported by the structural assembly under consideration.

(5) Design Live Loads. The design live loads shall be as specified in Sections 4049.3 (a)(6), (7), (8), (10), (13), (16) and (17) and shall be considered to be uniformly distributed. The roof live load shall not be considered as acting simultaneously with the wind load and the roof and floor live loads shall not be considered as resisting the overturning moment due to wind.

(6) Wind Loads. Manufactured homes or mobile homes shall be designed to withstand minimum horizontal and uplift pressures from any direction as follows:

Horizontal—15 lb/ft<sup>2</sup>

Vertical (Horizontal projection)—9 lb/ft<sup>2</sup> uplift

Unit stresses may be increased in accordance with the applicable accepted engineering practice standards.

(7) Roof Loads. Flat, curved and pitched roof members shall be designed to sustain all loadings as follows:

(A) All dead loads plus a minimum unit live load of 20 lb/ft<sup>2</sup>

(B) A vertical uplift load of 9 lb/ft<sup>2</sup>

(8) Snow Loads. Where it is known that the manufactured home or mobile home will be subjected to snow loads, the manufactured home or mobile home shall be designed for the appropriate loads. Unit stresses may be increased in accordance with applicable accepted engineering practice standards.

(9) Fastening of Structural Systems. Roof framing shall be securely fastened to wall framing, walls to floor structure, and floor structure to chassis to secure and maintain continuity between the floor and chassis, so as to resist wind overturning and sliding as imposed by design loads in Section 4049.3(a)(6).

(10) Walls. The walls shall be of sufficient strength to withstand the load requirements as defined in Section 4049.3(a)(6), (7) and (8) and without exceeding the deflections specified in Section 4049.3(a)(16). The connections between the bearing walls, floor, and roof framework members shall be fabricated in such a manner as to provide support for the material used to enclose the manufactured home or mobile home and to provide for transfer of all lateral and vertical loads to the floor and chassis.

(11) Interior Walls. Interior walls shall be constructed with structural capacity adequate for the intended purpose and shall be capable of resisting a horizontal load of not less than five pounds per square foot.

(12) Firestopping. Firestopping shall be provided in multistory manufactured homes or mobilehomes to cut off all concealed draft openings in all stud walls and partitions, including furred spaces, so placed that the maximum vertical dimension of any concealed space is not over eight feet.

(13) Floors.

(A) Floor assemblies shall be designed in accordance with accepted engineering practice standards to support a minimum uniform live load of 40 lb/ft<sup>2</sup> plus the dead load of the materials. In addition (but not simultaneously), floors shall be able to

support a 200-pound concentrated load on a two inch diameter disc at the most critical location with a maximum deflection not to exceed one-eighth inch relative to floor framing. Perimeter joists of more than six inches depth shall be stabilized against overturning from superimposed loads as follows: at ends by solid blocking not less than two inch thickness by full depth of joist, or by connecting to a continuous header not less than two inch thickness and not less than the depth of the joist with connecting device; at eight feet maximum intermediate spacing by solid blocking or by wood cross-bridging of not less than one inch by three inches, metal cross-bridging of equal strength, or by other approved methods.

(B) Wood floors or subfloors in kitchen, bathrooms (including toilet compartments), laundry rooms, water heater compartments, and any other areas subject to excessive moisture shall be moisture resistant or shall be made moisture resistant by sealing or by an overlay of nonabsorbent material applied with water-resistant adhesive.

(14) Carpet. Carpet and/or carpet pads shall not be installed in concealed spaces subject to excessive moisture such as under plumbing fixtures. Carpet and/or pads shall not be installed beneath the bottom plate of shear and bearing walls.

(15) Underfloor Closure Material. Underfloor closure material and method of construction shall be such as to resist damage which would permit penetration of the underside of the manufactured home or mobilehome by water, rodents or insects.

(16) Deflections. Deflection of structural assemblies shall not exceed the following:

Floor—L/240

Roof and Ceiling Members—L/180

Sidewalls—L/180

Where L = the clear span between supports or two times the length of a cantilever.

(17) Roof Members. Roof members shall be capable of withstanding the loads and meet the deflection requirements of Sections 4049.3(a) (6), (7), (8), and (16).

(18) Roof Coverings.

(A) General. Roof coverings shall be securely fastened in an approved manner to the supporting roof construction and shall provide weather protection for the manufactured home or mobilehome and the occupants. All roof decks shall be designed with sufficient slope or camber to assure adequate drainage, or shall be designed to support maximum loads including possible ponding of water due to deflection. Roof covering shall be installed pursuant to the manufacturer's instructions and as approved by the department.

(B) Construction. All roofs shall be so framed and tied into the framework and supporting walls as to form an integral part of the manufactured home or mobilehome. All trusses shall be laterally braced.

(19) Weather Resistance. Exterior covering shall be of moisture and weather resistive materials attached with corrosion resistant fasteners to resist wind and rain. Metal coverings shall be of corrosion resistant materials.

(20) Rodent Resistance. Exterior surfaces shall be sealed to resist the entrance of rodents.

(21) Heat Loss. The total calculated heat loss of the living unit at the outdoor design temperature shall not exceed 40 Btu/hr/ft<sup>2</sup> of the total floor area or 275 Btu/hr lineal ft. of the perimeter of the space to be heated to 70 degrees F, whichever is greater. The minimum total resistance value (R), excluding framing, of the wall (less windows and doors), ceiling, and floor shall not be less than:

Wall—8.0

Ceiling—16.0

Floor—10.0

(22) "R" values and "U" factors shall be calculated in accord with the provisions of Chapter 20 of the 1972 ASHRAE Handbook of Fundamentals (American Society of Heating, Refrigerating, and Air Conditioning Engineers, 345 East 74th Street, New York, New York 10017).

(23) Framing Heat Loss. In the absence of specific data, for the purpose of heat loss calculations, the following framing areas shall be assumed:

Wall—20% of net wall area (less windows)

Ceiling—5% of total ceiling area

Floor—10% of net floor area (less duct area)

(24) Infiltration Heat Loss. The following shall be used to estimate infiltration heat loss, or infiltration heat loss may be calculated using the method in Chapter 19 of the 1972 ASHRAE Handbook of Fundamentals (American Society of Heating, Refrigerating, and Air Conditioning Engineers, 345 East 74th Street, New York, New York 10017).

| Outside Design Temperature Degrees | F Infiltration Allowance BTU/Hr |
|------------------------------------|---------------------------------|
| 40.....                            | 3,330                           |
| 30.....                            | 4,440                           |
| 20.....                            | 5,550                           |
| 10.....                            | 6,660                           |
| 0.....                             | 7,770                           |
| Minus 10.....                      | 8,880                           |
| Minus 20.....                      | 9,990                           |
| Minus 30.....                      | 11,100                          |
| Minus 40.....                      | 12,210                          |

(25) Light and Ventilation. Adequate provisions shall be made for light and ventilation in accordance with the following:

(A) Habitable Rooms. Habitable rooms shall be provided with exterior windows or doors having a total glazed area of not less than 10 percent of the gross floor area. An area equivalent to not less than 5 percent of the gross floor area shall be available for unobstructed ventilation. Glazed areas need not be openable where a mechanical ventilation system is provided and is capable of producing a change of air in the room(s) every thirty minutes with not less than one-fifth of the air supply taken from outside the manufactured home or mobilehome. However, kitchens may be provided with artificial light and mechanical ventilation capable of producing a change of air in the room every 30 minutes. Windows and doors used for light or ventilation shall open directly to the outside of the manufactured home or mobilehome.

(B) Bathroom. Each bathroom shall be provided with artificial light and, in addition, be provided with external windows or doors having not less than 1-1/2 square feet of fully openable glazed area, except where a mechanical ventilation system is provided capable of producing a change of air every 12 minutes. Any mechanical ventilation system shall exhaust directly to the outside of the manufactured home or mobilehome.

(26) Ceiling Height. Every habitable room shall have a minimum ceiling height of not less than seven feet in at least 50 percent of its required area with no portion of the required area less than five feet in height. Hallways shall have a minimum ceiling height of six feet, six inches.

(27) Exit Facilities.

(A) Manufactured homes or mobilehomes shall have a minimum of two exterior doors located remote from each other and so arranged as to provide a means of unobstructed travel to the outside of the manufactured home or mobilehome.

(B) Exterior doors shall be constructed for exterior use and in no case provide less than a 28-inch-wide clear opening. Each exterior door shall have a key-operated lock. The locking mechanism of the lock shall be engaged or disengaged by the use of a lever, knob, button, handle, or other device from the inside. Locks shall not require the use of a key for operation from the inside.

(C) Every room designed expressly for sleeping purposes, unless it has an exit door (see Section 4049.3(a)(27)(B)), shall have at least one outside window which can be opened from the inside without the use of tools to provide a clear opening of not less than 22 inches in least dimension and five square feet in area with the bottom of the opening not more than four feet above the floor. Where a screen or storm window must be removed from this window to permit emergency egress, it shall be readily removable without requiring the use of tools.

(28) Interior Passage. Interior doors having passage hardware without a privacy lock, or with a privacy lock not engaged, shall open from either side by a single movement of the hardware mechanism in any direction.

(29) Every manufactured home or mobilehome shall have at least one habitable room with not less than 150 square feet of gross floor area. Rooms designed for sleeping purposes shall have a minimum gross square foot floor area as follows:

One person--50

Two persons--70

Each person in excess of two--50

(30) No habitable room, except a kitchen, shall be less than five feet in any clear horizontal dimension.

(31) Hallways shall have a minimum horizontal dimension of 28 inches.

(32) Glazing in hazardous locations shall comply with Table MH-1.

Table MH-1

Glazing in the Following Specific Hazardous Locations Shall Meet the Following Requirements

| Specific Hazardous Locations   | Size of Individual Glazed Area | Requirements <sup>2</sup>   |
|--|--------------------------------|---|
| Glazing in exit and entrance doors   | Over 6 sq. ft.                 | Each glazed area shall pass the requirements of ANSI Standard Z97.1 <sup>3</sup> if not protected by a protective grille <sup>1</sup> firmly attached to stiles on each exposed side. |
| Glazing in storm doors   | Over 2 sq. ft.                 | Each glazed area shall pass the requirements of ANSI Standard Z97.1 <sup>3</sup> if not protected by a protective grille <sup>1</sup> firmly attached to stiles on each exposed side. |
| Glazing in sliding exterior doors  | All Sizes                      | Each glazed area shall pass the requirements of ANSI Standard Z97.1 <sup>3</sup>  |
| Glazing in all unframed doors (swinging)   | All Sizes                      | Each glazed area shall be fully tempered glass and pass the requirements of ANSI Standard Z97.1. <sup>3</sup>   |
| Glazing in shower doors and tub enclosures   | All Sizes                      | Each glazed area shall pass the test requirements of ANSI Standard Z97.1. <sup>3</sup>  |
| Other fixed glazed panels located within 12 inches on either side of exit and entrance doors | All Sizes                      | Each glazed area within 18 inches of the floor shall pass the requirements of ANSI Standard Z97.1 <sup>3</sup> unless the glazed area is  |

protected by a barrier within 12 inches immediately in front of the glazing.

- <sup>1</sup> Shall be constructed and attached in such a manner so as to prevent human impact from being delivered to glass surface
- <sup>2</sup> Annealed glass less than single strength (SS) in thickness shall not be used. If short dimension is larger than 24 inches, annealed glass must be double strength (DS) or thicker.
- <sup>3</sup> American National Standard Performance Specifications and Methods of Test for Safety Glazing Material Used in Buildings, as approved January 20, 1972, American National Standards Institute, 1430 Broadway, New York, New York 10018.

(33) Fire Warning Equipment. At least one listed smoke detector (which may be a single station alarm device) shall be installed in each manufactured home or mobilehome.

For the purpose of this article, a "smoke detector" is a device which detects visible or invisible particles of combustion. A "single station alarm device" is an assembly incorporating a detector and an alarm sounding device in one unit, operated from a power supply either in the unit or obtained at the point of installation. Detectors shall operate from an AC, monitored battery, or combination AC/battery power source.

(34) Smoke Detector Location. Smoke detector(s) shall be located outside of bedrooms or in a hallway or space communicating thereto, on or near the ceiling, and shall be installed in accordance with the manufacturer's instructions. Manufactured homes or mobilehomes having bedrooms separated by any one or a combination of common use areas, such as a kitchen, dining room, living room, or family room (but not a bathroom or utility room), shall have at least two detectors.

(35) Alarm Sounding Device. Every smoke-detector shall have an operable alarm signaling device or devices which is clearly audible in all bedrooms with all intervening doors closed and is rated not less than 85 decibels at 10 feet.

(36) Detector Trouble Signals. Detectors requiring a light source for operation shall have an audible trouble signal on failure of the light source, but such failure shall not cause an alarm. Detectors not requiring a light source for operation shall have either a visible light to indicate operability or an audible trouble signal. Audible trouble signals shall be designed to operate at least every minute for seven consecutive days.

(b) The structural, fire safety and energy equipment and installation of commercial coaches shall comply with the applicable provisions of this subchapter.

**AUTHORITY:**

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

**HISTORY:**

1. Editorial correction filed 11-19-82 (Register 82, No. 47).
2. Change without regulatory effect repealing subsections (c)-(c)(9) and amending Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### **§ 4049.5. Plumbing Requirements.**

(a) The plumbing equipment and installations for manufactured homes, mobilehomes and commercial coaches shall conform to the applicable provisions of this subchapter.

**AUTHORITY:**

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

**HISTORY:**

1. Change without regulatory effect amending subsection (a) and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

#### **§ 4049.7. Mechanical Requirements.**

(a) The heating, cooling, fuel-burning equipment and installations of manufactured homes or mobilehomes manufactured after September 1, 1958 and prior to June 15, 1976, shall conform to the applicable provisions of this subchapter with the following exceptions:

(1) Gas ranges installed in manufactured homes and mobilehomes manufactured prior to May 1, 1962, are required to be listed by an approved testing agency, and installed in accordance with the terms of their listing.

(2) Gas fired refrigerators and clothes dryers installed in manufactured homes and mobilehomes manufactured prior to August 15, 1963, are required to be listed by an approved testing agency, and installed in accordance with the terms of their listing.

(3) Gas fired furnaces and water heaters installed in manufactured homes and mobilehomes manufactured prior to January 1, 1965, are permitted to be installed in a separate enclosed space completely isolated from the living spaces; any access to the enclosed space from the living space, must have a tight fitting door, with a tag stating "This door must be closed when heater is in operation." Heating appliances must be listed by an approved testing agency and installed in accordance with the manufacturer's installation instructions. No furnace or water heater shall be installed in a bedroom, bathroom or clothes closet.

(4) Manufactured homes and mobilehomes manufactured prior to September 1, 1967, are not required to have a gas shut-off valve ahead of each appliance in the gas piping system.

(5) Gas ranges installed in manufactured homes and mobilehomes manufactured prior to September 1, 1964, are required to have vertical clearances above the cooking top to combustible materials, in accordance with terms of their listing.

(b) The heating, cooling, fuel-burning equipment and installation thereof for commercial coaches shall comply with applicable provisions of this subchapter.

**AUTHORITY:**

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

**HISTORY:**

1. Editorial correction of subsection (a) filed 11-19-82 (Register 82, No. 47).
2. Change without regulatory effect amending section and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).

**§ 4049.9. Electrical Requirements.**

(a) The electrical equipment and installation of manufactured homes or mobile homes manufactured after September 1, 1958 and prior to June 15, 1976, shall conform to the applicable provisions of this subchapter with the following exceptions:

(1) Manufactured homes and mobilehomes manufactured prior to September 1, 1964, require only one (1) 20 ampere appliance circuit in the kitchen and one (1) 15 ampere general purpose lighting circuit. Units with not more than a total of six (6) lighting outlets and general appliance and convenience outlets combined, shall have not less than one (1) 20 ampere no. 12 gauge copper wire circuit to supply these outlets and the total rating of fixed appliances connected to this circuit shall not exceed nine (9) amperes or one thousand (1,000) watts.

(2) Manufactured homes and mobilehomes manufactured prior to September 1, 1964, require receptacle outlets installed every twenty (20) linear feet or major fraction thereof for the total (gross) distance around the room as measured horizontally along the wall at the floor line.

(3) Manufactured homes and mobilehomes manufactured prior to September 1, 1964, shall have grounding type receptacles for laundry appliances and exterior locations or shall have the circuits or receptacles protected by a ground-fault interrupter.

(4) Manufactured homes and mobilehomes manufactured prior to September 1, 1975, are not required to have electrical ground-fault circuit protection, except as permitted by Section 4049.9(a)(3).

(5) Manufactured homes and mobilehomes with aluminum 15 and 20 ampere branch circuit wiring shall have listed CO/ALR receptacles and switches or the circuits connected to the receptacles and switches by copper conductors in the outlet box with listed wire nuts or wire connectors (pigtailed).

(6) Manufactured homes and mobilehomes manufactured prior to June 15, 1976, are not required to have an exterior receptacle at the water connection to energize a heat tape.

(b) The electrical equipment and installation thereof for commercial coaches shall comply with the applicable provisions of this subchapter.

**AUTHORITY:**

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

**HISTORY:**

1. Editorial correction of subsection (a) filed 11-19-82 (Register 82, No. 47).
2. Change without regulatory effect amending section and Note filed 10-8-2008 pursuant to section 100, title 1, California Code of Regulations (Register 2008, No. 41).



## Article 1.2. Mobile/Factory-Built Housing

### § 4049.50. Application and Scope.

The more restrictive provisions of Chapter 3, Subchapters 1 and 2, Title 25, of the California Administrative Code, relating to construction, fire safety, electrical, mechanical, plumbing, and occupancy apply to all mobile/factory-built units manufactured and sold or offered for sale in California.

(a) Standards for Equipment and Installations. Standards for equipment and installations are listed in the California Administrative Code, Title 25, in Chapter 3, Subchapters 1 and 2.

(b) Standards for Construction, Fire Safety, Electrical, Mechanical, Plumbing, and Occupancy. The construction, fire safety, electrical, mechanical, plumbing and occupancy requirements of a mobile/factory built unit shall conform to the most restrictive requirements of the California Administrative Code, Title 25, Chapter 3.

#### AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18000–18080.5 and 19960–19997, Health and Safety Code.

#### HISTORY:

1. New Article 1.2 (Sections 4049.50, 4049.53, 4049.59) filed 9–26–75; effective thirtieth day thereafter (Register 75, No. 39).
2. Amendment filed 5–4–79; effective thirtieth day thereafter (Register 79, No. 18).

### § 4049.53. Plan Approval.

All manufacturers who plan to construct mobile/factory built units for sale in California shall submit an application to the department together with plans, specifications, quality control manual, and fees pursuant to the following.

(a) The plans, specifications, and quality control manual shall conform to and incorporate the most restrictive requirements of, the California Administrative Code, Title 25, Chapter 3, Subchapters 1 and 2.

(b) The fees shall be paid in accordance with Section 4044 of this subchapter.

(c) When the mobile/factory built unit has been certified by the department as complying with Title 25, Chapter 3, Subchapters 1 and 2, the manufacturer shall furnish a minimum of two sets of the approved plans, containing a resume of what installation work is to be done on site, to the installer who shall submit one set to the local enforcement agency prior to installation.

(d) mobilehome and mobile/factory built housing shall not have the same department plan approval numbers.

#### AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18000–18080.5, 19960–19997, Health and Safety Code.

#### HISTORY:

1. Amendment filed 6–9–77; designated effective 9–1–77 (Register 77, No. 24).
2. Amendment filed 5–4–79; effective thirtieth day thereafter (Register 79, No. 18).

### § 4049.59. Insignia.

All mobile/factory built housing units manufactured pursuant to this article shall have mobilehome insignia issued pursuant to Sections 4032–4037 of this chapter.

(a) Factory-Built Housing Insignia. A manufacturer may request the department to certify mobile/factory built housing unit(s) bearing a department insignia. Upon approval by the department, a factory-built housing insignia may be issued pursuant to the California Administrative Code, Title 25, Chapter 3, Subchapter 1, Sections 3135–3141.

(b) Upon receipt of application and fees for certification, the department shall make an inspection of the mobile/factory-built housing unit and if the unit complies with all the requirements of the California Administrative Code, Title 25, Chapter 3, Subchapter 1, the department shall issue insignia pursuant to the California Administrative Code, Title 25, Chapter 3. The mobilehome insignia issued pursuant to this article shall be reappropriated by the department.

#### AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18000–18080.5 and 19960–19997, Health and Safety Code.

#### HISTORY:

1. Amendment filed 5–4–79; effective thirtieth day thereafter (Register 79, No. 18).



## Article 2. Mobilehomes

### Subarticle 1. Application

#### § 4050. Application and Scope.

(a) The provisions of the Federal Mobilehome Procedural and Enforcement Regulations and Construction and Safety Standards relating to construction and fire safety apply to all mobilehomes manufactured on or after June 15, 1976, bearing or required to bear a Title VI (24 C.F.R.) label.

(b) The provisions of National Fire Protection Association Standard (NFPA) 501 B, 1974 Edition/American National Standards Institute Standard (ANSI) A119.1, 1975 Edition, Part B, relating to construction and fire safety apply to all mobilehomes manufactured between September 15, 1971, and June 14, 1976, and sold, offered for sale, rent, or lease within this state.

(c) The provisions of Federal Mobilehome Construction and Safety Standards relating to construction and fire safety are applicable to the alteration or conversion of any construction or fire safety equipment or installations in any mobilehome manufactured after September 15, 1971, bearing or required to bear a department insignia or Title VI (24 C.F.R.) label.

(d) The provisions of Federal Mobilehome Construction and Safety Standards relating to construction and fire safety are applicable to any addition to a mobilehome manufactured after September 1, 1958, bearing or required to bear a department insignia or Title VI (24 C.F.R.) label.

(e) The provisions of Federal Mobilehome Construction and Safety Standards relating to plumbing, heating, cooling, fuel burning, and electrical equipment and installations apply to any mobilehome manufactured after September 1, 1958, bearing or required to bear a department insignia or Title VI (24 C.F.R.) label.

(f) The provisions of Federal Mobilehome Construction and Safety Standards relating to plumbing, heating, cooling, fuel burning, and electrical equipment and installations are applicable to the alteration, conversion, or addition of any plumbing, heating, cooling, fuel burning, and electrical equipment and installations in any mobilehome manufactured after September 1, 1958, bearing or required to bear a department insignia or Title VI (24 C.F.R.) label.

(g) The Federal Mobilehome Procedural and Enforcement Regulations and Construction and Safety Standards (Title VI, 24 C.F.R.) are reproduced in Article 2, Divisions 2 and 3 of this subchapter for reference.

#### AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18055–18058, Health and Safety Code.

#### HISTORY:

1. Repealer of Article 2 (Sections Search Term Begin 4050- Search Term End 4339, not consecutive) and Appendix MH-P, and new Article 2 (Sections Search Term Begin 4050- Search Term End 4070, not consecutive) filed 6-15-76 as an emergency; effective upon filing (Register 76, No. 25). For history of former Article 2, see Registers 71, No. 30, 71, No. 47, 73, No. 36, 74, No. 1, 74, No. 9, 75, No. 30, 75, No. 48, and 76, No. 5.
2. Certificate of Compliance filed 7-29-76 (Register 76, No. 31).
3. Amendment to Section Search Term Begin 4050 Search Term End filed 7-30-76 as an emergency; effective upon filing (Register 76, No. 31).
4. Certificate of Compliance filed 10-22-76; (Register 76, No. 43).
5. Amendment of section and NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
6. Amendment of section Search Term Begin 4050 Search Term End and repealer of title "Effective Date" and Sec. 628 language appearing after section Search Term Begin 4050 Search Term End filed 5-4-79; effective thirtieth day thereafter (Register 79, No. 18).
7. Editorial correction removing inadvertently retained title "Effective Date" and extraneous History and Note and amending History 6 (Register 2009, No. 47).



## Article 2.1 Water Heater Seismic Bracing, Anchoring and Strapping

### § 4100. Protection from Seismic Damage.

(a) All of the following apply to the bracing, anchoring or strapping of storage-type fuel-gas-burning water heater appliances:

(1) Prior to or at the time of the sale, resale or installation of any manufactured home, multifamily manufactured home or mobilehome, all existing or replacement fuel-gas-burning water heater appliances shall be braced, anchored or strapped in accordance with this article to resist horizontal displacement due to seismic motion. For a lease or rental of a manufactured home, multifamily manufactured home or mobilehome, the bracing, anchoring or strapping, shall be required at the inception of a lease or rental transaction. For units presently being rented or leased seismic securement is required.

(2) Seismic bracing, anchoring or strapping shall be installed at points within the upper one-third (1/3) and lower one-third (1/3) of the vertical dimension of the appliance. At the lower point, a minimum of four (4) inches shall be maintained above the controls from the strapping.

(3) The appliance bracing, anchoring or strapping shall include mechanical connection to structural members, or to the wall studs adjacent to the appliance, in order to prevent tipping along its center axis.

(4) The installation of the appliance bracing, anchoring or strapping material(s) shall not interfere with any appliance control(s), access or inspection panel(s).

(5) Fuel-gas-burning tankless-type water heater appliances that do not store water for the purpose of heating are exempt from the requirements of this article when installed in accordance with the appliance manufacturer's installation instructions.

(b) The timing and certification of the installation of seismic bracing, anchoring or strapping shall be consistent with California Health and Safety Code Section 18031.7.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.

#### HISTORY:

1. New article 2.1 (sections 4100-4104) and section filed 10-15-2009; operative 10-15-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 42).

### § 4102. Water Heater Certification Requirements.

When an application is submitted to the department for the transfer of ownership to a new or additional registered owner as the result of a sale of a used manufactured home, multifamily manufactured home or mobilehome, the application shall contain a statement signed under penalty of perjury, which provides the following information:

(a) The identifying information, including the trade or manufacturer's name, serial number(s) and the registration decal number(s) of the manufactured home, multifamily manufactured home or mobilehome.

(b) A statement consistent with Section 4100 of this article certifying that each storage-type fuel-gas-burning water heater subject to this article in the manufactured home, multifamily manufactured home or mobilehome is seismically braced, anchored or strapped in accordance with this article on the date of the transfer of title.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.

#### HISTORY:

1. New section filed 10-15-2009; operative 10-15-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 42).

### § 4104. Permit Requirements.

Notwithstanding any other provision of law or regulations, the permit requirements of Section 4040 of this subchapter are not applicable to the installation of seismic bracing, anchoring or strapping for fuel-gas-burning water heaters, provided no alteration to the manufactured home, multifamily manufactured home or mobilehome structural, fire-life safety, mechanical, plumbing or electrical systems, is made to accommodate the installation of the seismic bracing, anchoring or strapping.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18031.7, Health and Safety Code. Reference: Sections 18015, 18020, 18025 and 18031.7, Health and Safety Code.

#### HISTORY:

1. New section filed 10-15-2009; operative 10-15-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 42).



## Article 2.3. Ignition Resistant Construction Systems

### § 4200. Application of Design Requirements; Preemption of Local Design and Construction Requirements.

(a) This article shall apply to the design, construction and installation of an ignition-resistant construction system, when a manufactured home, multifamily manufactured home or commercial modular structure, is newly installed in any Fire Hazard Severity Zone within State Responsibility Areas or in any Local Responsibility Area, as defined herein, pursuant to California Code of Regulations, Title 24, Part 2, Chapter 7A.

(b) Except as provided herein, this article preempts all other requirements in any law or ordinance establishing standards for the design and installation of ignition-resistant construction systems on the exterior of a manufactured home, mobilehome, multifamily manufactured home, or commercial modular structures, including but not limited to those requirements of any ordinance or rule adopted by any city, county, city and county, or special district or fire district, except for the following:

(1) Those structures not exempt pursuant to subsection (c) of this section installed in locally established fire hazard areas other than in areas specified in subsection (a) of this section shall not be subject to any additional or more restrictive ignition-resistant protection than required by this article.

(2) Ignition-resistant construction standards enacted by local governments that are less restrictive than this article, shall apply only to those structures installed in locally established Wildland-Urban Interface Fire areas. The less restrictive ignition-resistant construction system standards shall be approved by the local enforcement agency and shall be applicable to those structures in the same manner as site-constructed buildings or structures constructed in the same fire hazard area.

(c) This article requires installation of an ignition-resistant construction system when a new manufactured home, multifamily manufactured home, or commercial modular manufactured on or after September 1, 2008, is installed, or intended to be installed, in a State Responsibility Area or a Local Responsibility Area.

(1) Exception: Any new or used commercial modular structure installed in either a State Responsibility Area or Local Responsibility Area for temporary use or occupancy for three years or less, as calculated based upon the date of permit issuance.

(d) This article shall require the installation of an ignition-resistant construction system or any part thereof, on a used manufactured home, mobilehome, multifamily manufactured home, or commercial modular structure currently located in a State Responsibility Area or a Local Responsibility Area if the structure meets one of the following criteria:

(1) It undergoes exterior repair, replacement, or alteration of a component which would be subject to this article, and only the portion undergoing the repair, replacement, or alteration must comply with the provisions of this article.

(2) It undergoes conversion from one type of occupancy to another.

(e) If a used mobilehome or a new or used manufactured home, multifamily manufactured home or commercial modular is altered to add any or all components of exterior fire protection, and the alteration is intended to create an "ignition-resistant construction system", the alterations or additions must comply with the provisions of this article.

(f) No municipality shall prohibit the use, occupancy or installation of a commercial modular, manufactured home, mobilehome or multifamily manufactured home based upon the date the unit was previously certified as complying with the provisions of this article.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18020, 18028, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18029.5, 18030.5 and 18613.4, Health and Safety Code.

#### HISTORY:

1. New article 2.3 (sections 4200-4216) and section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.

2. New article 2.3 (sections 4200-4216) and section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.

3. New article 2.3 (sections 4200-4216) and section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.

4. Editorial correction of 3 (Register 2009, No. 22).

5. Certificate of Compliance as to 5-22-2009 order, including amendment of section heading, section and Note, transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).

### § 4202. Definitions.

The following definitions shall apply to this article:

(a) "Date of manufacture" means the date a manufacturer certifies compliance of the structure by affixing either a federal label or an insignia of approval. The date of manufacture of a manufactured home or multifamily manufactured home is recorded by the manufacturer on a data plate and affixed inside each manufactured home in accordance with federal regulations. The date of manufacture of a commercial modular structure is the date entered by the manufacturer on a unit identification label in accordance with the provisions of Article 1, section 4030 of this subchapter.

(b) "Ignition-resistant construction system" is an exterior fire safety system consisting of ignition-resistant designs, construction and site installation methods and materials that comply with the applicable provisions of Title 24, Part 2, Chapter 7A.

(c) "Local Responsibility Area" is a Local Agency Very-High Fire Hazard Severity Zone established pursuant to Title 24, Part 2, Chapter 7A.

(d) "New manufactured home, mobilehome, multifamily manufactured home or commercial modular is one that is defined pursuant to California Health and Safety Code, Division 13, Chapter 1, Section 18009, and which has not been delivered to a first purchaser or lessor for purposes other than resale or reletting.

(e) "State Responsibility Area" is a Fire Hazard Severity Zone established pursuant to Title 24, Part 2, Chapter 7A.

(f) "Used" manufactured home, mobilehome, multifamily manufactured home or commercial modular is one that is defined pursuant to California Health and Safety Code, Division 13, Section 18014, and which has either been installed on a foundation system, delivered for installation on a foundation system, or registered and titled with the department, and has been sold or leased to a first purchaser for purposes other than resale or reletting.

(g) "Wildland-Urban Interface Fire Area" is a geographical area identified by the state as a "Fire Hazard Severity Zone", or other areas designated by the enforcing agency to be a significant risk from wildfires, established pursuant to Title 24, Part 2, Chapter 7A.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18020, 18029, 18029.5 and 18613, Health and Safety Code. Reference: Sections 18009, 18014, 18015, 18020, 18025, 18029.5, 18030.5 and 18551, Health and Safety Code.

**HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order, including amendment of section and Note, transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).

**§ 4204. Adoption by Reference of the Provisions of the California Code of Regulations, Title 24, Part 2, Chapter 7A.**

For the purposes of this article, California Code of Regulations, Title 24, Part 2, Chapter 7A, is hereby incorporated by reference and made applicable to mobilehomes, manufactured homes, multifamily manufactured homes, and commercial modulars in accordance with section 4200 of this article, except for the following provisions: sections 701A5, 701A6 and 702A (Fire Protection Plan).

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18020, 18028, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18028, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of History 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order, including amendment of Note, transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).
6. Change without regulatory effect amending section filed 1-28-2011 pursuant to section 100, title 1, California Code of Regulations (Register 2011, No. 4).

**§ 4205. Manufactured Homes, Mobilehomes, Multifamily Manufactured Homes, Commercial Modular Roof Coverings.**

(a) New and used commercial modular roof systems originally constructed with metal roof coverings are deemed to comply with the provisions of section 4204, and Title 24, Part 2, Chapter 7A, section 704A.1.

(b) The metal or asphalt roof covering systems installed on new manufactured homes or multifamily manufactured homes in compliance with Title 24, CFR, Part 3280, are deemed to comply with the provisions of section 4204, and Title 24, Part 2, Chapter 7A, section 704A.1, if originally constructed or altered in accordance with section (c).

(c) Manufactured homes, mobilehomes, multifamily manufactured homes installed or intended to be installed in a State Responsibility Area or a Local Responsibility Area shall be deemed to comply with the purposes of this Article if such units are originally constructed or altered in accordance with both of the following:

(1) The unit(s) have an existing asphalt composition roof, or metal roof covering and,

(2) The unit(s) comply with the provisions of section 4204 and Title 24, Part 2, Chapter 7A pertaining to attic ventilation, and if altered to eliminate existing under-eave ventilation, the roof shall be reconstructed or altered to maintain a minimum free ventilation area of not less than 1/300 of the attic or roof cavity floor area. At least 40 percent of the free ventilation area shall be provided by attic ventilation located on the lower area of the roof. The location and spacing of the vent openings and ventilators shall provide cross-ventilation to the entire attic or roof cavity space. Manufactured homes originally constructed with metal roofs without attic ventilation will not require reconstruction or alteration to comply with this paragraph.

(d) Used manufactured homes, mobilehomes, multifamily manufactured homes, or commercial modulars meeting the requirements of this section shall not be required to bear a label in accordance with section 4214.

**AUTHORITY:**

Note: Authority cited: Sections 18015 and 18020, Health and Safety Code. Reference: Title 24, CFR Part 3280; and Sections 18015, 18020, 18025, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

New section filed 8-19-2009; operative 8-19-2009 (Register 2009, No. 34).

#### **§ 4206. Sale, Rent or Lease of a Manufactured Home, Mobilehome, Multifamily Manufactured Home, or Commercial Modular.**

(a) It shall be unlawful for any person to sell, offer for sale, for rent or for lease within this state any mobilehome, manufactured home, multifamily manufactured home, or commercial modular that is not constructed or modified with an ignition-resistant construction system consistent with and when required by this article.

(b) It shall be unlawful for any person to construct, repair, replace, or modify an ignition-resistant construction system on a structure subject to this article unless that person performs the work in a manner consistent with this article.

##### **AUTHORITY:**

Note: Authority cited: Sections 18015, 18020, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18026, 18029, 18029.5, 18035, 18035.2, 18046, 18046.1 and 18060.5, Health and Safety Code.

##### **HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).

#### **§ 4208. Requirements for the Design Approval of the Plans for Ignition-Resistant Construction System.**

(a) The following requirements apply to the design review of the design of an ignition-resistant construction system prior to construction of a new manufactured home, multifamily manufactured home or commercial modular within a manufacturing facility:

(1) A Department-approved Design Approval Agency, prior to installation of an ignition-resistant construction system shall review and approve the manufacturer's design for the system.

(2) A Department-approved Design Approval Agency shall provide the manufacturer with a copy of the approved plans for the manufacturer's use prior to the construction of any ignition-resistant construction system, including specifications and procedures for completion of the ignition-resistant construction system at the installation site.

(3) The manufacturer shall use plans approved only by a Department-approved Design Approval Agency for the purpose of construction of any ignition-resistant construction system.

##### **AUTHORITY:**

Note: Authority cited: Sections 18015, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code; and Title 24, CFR Part 3282, Subpart E.

##### **HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order, including amendment of section, transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).

#### **§ 4210. Requirements for the Inspection Approval of an Ignition-Resistant Construction System Within a Factory.**

(a) The inspection of the installation of an ignition-resistant construction system on a manufactured home within a manufacturing facility shall be in accordance with the provisions of this subsection.

(1) The manufacturer of the manufactured home shall obtain inspection approval in accordance with this article and federal regulations contained in Title 24 CFR Part 3282, Subpart E, titled "Manufacturer Inspection and Certification Requirements", by its federally approved Primary Inspection Agency.

(2) The manufacturer of the manufactured home shall certify that the ignition-resistant construction system is installed in accordance with the plans approved by the Department-approved Design Approval Agency and document its certification in accordance with Title 25, CCR section 4214.

(b) The following requirements apply to the inspection of any ignition-resistant construction system constructed during the manufacture of a multifamily manufactured home or commercial modular structure:

(1) The manufacturer shall have a Quality Assurance Agency conduct the inspections of the ignition-resistant construction system in accordance with the Design Approval Agency approved plans and this subchapter.

(2) The manufacturer shall certify that the ignition-resistant construction system is installed in accordance with the plans approved by the Design Approval Agency and document its certification in accordance with section 4214.

(c) Following the certification of the ignition-resistant construction system, a copy of the completed certification label shall be provided to the enforcement agency when the manufacturer, licensed dealer, contractor, or owner-builder submits the application for the installation permit, to assist the local building official or appropriate enforcement agency to satisfy the requirements of Sections 701A. 4.1 and 701A.4.2 of Title 24, CCR Part 2, Chapter 7A.

(d) All manufacturers shall provide to the department, by the fifteenth day of each month, one copy of each completed certification label required by section 4214 of this subchapter that was affixed to the structure(s) constructed with an ignition-resistant construction system in the previous month.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18020, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of History 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order, including amendment of section, transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).
6. Change without regulatory effect amending subsection (c) filed 1-28-2011 pursuant to section 100, title 1, California Code of Regulations (Register 2011, No. 4).

**§ 4212. Requirements for the Installation of an Ignition-Resistant Construction System to Structures not in a Factory.**

The following requirements apply to the design and construction approval of an ignition-resistant construction system of a manufactured home, mobilehome, multifamily manufactured home, or commercial modular structure after the structure has left a manufacturing facility:

(a) The person proposing to install an ignition-resistant construction system shall apply to the department for plan review and approval as required by section 4040 and submit the fees as required by section 4044.

(b) Before a system is installed, the department shall review the designs or plans for the ignition-resistant construction system and approve them when determined to comply with the provisions of this article.

(c) An HCD 415 form (Rev 11/2004) application shall be submitted for department review and approval and shall include a minimum of two (2) sets of complete plans for the proposed ignition-resistant construction system.

(d) The department shall provide written inspection approval once the exterior fire-resistive construction system is installed in accordance with the approved plans. When inspection determines the installation is in compliance, a copy of the inspection report shall be provided to the applicant and homeowner at time of inspection by the department in order that the requirements of Sections 701A. 4.1 and 701A. 4.2 of Title 24, Part 2, Chapter 7A, may be satisfied by the local building official or appropriate enforcement agency.

(e) Until inspection, the person responsible for the installation shall maintain the ignition-resistant material packaging and installation instructions bearing the manufacturer's label or identifying mark of all materials used during the construction for review by the department representative.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of History 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).
6. Change without regulatory effect amending subsection (d) filed 1-28-2011 pursuant to section 100, title 1, California Code of Regulations (Register 2011, No. 4).

**§ 4214. Ignition-Resistant Construction System Certification Label.**

(a) Either the manufacturer within the manufacturing facility or the person installing the ignition-resistant construction system on a structure not in a factory in accordance with section 4212 shall complete and affix a label that meets all of the following requirements:

- (1) It is either printed on paper or scribed, etched or engraved in metal, plastic or of an equivalent material, with lettering at least 10 point font size;
- (2) It is at least 8.5 inches by 11 inches in size;
- (3) It is affixed on a wall or door surface inside the water heater compartment; in the case of a commercial modular unit, it may be affixed on an interior wall, within the dropped ceiling cavity, or in another permanent and readily accessible location.
- (4) It is positioned in a manner that allows a person to easily read the label;
- (5) It is affixed with adhesive or fasteners that discourage the removal of the label;
- (6) It is covered or laminated in a permanent manner with a material that will protect the label from damage or deterioration without obscuring the information.

(b) The label shall include all the statements and requested information arranged in substantially the same layout, as shown on the following example:



**§ 4216. Maintenance and Repair or Alteration.**

(a) Alterations, repairs or replacement in-kind of an existing ignition-resistant construction system or its material shall be in accordance with the provisions of this article.

(b) An alteration of the ignition-resistant construction system includes any of the following activities:

- (1) Overlay or replacement of exterior materials;
- (2) Replacement of the entire system with a completely new system;

(3) The removal of a portion or an addition to the covering materials of the ignition-resistant construction system, such as a removal of portions of the exterior materials to construct a gable roof, garage, porch, or room addition(s).

(c) The person altering an ignition-resistant construction system shall be either the homeowner or lessor functioning as an owner-builder pursuant to section 7026.12 of the Business and Professions Code or a contractor holding either a valid "B" or "C-47" license issued by the California Contractor's State Licensing Board.

(d) The alteration of an ignition-resistant construction system installed on a manufactured home, mobilehome, multifamily manufactured home or commercial modular is subject to the approval of the plans for the alteration and to an inspection of the completed alteration by a representative of the department, as follows:

(1) Any person proposing to alter the ignition-resistant construction system shall apply for department inspection approval by completion of form HCD MH 415 and submittal to either the department's Northern Area or Southern Area Offices, along with fees as required by section 4044.

(2) The person altering an ignition-resistant construction system shall obtain and pass an inspection of the installation by a representative of the department.

(3) Until inspection, the homeowner or person responsible for the alterations shall maintain the original ignition-resistant materials packaging and installation instructions bearing the manufacturer's label or identifying mark of all material used during the alteration for review by the department representative.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18016, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18016, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 8-29-2008 as an emergency; operative 8-29-2008 (Register 2008, No. 35). A Certificate of Compliance must be transmitted to OAL by 2-25-2008 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 2-11-2009 as an emergency; operative 2-25-2009 pursuant to Government Code section 11346.1(d) (Register 2009, No. 7). A Certificate of Compliance must be transmitted to OAL by 5-26-2009 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 5-22-2009 as an emergency; operative 5-26-2009 (Register 2009, No. 21). A Certificate of Compliance must be transmitted to OAL by 8-24-2009 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of 3 (Register 2009, No. 22).
5. Certificate of Compliance as to 5-22-2009 order transmitted to OAL 7-9-2009 and filed 8-19-2009 (Register 2009, No. 34).

## Article 2.5. Fire Sprinkler Systems

### § 4300. Application of Design and Installation Requirements; Preemption of Local Design and Installation Requirements.

- (a) The requirements of this article apply to the design and installation of a fire sprinkler system—
- (1) in new or used mobilehomes or manufactured homes that are used or intended for use as a dwelling, and
  - (2) in new or used multifamily manufactured homes with two dwelling units.
- (b) The requirements of this article preempt all other requirements, including those of any ordinance or rule adopted by any city, county, city and county, or special district, as well as a fire district, that establish standards and requirements for the design and installation of a fire sprinkler system including, but not limited to those ordinances or rules adopted pursuant to section 18691 of the Health and Safety Code in the Mobilehome Parks Act —
- (1) in new or used mobilehomes or manufactured homes that are used or intended for use as a dwelling, and
  - (2) in new or used multifamily manufactured homes with two dwelling units
- (c) This article does not require the installation of a fire sprinkler system in mobilehomes or manufactured homes or in multifamily manufactured homes with two dwelling units including those installed or reinstalled in a mobilehome park.
- (d) A residential fire sprinkler system shall not be required as a condition for approval of additions or alterations to existing manufactured homes, mobilehomes or multifamily manufactured homes that do not already contain a residential fire sprinkler system.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029.5, 18030.5 and 18691, Health and Safety Code.

#### HISTORY:

1. New article 2.5 (sections 4300–4324) and section filed 1–17–2001; operative 1–17–2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment of section and Note filed 2–10–2011; operative 3–12–2011 (Register 2011, No. 6).

### § 4302. Adoption by Reference of the Provisions of NFPA 13D, “Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes”.

- (a) The design and installation of a fire sprinkler system must comply—
- (1) with the requirements of NFPA 13D, “Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes,” 2010 edition, as published by the National Fire Protection Association; hereby incorporated by reference; and amended by subsection (c), and
  - (2) with the provisions of Title 25, California Code of Regulations, sections 4300, 4302, 4304, 4306, 4308, 4310, 4312, 4313, 4314, 4316, 4318, 4320, 4322, and 4324.
- (b) References to the nationally recognized standard incorporated at subsection (a) will appear throughout Article 2.5 as NFPA 13D.
- (c) The following provisions of NFPA 13D are not adopted:
- (1) Chapter 5, section 5.1.3.
  - (2) Chapter 6, section 6.3.2.
  - (3) section 3.2.1. Approved.
  - (4) section 3.2.2. Authority Having Jurisdiction (AHJ).
  - (5) section 3.2.4. Listed.
  - (6) section 4.2. Hydrostatic Tests.
  - (7) section 4.6. Smoke Alarms.
  - (8) section 8.1.3.2. Nonresidential Sprinklers.
  - (9) section 8.2.3. Nonresidential Sprinklers.

#### AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

#### HISTORY:

1. New section filed 1–17–2001; operative 1–17–2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment filed 2–10–2011; operative 3–12–2011 (Register 2011, No. 6).

### § 4304. Definitions.

- (a) The definitions contained in section 4004 and the definitions contained in chapter 1 of NFPA 13D apply to sections 4300 through 4324, with the exception of those definitions listed in subsection (b).
- (b) The following definitions contained in chapter 3 of NFPA 13D are superseded by the provisions of 18001, 18003.3, 18007, and 18015 of the Health and Safety Code and subsections (l), (w), and (y) of section 4004 and do not apply to sections 4300 through 4324:
- (1) Approved.
  - (2) Authority Having Jurisdiction.
  - (3) Dwelling.
  - (4) Dwelling Unit.
  - (5) Labeled.
  - (6) Listed.
  - (7) Manufactured Home.

- (8) Shall.
- (9) Sprinkler System.
- (10) Standard.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18001, 18003.3, 18007, 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

- 1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
- 2. Amendment of subsection (b) filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4306. Restrictions on the Sale of a Sprinklered Manufactured Home or Sprinklered Multifamily Manufactured Home with Two Dwelling Units.**

It is unlawful for any person to sell, offer for sale, rent, or lease within this state any manufactured home or multifamily manufactured home with two dwelling units, without disclosure to the purchaser that the fire sprinkler system already installed or intended to be installed in the manufactured home or multifamily manufactured home with two dwelling units will not operate properly unless the water pressure available at the proposed installation site is adequate to satisfy the fire sprinkler system design criteria.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18035, 18035.2, 18046 18046.1 and 18060.5, Health and Safety Code.

**HISTORY:**

- 1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
- 2. Amendment of section heading and section filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4308. Requirements for the Approval of the Plans for a Fire Sprinkler System Requirements for the Inspection of the Installation of a Fire Sprinkler System.**

(a) The following requirements apply to the installation of a fire sprinkler system during the manufacture of a manufactured home or multifamily manufactured home with two dwelling units:

- (1) A Design Approval Agency must review and approve the plans for the fire sprinkler system, including the residential sprinkler installation instructions, before the fire sprinkler system is installed.
- (2) A Quality Assurance Agency must inspect and approve the installation of the fire sprinkler system.
  - (A) The manufacturer must make the approved plans available to the Quality Assurance Agency at the manufacturing site prior to and throughout the installation of the fire sprinkler system.
  - (B) The Quality Assurance Agency must inspect the installation of the fire sprinkler system during the manufacturing process. The inspection must occur prior to the point in the manufacturing process when any portion of the fire sprinkler system is concealed by wall or ceiling materials.
  - (C) The inspection method and frequency shall be as required by section 4878.

(b) The following requirements apply to the installation of a fire sprinkler system as an alteration to a manufactured home or multifamily manufactured home with two dwelling units.

- (1) The department must approve the plans for the installation.
  - (A) The person proposing to install the fire sprinkler system must apply for the department's approval as required by section 4042.
  - (B) The application for the department's approval must include plans for the proposed fire sprinkler system and a copy of the residential sprinkler installation instructions.
- (2) The person installing a fire sprinkler system in a manufactured home or in a multifamily manufactured home with two dwelling units must be either the homeowner functioning as an owner-builder under the conditions of Business and Professions Code section 7026.12 or a fire protection contractor holding a valid C-16 license issued by the California Contractors Licensing Board.
- (3) The person installing the fire sprinkler system must obtain an inspection of the installation by a representative of the department prior to concealing any portion of the system with wall or ceiling material.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code; and Section 7026.12, Business and Professions Code.

**HISTORY:**

- 1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
- 2. Amendment of subsection (a), new subsection (a)(1)(C) and amendment of subsections (b), (b)(1) and (b)(2) and filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4310. Resolution of Disputes About the Requirements of NFPA 13D.**

The department, after consultation with the Office of the State Fire Marshal, will resolve any dispute about the application of the requirements of NFPA 13D to manufactured homes and multifamily manufactured homes with two dwelling units.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 32. Amendment filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).
2. Amendment filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4312. Types of Materials; Standards for Materials; Listing and Labeling of Materials and Equipment Standard for Residential Sprinklers; Manufacturer's Installation Instructions.**

(a) All piping, fittings, hangers, braces and supports, automatic sprinklers, valves, gauges and other materials or devices necessary to assemble a fire sprinkler system must conform to the requirements of NFPA 13D for the types of materials, for the standards with which the materials comply, and for the listing and labeling with which the materials and equipment must comply.

(b) Residential sprinklers must be listed as complying with UL 1626, "Residential Sprinklers for Fire Protection Service," 2008 edition, as published by Underwriter's Laboratories and hereby incorporated by reference.

(c) The person installing the fire sprinkler system must obtain any applicable manufacturer's installation instructions, when such instructions are issued by the manufacturer.

(1) The person installing the fire sprinkler system must install all materials and devices as required by the manufacturer's installation instructions.

(2) The person installing the fire sprinkler system must make the manufacturer's installation instructions available to the inspector from the Quality Assurance Agency or to the inspector from the department for use during the inspection required by section 4308.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment of section heading and subsection (b), repealer of subsection (c) and subsection relettering filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4313. Location of Sprinklers.**

(a) Sprinklers shall be installed in all areas in accordance with NFPA 13D 2010 edition.

(b) Sprinklers shall not be required to be installed above a fuel-fired equipment room or closet regardless of size as long as there are no doors or unprotected penetrations from the closet directly into the dwelling unit.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4314. Construction Methods and Workmanship.**

(a) Construction methods and workmanship requirements 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.) apply to the installation of a fire sprinkler system during the manufacture of a manufactured home or multifamily manufactured home with two dwelling units.

(b) The following requirements apply to the installation of a fire sprinkler system after the manufactured home or multifamily manufactured home with two dwelling units is shipped from the manufacturing facility.

(1) The person installing the fire sprinkler system—

(A) must perform all work in a manner suitable for the purpose and

(B) must maintain the integrity of both the components under installation and the components of other systems.

(2) The person installing the fire sprinkler system must bore holes in or notch structural framing members for the passage of piping as required by section 4316 of this article.

(A) Alternate sizing and placement of holes and notches requires evidence provided by the installer with the plans for the fire sprinkler system proving that the alternate boring or notching maintains the integrity of the structural system.

(B) The evidence must consist of an engineering analysis or testing conducted and certified by a California licensed architect or professional engineer.

(3) If any insulation, vapor barriers, under floor bottom board, or any other materials are cut or moved in order to install a fire sprinkler system, the person installing the fire sprinkler system shall repair, replace, or reposition the materials in a workmanlike manner that maintains the integrity of the materials and system.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

#### § 4316. Placement and Size of Holes and Notches in Joists, Beams, Plates, and Studs.

(a) Joist.

(1) A notch on the end of a joist must not be deeper than one-fourth (1/4) the depth of the joist.

(2) The edge of a hole bored in a joist must be at least two (2) inches from the top and at least two (2) inches from the bottom of the joist. The diameter of the hole must not exceed one-third (1/3) the depth of the joist.

(3) A notch in the top or bottom of a joist must not be deeper than one-sixth (1/6) the depth of the joist. The notch must not be located in the middle one-third (1/3) of the span of the joist.

(b) A hole in a ridge beam must not be more than 2 inches in diameter and must be located in the middle one-third (1/3) of the depth of the beam.

(c) Top or bottom wall plate or a sill plate.

(1) A hole must not exceed 40% of the width of the plate,

(2) The edge of a hole must be at least 5/8 inch from any edge of the plate.

(3) The edge of a hole must be separated by at least 12 inches from the nearest edge of other holes or notches in the same plate.

(d) Wall studs.

(1) A hole in a wall stud must not exceed 40% of the width of the stud,

(2) The edge of a hole in a wall stud must be at least 5/8 inch from any edge of the stud.

(3) A hole in a wall stud must not be located in the middle one-third (1/3) of the length of the stud.

(4) Only one hole is allowed in the upper or lower one-third (1/3) length of a wall stud.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).

2. Amendment of subsections (b) and (c) filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

#### § 4318. Fire Sprinkler System Information and Installer Certification Label Reference Tag.

(a) The installer of the fire sprinkler system must complete and affix:

(1) a "Fire Sprinkler System Information and Installer Certification" label, and

(2) a Reference Tag.

(b) A "Fire Sprinkler System Information and Installer Certification" label,

(1) must be either printed on paper or scribed, etched or engraved in metal, plastic or other equivalent material, with lettering at least 10 point font size;

(2) must be at least 8.5 inches by 11 inches in size;

(3) must be located on a wall or door surface inside the water heater compartment;

(4) must be positioned in a manner that allows a person to easily read the label; and

(5) must be affixed with adhesive or fasteners that discourage the removal of; the label.

(c) A "Fire Sprinkler System Information and Installer Certification" label must include all the statements and requested information arranged in substantially the same layout, as shown on the following example:



HISTORY:

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment of subsections (b), (c) and (d) filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4320. Requirements for Testing the System.**

(a) A fire sprinkler system installed during the manufacture of the manufactured home or multifamily manufactured home with two dwelling units must be hydrostatically tested both at the manufacturing facility and at the home's installation site.

(1) The hydrostatic test performed at the manufacturing facility:

(A) must be conducted on the completely assembled system within any one transportable section; and

(B) must subject the system to 100 pounds per square inch (psi) hydrostatic pressure for not less than 2 hours without any loss of pressure or leakage of water. Testing shall be performed in accordance with the applicable product standards.

(2) The person responsible for installing the manufactured home or multifamily manufactured home with two dwelling units must hydrostatically test the system again at the home's installation site with the water supply available at the site for at least one hour without any evidence of leakage.

(A) The testing must be performed at a minimum of 50 psi; not to exceed 100 psi.

(B) A representative of the enforcement agency must witness the hydrostatic test at the home's installation site during the same site visit to inspect the installation of the home or dwelling unit.

(b) A fire sprinkler system must be hydrostatically tested at the home's installation site when the fire sprinkler system is installed after the manufactured home or multifamily manufactured home with two dwelling units is shipped from the manufacturing facility, or upon installation or reinstallation of the home or dwelling unit.

(1) The person who installed the fire sprinkler system is responsible for performing the test.

(2) A representative of the enforcement agency must witness the test.

(3) The installer must conduct the test on the completely assembled system.

(4) The installer must conduct the test with the water supply available at the home's site for a period of two hours without any evidence of leakage. The testing must be performed at a minimum of 50 psi; not to exceed 100 psi.

AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

HISTORY:

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4322. Maintenance Instructions.**

If the manufacturer of a fire sprinkler system component used in a system provides written instructions and procedures for the operation, maintenance, periodic testing, and repair of the component, a copy of the instructions and procedures must be left in each dwelling unit for the end user.

(a) When the fire sprinkler system is installed during the manufacture of the manufactured home or multifamily manufactured home with two dwelling units, the manufacturer must ensure that a copy of the instructions and procedures is left in each dwelling unit.

(b) When the fire sprinkler system is installed after the manufactured home or multifamily manufactured home with two dwelling units is shipped from the manufacturing facility, the person who installs the system must ensure that a copy of the instructions and procedures is left in each dwelling unit.

AUTHORITY:

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

HISTORY:

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment of subsections (a) and (b) filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).

**§ 4324. Repairs and Alterations to an Existing Fire Sprinkler System or Components.**

(a) Any operated or damaged residential sprinkler must be replaced with a new residential sprinkler that is the same model as the original or that has the same performance characteristics as the original residential sprinkler.

(b) The repair or replacement of an operated or damaged residential sprinkler with a new residential sprinkler of the same model or performance characteristics is not an alteration.

(c) The repair or replacement of any other fire sprinkler system material or device with a material or device of the same model or with the same performance characteristics is not an alteration of the system.

(d) An alteration of the fire sprinkler system includes any of the following activities:

(1) The conversion of the system, such as a conversion to upgrade the system to increase the protection against property damage;

(2) The alteration of the system with a completely new system;

(3) An addition to the system, such as extending the system to provide coverage to a newly added room;

(4) The modification of the system, such as moving the system riser; or

(5) The removal of a portion or all of the system, such as the removal of a portion of the system from a room.

(e) The alteration of a fire sprinkler system is subject to the department's approval of the plans for the alteration and to an inspection of the completed alteration by a representative of the department.

(1) The person proposing to alter the fire sprinkler system must apply for the department's approval as required by section 4042.

(2) The application for the department's approval must include plans for the alteration and a copy of any automatic sprinkler installation instructions.

(3) The person altering a fire sprinkler system must be either the homeowner functioning as a builder-owner under the conditions of Business and Professions Code section 7026.12 or a fire protection contractor holding a valid C-16 license issued by the California Contractors Licensing Board.

(4) The person altering the fire sprinkler system must obtain an inspection of the alteration by a representative of the department prior to concealing any portion of the altered system with wall or ceiling material.

**AUTHORITY:**

Note: Authority cited: Sections 18015, 18025, 18029 and 18029.5, Health and Safety Code. Reference: Sections 18015, 18025, 18029, 18029.5 and 18030.5, Health and Safety Code.

**HISTORY:**

1. New section filed 1-17-2001; operative 1-17-2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 3).
2. Amendment of subsections (b), (c) and (d)(2) filed 2-10-2011; operative 3-12-2011 (Register 2011, No. 6).



## Article 2.7. Carbon Monoxide Alarm Systems

### § 4326. Requirements for Single and Multifamily Manufactured Homes of up to Two Dwelling Units.

(a) The requirements of section R315 of the California Code of Regulations, Title 24, Part 2.5, California Residential Code (CRC), herein incorporated by reference, shall apply to the design, construction and installation of approved carbon monoxide alarms in all of the following:

- (1) New manufactured homes or multifamily manufactured homes with two (2) dwelling units manufactured on or after July 1, 2012, containing either a fuel-burning appliance(s) or designed for site-installation of an attached garage.
- (2) Existing and used manufactured homes, mobilehomes or multifamily manufactured homes with two (2) dwelling units containing either a fuel-burning appliance(s), attached garage or designed for a site-installed attached garage, effective July 1, 2012.

AUTHORITY:

Note: Authority cited: Sections 18025 and 18028, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18028, 18029 and 18030.5, Health and Safety Code.

### § 4328. Requirements for Multifamily Manufactured Homes of More Than Two Dwelling Units.

(a) The requirements of section 420.4 of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), herein incorporated by reference, shall apply to the design, construction and installation of approved carbon monoxide alarms in all of the following:

- (1) New multifamily manufactured homes with more than two (2) dwelling units manufactured on or after July 1, 2012, containing either a fuel-burning appliance(s) or designed for site-installation of an attached garage.
- (2) Existing and used multifamily manufactured homes with more than two (2) dwelling units containing either a fuel-burning appliance(s), attached garage or designed for a site-installed attached garage, effective January 1, 2013.

AUTHORITY:

Note: Authority cited: Sections 18025 and 18028, Health and Safety Code. Reference: Sections 18015, 18020, 18025, 18028, 18029 and 18030.5, Health and Safety Code.



## Article 3. Commercial Modulars

### Subarticle 1. Application and Scope

#### § 4350. Application and Scope.

(a) Except as provided for by Section 18026.1 of the California Health and Safety Code the provisions of this article relating to design, construction and fire–life safety apply to all commercial modulars manufactured sold, offered for sale, rented or leased within this state. The provisions of this article are also applicable to the alteration, remanufacture, or conversion of any construction or fire–life safety equipment or installations or change of occupancy in any commercial modular bearing or required to bear a department insignia of approval.

(b) Equipment and installations conforming to standards in this article or to other nationally recognized and approved standards shall be considered acceptable by the department when listed or labeled and installed in accordance with the requirements of this article and the conditions of their approval, except where otherwise provided in this article. All equipment shall be clearly labeled to indicate compliance with applicable standards.

(c) The requirements of this article shall apply as follows:

(1) Special purpose commercial modulars designed for use as a module of a permanently constructed building or commercial modular, shall comply with the construction standards for commercial modulars.

(2) Commercial modular units or portions of existing units undergoing alteration, remanufacturing, repair, conversion or change in occupancy type shall be in compliance with the applicable regulations and standards no later than March 31, 2012. Thereafter, commercial modular units or portions of existing units undergoing alteration, remanufacturing, repair, conversion or change in occupancy type shall be designed and constructed in accordance with this article.

(3) With the exception of the conditions of Section 17292(a)(1) and (3) of the Education Code, a kindergarten through grade 12 or any junior college relocatable classroom purchased or leased with public funds and used as an educational facility by a publicly funded educational institution is not subject to the requirements of this article as long as it continues in use as an educational facility by a publicly funded educational institution.

(4) Any relocatable, portable or factory–built hospital building that houses patients who have less than the capacity of normally healthy persons to protect themselves are not subject to the requirements of this article.

#### AUTHORITY:

Note: Authority cited: Section 18020 Sections 18015, 18025, 18028, 18029 and 18029.5, Health and Safety Code. Reference: Section 17280, Education Code; and Sections 18000 et seq., 18025, 18028, 18029, 18029.3, 18029.4, 18029.5 and 129680, Health and Safety Code.

#### HISTORY:

1. Amendment of subsection (a) filed 7–23–71 as an emergency; effective upon filing (Register 71, No. 30).
2. Certificate of Compliance—Sec. 11422.1, Gov. Code, filed 11–16–71 (Register 71, No. 47).
3. Amendment filed 7–25–75; designated effective 9–1–75 (Register 75, No. 30).
4. Amendment filed 12–7–79; effective thirtieth day thereafter (Register 79, No. 49).
5. Amendment of article heading, subarticle heading, section and Note filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).



## Subarticle 2. Construction and Fire-Life Safety

### § 4353. Minimum Requirements.

(a) Materials, products, applications, specifications, equipment and installations comprising the structural system fire-life safety aspects of a commercial modular shall conform with the standards incorporated in the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), Chapter 35 and to the provisions of this article, including standards for listing and labeling, and compliance with manufacturer's installation instructions.

(b) The structural system, fire-life safety aspects and CALGreen standards of a commercial modular shall be designed, constructed and maintained in compliance with accepted engineering practices with the provisions of this subarticle and with the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), Chapters 2 through 10, 11B, 12, 14 through 26, 30, 31C and 35, and Title 24, Part 11.

(c) Commercial modular manufacturing facilities are exempt from mandatory requirements of the California Code of Regulations, Title 24, Part 11, Chapter 5, Sections 5.105, 5.106, 5.401, 5.403, 5.404, 5.405, 5.406, 5.407, 5.408, 5.409, 5.410, 5.501, 5.502, 5.503, 5.504, 5.505 and 5.508.

#### AUTHORITY:

Note: Authority cited: Section 18020 Sections 18015 and 18029.5, Health and Safety Code. Reference: Sections 18056.5 18028 and 18058 18029.5

#### HISTORY:

1. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. Amendment filed 6-7-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. New subarticle 2 heading and amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4356. Structural Requirements.

(a) Commercial modulars shall be designed and constructed as a completely integrated structure capable of sustaining the design load requirements of this subarticle and those found in the California Code of Regulations, Title 24, Part 2, California Building Code (CBC) and shall be capable of transmitting these loads to running gear, or stabilizing devices, or a foundation system without causing an unsafe deformation or abnormal internal movement of the structure or its structural parts.

(b) Commercial modulars intended for installation on a foundation at a specific location may be designed and constructed for placement on a slab or site-installed floor which meets the requirements of Section 4353 of this subarticle.

#### AUTHORITY:

Note: Authority cited: 18020 18015, Health and Safety Code. Reference: Section 18056.5 18028, Health and Safety Code.

#### HISTORY:

1. New section filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4356.1. Light Modular Steel Moment Frames.

Commercial modulars may be constructed with Light Modular Steel Moment Frames, which shall be designed and constructed in compliance with Section 2211A of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), Chapter 22.

#### AUTHORITY:

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

#### HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4356.5. New Materials and Methods.

Any new material or method of construction not provided for in this article and any material or method of questioned suitability, proposed for use in the manufacture of the structure, shall nevertheless conform in performance as outlined in this article.

#### AUTHORITY:

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

#### HISTORY:

1. New section filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

### § 4358. Wind Loads.

(a) Commercial modulars intended for installation on a foundation system at a specific location shall be designed in accordance with the wind load requirements of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), Chapter 16.

(b) The structural system of commercial modulars, not intended for site-specific locations, shall be designed and constructed to resist the effects of a minimum basic three-second wind speed gust of not less than eighty-five (85) miles per hour (38 m/s) in an Exposure C location.

(c) Commercial modulares intended for installation in areas subject to basic wind speed gusts in excess of an eighty-five (85) miles per hour (38 m/s) in an Exposure C location, shall have the structural system designed and constructed to comply with those higher requirements.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
4. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
5. Repealer and new section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4358.3. Seismic Loads.**

(a) Commercial modulares intended for installation on a foundation system at a specific location shall be designed to comply with the seismic design requirements in the California Code of Regulations, Title 24, Part 2, California Building Code (CBC) and shall be designed for actual site conditions and seismic loads applicable to the location.

(b) All other commercial modulares shall be designed using the requirements of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC) with the following assumptions:

(1) (Spectral response acceleration at short periods (0.2 seconds)) not less than 150 percent.

(2) (Spectral response acceleration at 1-second period) not less than 60 percent.

(3) All other factors shall be in accordance with strength design, load and resistance factor design, allowable stress design, empirical design or conventional construction and construction methods as prescribed by applicable material chapters of the CBC and by this article.

(c) Commercial modulares intended for installation or reinstallation on other than foundation systems in areas subject to seismic loads in excess to those in Subsection (b) of this section shall have the structural system designed and constructed to comply with the greater requirements.

**AUTHORITY:**

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

**HISTORY:**

1. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4360.9. Fastening of Structural Systems.**

Roof framing shall be securely fastened to wall framing, walls to floor structure and floor structure to chassis to secure and maintain continuity between the floor and chassis, so as to resist wind over-turning and sliding as imposed by design loads in Section 4358.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

**§ 4363. Floor Construction.**

(a) Wood floors or subfloors in kitchens, laundry rooms, water heater compartments and any other interior areas subject to excessive moisture shall be made impervious to moisture by sealing with an approved material, or by applying an overlay of approved nonabsorbent material applied with water resistant adhesive.

(b) Floors under heating appliances shall not be covered with materials such as flammable carpeting.

(c) Carpet. Carpet and carpet pads shall not be installed in concealed spaces subject to excessive moisture such as under plumbing fixtures. Carpet and/or carpet pads shall not be installed beneath the bottom plate of shear or bearing walls.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4365. Underfloor Closure Material.**

Underfloor closure material and its method of construction and installation shall resist transportation damage and shall be of a water resistant material that maintains protection against infiltration or penetration to the underside of the commercial modular by water, vermin and vectors. The closure material shall be listed and tested material as noted in Subsection (a) of this section and installed as follows:

(a) Underfloor material (with or without patches) shall be tight-fitted against any floor penetrations and prevent the entrance of insects or rodents. The material shall be suitable for patches and repair, and the repair life shall be equivalent to the material life. The material shall meet or exceed the level of 48-inch pounds of puncture resistance in accordance with ASTM D 781 Standard Test Methods for Puncture and Stiffness of Paperboard, and Corrugated and Solid Fiberboard (1973).

(1) Exemption: Non-insulated moisture-resistant under floor construction shall not require underfloor closure material protection.

(2) Commercial modular and special purpose commercial modular units not designed for placement on a continuous foundation shall be protected in accordance with California Code of Regulations, Title 24, Part 2, California Building Code, Appendix F.

(b) Underfloor material shall be installed in accordance with installation instructions furnished by the manufacturer of the material.

(c) Patch installation instructions shall be included in the commercial modular manufacturer's instructions. (See Section 4368 of this subchapter).

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4368. Installation Instructions.**

(a) Commercial modular manufacturers shall provide printed instructions regarding at least one method of on-site assembly and installation of each commercial modular unit.

(b) Installation instructions and the plan approval number of the typical installation system shall be submitted with model plan approvals for review by the manufacturer's design approval agency.

(c) Installation instructions shall include at least the following information:

(1) Required structural connections between sections.

(2) Required non-structural connections between sections, including those required for weatherization.

(3) Required plumbing, mechanical, and electrical system connections between sections. Instructions shall indicate the method used in the manufacturing facility to identify each type of connection. The marking method clearly shall differentiate the type of connection required at each location (e.g., plumbing, mechanical or electrical).

(4) All electrical connections between sections shall be labeled clearly and permanently in the factory. The method of identification clearly shall indicate each circuit's electrical panel of origin and the corresponding circuit number.

(5) Basic support requirements and restrictions, including detailed support system attachment locations and load paths diagrams for at least one method of support. The methodology used for determining vertical and lateral support system design loads shall be provided.

(6) Any additional items (e.g., lags, nails, flashing, etc.) for which a manufacturer's explanation would be required in order to adequately and properly install the unit.

(7) When installation instructions are included as part of the model plan approvals, any details, notes or instructions relating to the installation shall be identified clearly and noted as part of the on-site installation assembly of the sections.

(d) The location, installation, permanent foundation or temporary support system and utility connections of commercial modulars are subject to the authority having inspection jurisdiction.

(e) The approved instructions used for at least one method of support system type; pier type and locations; tie-downs; and load-path information for installation shall be posted permanently inside each unit in an accessible area or location.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73 (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4369. Energy Requirements.**

(a) Commercial modular units designed for installation on a foundation system shall comply with the applicable requirements of the Energy Efficiency Standards for Residential and Nonresidential Buildings of the California Code of Regulations, Title 24, Part 6, California Energy Code (CEC).

(b) Commercial modular units not designed for installation on a foundation system shall be designed to comply with the energy requirements for building envelopes in the California Code of Regulations, Title 24, Part 6, Subchapter 5, Section 141(d) (Performance Approach) or Section 143(a)(8) (Prescriptive Approach) for relocatable public school buildings.

(c) Except as required in Section 18029.4 of the California Health and Safety Code and Section 4350(c)(1) of this subarticle, the energy requirements found in this section shall not apply to special purpose commercial modular units.

**AUTHORITY:**

Note: Authority cited: Section 18015, Health and Safety Code. Reference: Sections 10827 and 18028, Health and Safety Code.

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-9-77; designated effective 9-1-77 (Register 75, No. 30).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Repealer of section and renumbering of former section 4369.5 to section 4369, including repealer and new section and amendment of Note, filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).



## Subarticle 3. Electrical

### § 4380. Minimum Requirements.

(a) The provisions of this subarticle relating to electrical equipment and installations apply to all commercial modulars manufactured, or offered for sale, rent, or lease within this State. The provisions of this subarticle also are applicable to the alteration or conversion of electrical equipment and installations in any commercial modular bearing or required to bear a department insignia of approval.

(b) Electrical materials, equipment, products and systems, and their installations in a commercial modular shall conform to those standards provided in the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC) and to the provisions of this subarticle, including standards for listing and labeling, and compliance with manufacturers installation instructions.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. Amendment of Section and NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment of subsection (b) filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Renumbering of former subarticle 2 to new subarticle 3 and amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4381. Definitions.

(a) Definitions contained in the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC) and the following definition shall apply to this subarticle.

(b) Feeder Assembly. The overhead or under-chassis conductors including the grounding conductor, raceway, together with the necessary fittings and equipment or a power-supply cord designed for the purpose of delivering energy from the source of electrical supply to the commercial modular distribution panelboard.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and repealer of Table 1 filed 9-7-73; effective thirtieth day thereafter (Register 75, No. 30). for history of former section, see Register 73, No. 36.
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4383. Low-Voltage Systems.

(a) Low-voltage circuits furnished and installed by the commercial modular manufacturer are subject to this subarticle and the requirements of the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC), Articles 720 and 725.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4387. Combination Electrical Systems.

(a) Wiring suitable for connection to a battery or direct-current supply source shall be permitted to be connected to a 120-volt source provided that the entire wiring system and equipment are rated and installed in full conformity to the requirements of this subarticle governing 120-volt electrical systems. Circuits fed from alternating current transformers shall not supply direct-current appliances.

(b) The 120-volt alternating current side of the voltage converter shall be wired in full conformity with requirements for 120-volt electrical systems except for converters supplied as an integral part of an approved appliance.

(c) All converters and transformers shall be listed for use in recreational vehicles and designed or equipped to provide over-temperature protection. To determine the converter rating, the following formula shall be applied to the total connected load, including average battery charging rate, of all 12-volt equipment:

- (1) The first 20 amperes of load at 100 percent.
- (2) Plus, the second 20 amperes of load at 50 percent.
- (3) Plus, all load above 40 amperes at 25 percent.

(d) Fixtures or appliances having both 120-volt and low-voltage connections shall be listed or approved for dual voltage.

(e) Autotransformers shall not be used.

(f) When a unit is equipped with a 120-volt or 120/240-volt alternating-current system and/or a low-voltage system, receptacles and plug caps of the low-voltage systems shall differ in configuration from those of the 120- or 120/240-volt system. When a unit equipped with a battery or direct-current system has an external connection for low-voltage power, the receptacle shall have a configuration that will not accept 120-volt power.

**AUTHORITY:**

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

**HISTORY:**

1. Repealer filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4389. Fuel-Fired Engine Driven Generator Units.**

(a) All fuel-fired engine driven generators shall be tested, listed and labeled in accordance with nationally recognized standards by an approved testing agency.

(b) Fuel-fired engine driven generators shall be installed in accordance with the equipment manufacturer's installation instructions and this subarticle. A copy of the installation instructions shall be provided in the commercial modular.

(c) Generator units shall be mounted in a manner so that adequate structural support from the commercial modular frame is provided for the equipment. The equipment shall be secured in place by a method that will preclude displacement from vibration and road shock.

(d) Generator unit compartments shall be designed and installed to provide a vapor-tight separation between the compartment and the interior areas of the commercial modular.

(e) Generator unit compartments shall be constructed of galvanized steel, not less than 0.0299 inch (0.759 mm) thick. Seams and joints shall be lapped, mechanically secured and made airtight to the interior of the commercial modular. Alternate materials and methods of construction may be used if they provide equivalent quality, strength, effectiveness, fire resistance, durability and safety and are approved pursuant to this section.

(f) Fuel-fired engine exhaust systems, fuel-supplies, electrical conduit, cables, conductors and equipment shall not penetrate any area of the compartment that separates the compartment from the interior of the commercial modular. Electrical conduit, cables and conductors penetrating the compartment in areas other than those that separate the compartment from the interior of the commercial modular, shall be protected by the use of tight fitting grommets.

(g) Compartments shall be provided with ventilation. The type, amount and location of compartment ventilation shall be provided in accordance with the equipment manufacturer's installation instructions.

(h) Except as provided by the equipment manufacturer's installation instructions, fuel-fired engine exhaust systems shall be separated by a minimum of 1 1/2 inches from any combustible material or shall be insulated or shielded so that the exhaust system does not raise the temperature of any combustible material to more than 194 degrees F (90 degrees C). Each exhaust system shall be provided with an effective spark arrester and shall not terminate adjacent to the commercial modular gasoline filler spout. Exhausts shall terminate beyond the periphery of the commercial modular.

(i) Any generator shall be mounted in a manner to provide an effective bond to the commercial modular chassis. Listed equipment shall be installed to ensure that the current-carrying conductors from the generator and from an outside source are not connected to the commercial modular circuits at the same time.

(j) Supply conductors from a generator to a junction box or distribution panelboard shall be of the stranded type installed in flexible metal conduit or equivalent mechanical protection.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4390. Dual Supply.**

(a) Where a dual-supply system, consisting of a generator and provisions for connecting to an outside source is installed, the feeder from the generator shall be protected by an overcurrent protective device.

(b) The two supply sources shall not be required to be of the same capacity.

(c) If the AC generator source exceeds 30 amperes, 115 volts, it shall be permissible to wire either as a 115-volt system or a 115/230-volt system, provided an overcurrent protective device of the proper rating is installed in the feeder circuit.

(d) The external power-supply assembly shall be permitted to be less than the calculated load but not less than 30 amperes and shall have over-current protection not greater than the capacity of the external power-supply assembly.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

**§ 4391. Distribution Panelboard.**

Each commercial modular unit shall have an appropriately rated branch circuit panelboard, and a main disconnect shall be installed when required by Article 230 of the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC).

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

**§ 4394. Identification of Electrical System.**

Each commercial modular shall have a label permanently affixed on or adjacent to the distribution panelboard indicating the voltage and calculated load of the electrical system in the unit. The information on the label shall remain legible for the life of the commercial modular and shall conform to the requirements of Subsections (a) through (c) of Section 4031 of this subchapter.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4396. Wiring of Expandable or Multiple Units.**

Expandable or multiple commercial modular sections shall have permanent type wiring methods and materials used for connecting such sections to each other.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4397. Outdoor or Underchassis Wiring, 120-Volts or Over.**

Where exterior or underchassis wiring is 120-volt (nominal) or more and is exposed to moisture or possible mechanical damage, the wiring shall be protected by rigid metal conduit, intermediate metal conduit or electrical metallic tubing that is closely routed against frames and equipment enclosures.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4398. Rodent Resistance.**

All exterior openings around wiring, conduit, cable, boxes and equipment shall be sealed to resist the entrance of rodents.

**§ 4400. Equipment Mounting.**

Electrical equipment shall be securely mounted to prevent displacement during transit.

**§ 4402. Grounding.**

Each commercial modular and its grounding and bonding system shall comply with the requirements found in the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC), Article 250 and shall comply with the requirements for mobilehomes found in the CEC, Article 550.16.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Repealer and new section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4404. Receptacle Outlets Requiring Ground-Fault Circuit Protection.**

Each commercial modular shall comply with Ground-Fault Circuit-Interrupter Protection requirements found in the California Code of Regulations, Title 24, Part 3, California Electrical Code (CEC), Article 210.8.

**AUTHORITY:**

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

**HISTORY:**

1. Repealer filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Repealer and new section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).



## Subarticle 4. Mechanical

### § 4414. Minimum Requirements.

(a) The provisions of this subarticle relating to mechanical equipment and installations apply to all commercial coaches manufactured, sold, offered for sale, rent or lease within this State. The provisions of this subarticle are also applicable to the alteration or conversion of mechanical equipment and installations in any commercial coach bearing or required to bear a department insignia of approval.

(b) Mechanical equipment, products, systems and installations in a commercial modular shall conform with the California Code of Regulations, Title 24, Part 4, California Mechanical Code (CMC), to the provisions of this subarticle, including standards for listing and labeling, and compliance with manufacturer's installation instructions.

#### AUTHORITY:

Note: Authority cited: Section 18055, Health and Safety Code. Reference: Sections 18025 and 18028, Health and Safety Code.

#### HISTORY:

1. New section filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. Amendment of section and NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Renumbering of former subarticle 3 to new subarticle 4 and amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4415. Definitions.

(a) Definitions contained in the California Code of Regulations, Title 24, Part 4, California Mechanical Code (CMC) and the following definitions shall apply to this subarticle.

(b) Automatic Pilot Device. A device employed with gas-burning equipment that will either automatically shut off the gas supply to the burner(s) being served or automatically actuate, electrically or otherwise, a gas shutoff device when the pilot flame is extinguished.

(c) Direct System. A system in which the evaporator is in direct contact with the material or space refrigerated, or is located in air-circulating passages communicating with such spaces.

(d) Expansion Coil. An evaporator constructed of pipe or tubing.

(e) Gas. Fuel gas, such as natural gas, manufactured gas, undiluted liquefied petroleum gas (vapor phase only), liquefied petroleum air-gas mixtures or mixtures of these gases which would ignite in the presence of oxygen.

(f) Gas-Supply Connection. The terminal end of the gas-piping system to which a gas-supply connector is attached.

(g) Input Rating. The maximum fuel-burning capacity of any warm-air furnace, heater or burner expressed in British thermal units per hour.

(h) Quick-Disconnect Device. A hand-operated device which provides a means for connecting and disconnecting an appliance or an appliance connector to a gas supply and which is equipped with an automatic means to shut off the gas supply when the device is disconnected.

(i) Refrigerant. A substance used to produce refrigeration by its expansion or vaporization.

(j) Roof Jack. That portion of a heater flue or vent assembly, including the cap, insulating means, flashing and ceiling plate, located in and above the roof.

#### AUTHORITY:

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

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4473. Appliances.

(a) All heat-producing appliances used in commercial modulares shall be specifically listed, labeled, or certified by an approved testing agency in accordance with nationally recognized standards, except as provided in this article. Heat-producing appliances, vents, and chimneys shall be installed in accordance with the terms of their listing and the manufacturer's instructions.

(b) In addition, appliances and equipment for heating of grease or other liquids shall be designed in such a manner that means are provided to prevent the spillage of liquids when the unit is in transit.

#### AUTHORITY:

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

#### HISTORY:

1. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4495. Expandable or Multiple-Section Commercial Modular Ducts.

(a) Expandable or multiple-section commercial modulares may have ducts of the heating system installed in the various units. The points of connection must be so designed and constructed that when sections are fully expanded or coupled, the resulting duct joint will conform to the requirements of this subarticle.

(b) Crossover duct installations shall be designed to be effectively supported. The installation shall be designed to provide a minimum clearance of four (4) inches between the bottom of the ducts and the ground.

AUTHORITY:

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

HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
3. Amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

## Subarticle 5. Plumbing

### § 4514. Minimum Requirements.

(a) The provisions of this subarticle relating to plumbing equipment and installations apply to all commercial modulares sold, offered for sale, rented, or leased within this State. The provisions of this subarticle also are applicable to the alteration or conversion of plumbing equipment and installations in any commercial modular bearing or required to bear a department insignia of approval.

(b) Plumbing systems, materials, fixtures, products, equipment, and installations in or on a commercial modular shall be in compliance with the sections and tables of the California Code of Regulations, Title 24, Part 5, California Plumbing Code (CPC), Chapters 2 through 15 to include Appendices A, B, and I, and to the provisions of this subarticle including standards for listing and labeling and compliance with manufacturer's listing instructions.

(1) Exemption: Section 411.4 of the California Code of Regulations, Title 24, Part 5, California Plumbing Code.

#### AUTHORITY:

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

#### HISTORY:

1. New section filed 7-25-75; designated effective 9-1-75 (Register 75, No. 30).
2. Amendment of NOTE filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Renumbering of former subarticle 4 to new subarticle 5 and amendment of section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4515. Definitions.

(a) Definitions contained in the California Code of Regulations, Title 24, Part 5, California Plumbing Code (CPC) and the following definitions shall apply to this subarticle.

(b) Drain Outlet. The discharge end of the unit main drain.

(c) LPG (LP Gas/Liquefied Petroleum Gas). Means and includes a material composed predominantly of any of the following hydrocarbons or mixtures of them: propane, propylene, butanes (normal butane or isobutene) and butylenes. When reference is made to "LPG" or "LP Gas," it shall refer to petroleum gases in either liquid or gaseous state.

(d) Toilet—Mechanical Seal. A toilet designed with a water flushing device and mechanical sealed trap.

(e) Toilet—Recirculating Chemical. A self-contained toilet in which waste is recirculated and chemically treated.

(f) Waste Holding Tank. A liquid tight tank for the temporary retention of body and/or liquid waste.

(g) Water Supply Connection. The fitting or point of connection in the unit water distribution system designed for connection to a water supply.

(h) Water Storage Tank. A tank designed for the purpose of storing potable water.

#### AUTHORITY:

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

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4516. LPG — Construction and Marking of Containers.

Containers shall be constructed and marked in accordance with the specifications for LPG containers of the U.S. Department of Transportation (DOT) or An International Code, 2007 ASME Boiler & Pressure Vessel Code (BPVC— VIII, 2007), incorporated by reference herein. ASME containers shall have a design pressure of not less than 312.5 pounds per square inch gauge (psig).

#### AUTHORITY:

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

#### HISTORY:

1. Amendment filed 9-7-73; effective thirtieth day thereafter (Register 73, No. 36).
2. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
3. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
4. Repealer and new section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

### § 4516.1. LPG — Location and Installation of Containers and Systems.

(a) No LP-gas container shall be installed or provision made for installing or storing, even temporarily, inside any commercial modular, except for listed, completely self-contained hand torches, lanterns, or similar equipment with containers having a maximum water capacity of not more than two and one-half (2 1/2) pounds (approximately one (1) pound LPG capacity).

(b) Where provided, containers, control valves and regulating equipment shall be mounted on the hitch, installed in a single compartment that is vapor-tight to the inside of the commercial modular and accessible only from the outside, or mounted on the frame. Compartments shall be constructed of galvanized steel, not less than 0.0299 inch (0.759 mm) thick. Seams and joints shall be lapped, mechanically secured and made airtight to the interior. Alternate materials and methods of construction may be used if they provide equivalent quality, strength, effectiveness, fire resistance, durability and safety. Fuel-gas tubing from the gas-supply connection may

pass through the wall, floor or ceiling of the compartment. Where such tubing passes through any wall, floor or ceiling, such tubing shall be protected by the use of bulkhead fittings or equivalent devices which shall snugly fit both the tubing and the hole in the compartment through which the tubing passes.

(c) Containers and container carriers shall be securely mounted, located, and installed, so as to minimize the possibility of damage to containers, their appurtenances or contents as follows:

(1) Containers shall be installed with as much road clearance as practicable but not less than the minimum road clearance under maximum spring deflection. This clearance shall be measured to the bottom of the container, or to the lowest fitting, support or attachment on the container or container housing, whichever is lower.

(2) Fuel containers and container carriers shall be securely mounted to prevent jarring—loose, slipping or rotating, and fastenings shall be designed and constructed to withstand, without permanent visible deformation, static loading in any direction equal to four times the weight of the container filled with fuel. When containers are mounted within a commercial modular, the securing of the container to the unit shall comply with this provision. Any hoods, domes or removable portions of the housing or cabinet shall be provided with means to keep them firmly in place in transit.

(3) All container valves, appurtenances and connections shall be adequately protected to prevent damage due to accidental contacts with stationary objects, from loose objects, stones, mud, or ice, thrown up from the ground or floor, and from damage due to overturn of the commercial modular or similar accident. In the case of permanently mounted containers, this provision may be met by the location on the commercial modular, with parts of the commercial modular furnishing the protection. On portable (removable) containers the protection for container valves and connections shall be permanently attached to the container.

(d) Access to a compartment containing LP gas tanks or cylinders shall be by a door or opening in the exterior wall of the commercial modular. Access doors or panels of compartments shall not be equipped with locks or require special tools or knowledge to open. The compartment shall be ventilated with two vents having an aggregate area of not less than two percent (2%) of the floor area of the compartment and shall open unrestricted to the outside atmosphere. The required vents shall be equally distributed between the floor and ceiling of the compartment. If the bottom vent is located in the access door or wall, it shall be flush with the floor level of the compartment. The top vent shall be located in the access door or wall with the bottom of the vent not more than twelve (12) inches below the ceiling level of the compartment. All vents shall have an unrestricted discharge to the outside atmosphere.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4516.3. LPG — Container Valves and Accessories.

(a) Containers and safety relief valves located less than eighteen (18) inches (457 mm) from any component of an internal combustion engine exhaust system shall be shielded by a frame member or by a noncombustible baffle to dissipate radiated or convected heat with an air space on both sides of the frame member or baffle.

(b) Each container shall have a listed two–stage regulator. Such regulators shall have a capacity not less than the total input of all installed LP–Gas appliances. The regulator shall be securely mounted by attaching it to the container valve, container, supporting standard or wall. If the regulator is not mounted by the manufacturer, instructions for proper installation shall be provided. Regulators shall be installed so the regulator vent opening will not be affected by the elements such as sleet, snow, freezing rain, ice, mud or by wheel spray.

(c) A listed LPG excess flow valve shall be provided in accordance with the following:

(1) The inlet or outlet of each service valve of a permanently mounted container shall be equipped with a listed excess flow valve or listed Petroleum, Oil, and Lubricant (POL) adapter with an integral excess flow valve.

(2) Removable Department of Transportation (DOT) type containers shall have furnished or installed a listed POL adapter with an integral listed excess flow valve.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4516.5. LPG — Gas Container Safety Relief Devices.

(a) Department of Transportation (DOT) containers shall be provided with safety relief devices as required by the regulations of the U. S. Department of Transportation. ASME containers shall be provided with relief valves in accordance with Subsection 2.3.2 of the Liquefied Petroleum Gas Code (NFPA No. 58, 2001 (ANSI)), incorporated by reference herein. Safety relief valves shall have direct communication with the vapor space of the vessel.

(b) Final stage regulators shall be equipped on the low pressure side with one or both of the following:

(1) A relief valve having a start–to–discharge pressure setting of not less than 1.7 times and not more than three (3) times the delivery pressure of the regulator.

(2) A shutoff device that shuts the gas off at the inlet side when the downstream pressure reaches the overpressure limits of not less than 1.7 times and not more than three (3) times the delivery pressure of the regulator. Such a device shall not open to permit flow of gas until it has been manually reset.

(c) Systems installed outside of a commercial modular shall be so located that discharge from safety relief devices shall be not less than three (3) feet (0.9m) horizontally away from any openings into the commercial modular and from all the internal combustion engine exhaust termination(s) below the level of such discharge. When a system is located in a recess vaportight to the inside, vent openings to the exterior shall be not less than three (3) feet (0.9m) horizontally away from any opening into the interior of the unit below the level of these vents.

(d) Systems located near doors without screens or openable windows below the level of the gas compartment vents are exempt from the requirement of Subsection (c) of this section.

(e) Safety relief valves located within liquefied petroleum gas (LPG) container compartments may be less than three (3) feet (0.9m) from openings provided:

(1) The bottom vent of the compartment is at the same level or lower than the bottom of any opening into the interior.

(2) The compartment is not located on the same wall plane as the opening(s) and is at least two (2) feet (0.6096m) horizontally from such openings.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
2. Repealer and new section heading, section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### **§ 4516.7. LPG — Container Mounting.**

(a) Housings and enclosures shall be designed to provide proper ventilation at least equivalent to that specified in Section 4516.1 of this subarticle.

(b) Doors, hoods, domes or portions of housings and enclosures required to be removed or opened for replacement of containers shall incorporate means for clamping them firmly in place and preventing them from working loose during transit.

(c) Provisions shall be incorporated in the assembly to hold the containers firmly in position and prevent their movement during transit.

(d) Containers shall be mounted on a substantial support or a base secured firmly to the commercial modular chassis. Neither the container nor its support shall extend below the axle.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### **§ 4516.9. LPG — System Design and Service-Line Pressure.**

(a) Systems shall be of the vapor-withdrawal type.

(b) Vapor, at a pressure not over eighteen (18) inches water column, shall be delivered from the container into the gas-supply connection.

(c) Container openings for vapor withdrawal shall be located in the vapor space when the container is in service or shall be provided with a suitable internal withdrawal tube which communicates with the vapor space in or near the highest point in the container when it is mounted in service position, with the commercial modular on a level surface. Containers shall be permanently and legibly marked in a conspicuous manner on the outside to show the correct mounting position and the position of the service outlet connection. The method of mounting in place shall be such as to minimize the possibility of an incorrect positioning of the container.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### **§ 4517. Gas Piping/Tubing — Systems.**

The installation of all gas piping or tubing systems attached to any commercial modular sold, offered for sale, rent or lease within the state shall comply with this subarticle except for piping or tubing designated as an integral part of an appliance or to gas appliance connectors.

**AUTHORITY:**

Note: Authority cited: Section 10815, Health and Safety Code. Reference: Section 10825, Health and Safety Code.

**HISTORY:**

1. Amendment filed 6-9-77; designated effective 9-1-77 (Register 77, No. 24).
2. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49)
3. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### **§ 4517.1. Gas Piping/Tubing — Piping Design.**

A commercial modular designed for a fuel gas piping system shall be equipped with a system that is designed for LP gas only, combination LP-natural-gas, or natural gas only.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.2. Gas Piping/Tubing — Expandable or Multiple Commercial Modulars.**

Where fuel gas piping is to be installed in more than one (1) section of an expandable or multiple-section commercial modular, the design and construction shall comply with all of the following:

(a) There shall be only one (1) point of crossover between each section, which shall be readily accessible from the exterior of the commercial modular.

(b) The connector between sections shall be of approved pipe or a listed flexible connector for exterior use and sized in accordance with Section 4517.3 of this subarticle.

(c) Protective caps or plugs shall be permanently attached to the unit by means of a metal chain and used to seal the system when not in use.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.3. Gas Piping/Tubing — Supply Sizing.**

The natural gas supply connection(s) between the gas piping inlet and the gas meter shall not be less than three-fourth (3/4) inch nominal pipe size.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
2. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.4. Gas Piping/Tubing — Concealed Areas.**

(a) Steel or copper tubing shall not be run inside walls, floors, ceilings or partitions. Where steel or copper tubing passes through walls, floors, ceilings, partitions or similar installations, such tubing shall be protected by the use of weather-resistant grommets that shall snugly fit both the tubing and the hole through which the tubing passes.

(b) Corrugated Stainless Steel Tubing (CSST) shall be installed in accordance with its listing and labeling.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.5. Piping/Tubing — Concealed Joints.**

No gas piping or tubing joints shall be located in any floor, wall, ceiling, partition or similar concealed construction space.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).
2. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.6. Gas Piping/Tubing — Gas-Supply Connection Cap.**

A protective cap or plug permanently attached to the unit shall be installed to effectively close the gas-supply connection when not in use on LPG, combination LP-natural or natural-gas-piping or tubing systems.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4517.8. Waste Holding Tanks.**

Waste holding tanks installed in plumbing systems shall comply with the following:

(a) Tanks shall be listed to approved standards and securely installed in a location to be removable for service, repair or replacement without the necessity of removing permanent, structural, mechanical or electrical equipment.

(b) Minimum size of inlet connections shall be determined by the total number of fixtures to be connected to the tank.

Toilet connections shall be 3-inch minimum pipe size and shall extend vertically. The inlet fitting shall not extend downward into the tank more than 1 1/2 inches (38 mm). The toilet connection shall be designed to receive or conform to an approved shape closet flange of standard dimensions or other approved fitting.

(c) Body waste holding tank drain opening shall be a minimum 3-inch pipe size. Liquid waste holding tank drain opening shall be a minimum 1 1/2 inch pipe size. Drain openings shall be located at the lowest point in the tank.

A listed fullway valve shall be directly connected to the tank or installed in the drain pipe of the tank within 36 inches (915 mm) of the drain outlet.

(d) The tank shall be vented at the highest point in the top of the tank by one of the following methods:

(1) A 1 1/4 inch minimum diameter individual vent pipe extending undiminished in size through the roof.

(2) A wet vent serving as a drain provided the drain portion is increased one pipe size larger than the connected trap arm.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

**§ 4518. Electrical Equipment.**

(a) All electrical equipment installed in combination with gas equipment shall be listed for the purpose intended.

(b) Gas piping shall not be used for an electrical ground.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

2. Correction of 12-7-79 order filed 12-13-79; effective thirtieth day thereafter (Register 79, No. 49).

3. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4519. Water Supply Connections.**

A commercial modular equipped with a water distribution system designed for connection to an outside source shall have a water-supply connection which shall terminate within 18 inches of the outside wall of the commercial modular and shall be equipped with a watertight cap or plug, which shall be permanently attached to the unit for use during transportation or movement.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment filed 12-7-79; effective thirtieth day thereafter (Register 79, No. 49).

2. Amendment of section and Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4519.1. Potable Water Storage Tanks.**

Potable water storage tanks installed in plumbing systems shall comply with the following:

(a) Tanks shall be listed to approved standards and installed in a location to be removable for service, repair or replacement without the necessity of removing permanent structural, mechanical or electrical equipment. Where the tank is installed in such a manner that it may be subject to road damage it shall be provided with mechanical protection.

(b) Non-pressure gravity tanks shall be equipped with a vent at the top of the tank. Vents and overflow pipe openings shall be protected from the entrance of dirt, insects and other contamination.

(c) Potable water storage tanks designed to be pressurized, shall be equipped with a listed air pressure relief valve set to open at not more than 125 pounds per square inch gauge (psig) (862 KPA) or in accordance with the tank manufacturer's instructions.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4520. Fuel Conversion.**

Heat-producing appliances shall not be converted from one fuel to another unless converted in accordance with the terms of its listing.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4520.1. Securing.**

Every appliance shall be secured in place to avoid displacement and movement from vibration and road shock.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4520.2. Testing After Appliances Are Connected.

After appliances are connected, the piping system shall be pressurized to not less than ten (10) inches nor more than fourteen (14) inches water column and the appliance connections tested for leakage with soapy water or bubble solution.

AUTHORITY:

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

HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4521. Rodent Resistance.

All exterior openings around piping, tubing, ducts, plenums, chimneys and vents shall be sealed to resist the entrance of rodents.

AUTHORITY:

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

HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4522. Oil Piping — General.

The installation of all oil piping systems attached to any commercial modular shall comply with this subarticle except piping approved as an integral part of an appliance.

AUTHORITY:

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

HISTORY:

1. Repealer and new section filed 12-7-79; effective thirtieth day thereafter (Register 79 No. 49).  
2. Repealer and new section heading and section and amendment of Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4522.1. Oil Piping — Expandable or Multiple Commercial Modulares.

When a commercial modular is composed of multiple sections, or includes expandable rooms, the oil-piping system shall be located only in the section containing the oil-supply connection.

AUTHORITY:

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

HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4522.2. Oil Piping — Materials.

All materials used for the installation, extension, alteration, or repair of any oil-piping system shall be new and free from defects or internal obstructions. The system shall be made of materials having a melting point of not less than 1,450 degrees Fahrenheit (787.8 degrees Celsius), except as provided in Section 4522.4 of this subarticle. They shall consist of one (1) or more of the following materials:

(a) Steel or wrought-iron pipe shall comply with American National Standard for Wrought-Steel or Wrought-Iron Pipe, B36.10-1970. Threaded copper or brass pipe in iron pipe sizes may be used.

(b) Fittings for oil piping shall be wrought iron, malleable iron, steel, or brass (containing not more than 75 percent copper).

(c) Copper tubing shall be annealed type, Grade K or L, conforming to the specifications for Seamless Copper Water Tube (ASTM B88-72), or shall comply with the specifications for Seamless Copper Tube for Air Conditioning and Refrigeration Field Service, (ASTM B280-73).

(d) Steel tubing shall have a minimum wall thickness of 0.032 inch for diameters up to one-half (1/2) inch and 0.049 inch for diameters one-half (1/2) inch and larger. Steel tubing shall be constructed in accordance with the Specification for Electric-Resistance Welded Coiled Steel Tubing for Gas and Fuel Oil Lines (ASTM A539-73) and shall be externally corrosion protected.

AUTHORITY:

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

HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4522.3. Oil Piping — Size.

The minimum size of all fuel-oil tank piping connecting outside tanks to the appliances shall be no smaller than three-eighths (3/8) inch outside diameter copper tubing or one-fourth (1/4) inch iron pipe size. In those cases where No. 1 fuel oil is used with an automatic pump (fuel lifter), one-fourth (1/4) inch outside diameter copper tubing may be used if specified by the pump manufacturer.

AUTHORITY:

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

HISTORY:

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

#### § 4522.4. Oil Piping — Joints.

All pipe joints in the piping system, unless welded or brazed, shall be threaded joints that comply with ANSI Standards Pipe Threads (except Dryseal) B2.1–1968. Right and left nipples or couplings shall not be used. Unions, if used, shall be of ground joint type. The material used for welding or brazing pipe connections shall have a melting temperature in excess of 1,000 degrees Fahrenheit (537.8 degrees Celsius).

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4522.5. Oil Piping — Tubing Joints.

Tubing joints shall be made with either a single or a double flare of the proper degree, as recommended by the tubing manufacturer, or with other listed vibration-resistant fittings, or joints may be brazed with material having a melting point exceeding 1,000 degrees Fahrenheit (537.8 degrees Celsius). Metallic ball sleeve compression-type tubing fittings shall not be used.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4522.6. Oil Piping — Pipe-Joint Compound.

Threaded joints shall be made tight with listed pipe-joint compound which shall be applied to the male threads only.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4522.7. Oil Piping — Grade of Piping.

Fuel-oil piping installed in conjunction with gravity feed systems to oil-heating equipment shall slope in a gradual rise upward from a central location to both the oil tank and the appliance in order to eliminate air locks.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4522.8. Oil Piping — Testing for Leakage.

Before operating the system, piping and tank installations shall be checked for oil leaks with fuel oil of the same grade that will be burned in the appliance. No other material shall be used for testing fuel-oil tanks and piping. Tanks shall be filled to maximum capacity for the final check for oil leakage.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4523. Oil Tanks.

Oil tanks and listed automatic pumps (oil lifters) installed for gravity flow of oil to heating equipment shall be installed so that the top of the tank is no higher than eight (8) feet above the appliance oil control and the bottom of the tank is not less than eighteen (18) inches above the appliance oil control.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

#### § 4523.1. Oil Tank — Auxiliary Oil-Storage Tank.

Oil-supply tanks affixed to a commercial modular shall be so located as to require filling and draining from the outside and shall be in a place readily available for inspection. If the fuel-supply tank is located in a compartment of a commercial modular, the compartment shall be ventilated at the bottom to permit diffusion of vapors and shall be insulated from the structural members of the body. Tanks so installed shall be provided with an outside fill and vent pipe and an approved liquid-level gauge.

AUTHORITY:

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

HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

**§ 4523.2. Oil Tank — Shutoff Valve.**

A readily accessible and listed manual shutoff valve shall be installed at the outlet of an oil-supply tank. The valve shall be installed to close against the supply.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4523.3. Oil Tank — Fuel-Oil Filters.**

All oil tanks, except for integrally mounted tanks, shall be equipped with a listed oil filter or strainer located downstream from the tank shutoff valve. The fuel-oil filter or strainer shall contain a sump with a drain for the entrapment of water.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

## Article 3.5. Special Purpose Commercial Modulars

### § 4525. Minimum Requirements.

(a) The provisions of this article relating to construction and fire safety apply to all special purpose commercial modulars, manufactured after September 1, 1979, which are sold or offered for sale, rented or leased within this state.

(b) The provisions of this article relating to construction and fire safety apply to the alteration or remanufacture of any construction or fire safety equipment or installations in any special purpose commercial modular bearing or required to bear a department insignia of approval.

(c) The provisions of this article relating to construction and fire safety apply to the alteration, remanufacture, addition or change in occupancy of any construction and fire safety equipment or installations of any special purpose commercial modular as defined in this article.

(d) When a person proposes to sell, offer for sale, rent or lease a special purpose commercial modular designed as a mobile food facility, mobile food preparation unit, or stationary mobile food preparation unit manufactured after the effective date of this article, or where a department insignia of approval has not been issued, it will be necessary that such person obtain written certification from the appropriate local Health Department or State Department of Health, indicating that the special purpose commercial modular complies with the applicable provisions of the California Code of Regulations, Title 17, Division 1, Chapter 5, Subchapter 2, Group 1, Article 10.

(e) All defined special purpose commercial modular mobile food facility vehicles are subject to requirements specified in Health and Safety Code, Division 104, Part 7, California Retail Food Code, Chapter 10, Mobile Food Facilities (Commencing with Section 114294) (HSC Part 7) and to the implementing regulations under the California Code of Regulations, Title 17, Division 1, Chapter 5, Subchapter 2, Group 1, Article 10.

(f) No later than March 31, 2012, special purpose commercial modular units or portions of existing units undergoing alteration, remanufacturing, repair, conversion or change in occupancy type shall be in compliance with the applicable regulations and standards. Thereafter, units or portions of existing units undergoing alteration, remanufacturing, repair, conversion or change of occupancy type shall be designed and constructed in accordance with this article.

#### AUTHORITY:

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

#### HISTORY:

1. New Article 3.5 (Sections 4525–4536) filed 12–7–79; effective thirtieth day thereafter (Register 79, No. 49).
2. Amendment of article 3.5 heading, repealer and new section heading and amendment of section and Note filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

### § 4526. Definitions.

(a) Anti-Siphon Trap Vent Device. A device that is installed above the connection of the trap arm that opens automatically to allow air into a fixture drain.

(b) Mobile Food Facility. Any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. "Mobile Food Facility" does not include a "transporter" used to transport packaged food from a food facility, or other approved source to the consumer.

(c) Vehicle. A vehicle is a device, with attached wheels and axles, by which any person or property may be propelled, moved or drawn upon a highway or roadway excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

#### AUTHORITY:

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

#### HISTORY:

1. New section filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38). For prior history, see Register 89, No. 32.

### § 4527. Fire Safety.

Special purpose commercial modulars are subject to Federal Standards under the National Traffic and Motor Vehicle Safety Act of 1966 and are exempt from the requirements of this article relating to interior finish flame spread limitations.

#### AUTHORITY:

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

#### HISTORY:

1. Amendment of section and new Note filed 9–19–2011; operative 10–19–2011 (Register 2011, No. 38).

### § 4528. Exits.

(a) Each special purpose commercial modular shall have a minimum of two (2) exits located remote from each other and so arranged as to provide a means of unobstructed travel to the outside.

(b) Special purpose commercial modular units designed, manufactured, altered, used or converted for use as either a module of a permanently constructed building or as a fixture improvement to real property, shall comply with the construction standards for commercial modulars, and shall have exits as prescribed by the California Building Code (CBC), California Code of Regulations, Title 24, Part 2, Chapter 10.

(c) Special purpose commercial modulares designed as bathrooms or shower room facilities only, may be provided with at least one (1) exterior door in each bathroom or shower room. This door shall not be used for any purpose that interferes with its function as a means of egress.

(d) Special purpose commercial modular units subject to the federal motor vehicle safety standards as vehicles, shall be designed and constructed with an alternate or second exit. The alternate or second exit shall provide a clear unobstructed path of travel. Any equipment or fixtures shall not obstruct the alternate exit either inside or outside the unit required by Subsection (a).

(e) The alternate exit shall be located either:

(1) In an area opposite the main exit door or in the rear of the special purpose commercial modular, with a net clear openable area of 5.7 square feet (0.53 m<sup>2</sup>). The minimum net clear openable height dimension shall be twenty-four (24) inches (610 mm). The minimum net clear openable width dimension shall be twenty (20) inches (508 mm).

(2) In the roof of the special purpose commercial modular, with unobstructed passage to a 24 x 24 inches (61 cm x 61 cm) minimum opening to the outside.

(f) The bottom of the alternate or second exit required by Subsection (a) of this section shall not be more than four (4) feet (1.22 m) either above the floor of the special purpose commercial modular or above a readily accessible horizontal surface capable of supporting a weight of 300 pounds (136 kg).

(g) The latch mechanism of any means of exit shall be operable by hand, and shall not require the use of a key or special tool for operation from the inside.

(h) If an alternate or second exit is other than a standard door, it shall be labeled with the word "EXIT" with one (1) inch (2.54 cm) minimum letters on a contrasting background.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4529. Ceiling Height.**

(a) Each special purpose commercial modular shall have a minimum ceiling height of seventy-four (74) inches (188 cm) over the inside aisle-way portion of the unit.

(b) Light fixtures are allowed to protrude a maximum of three (3) inches (7.62 cm) into minimum ceiling height.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4530. Room Dimensions and Construction.**

(a) There shall be a clear, unobstructed height over the aisle-way portion of the unit of at least 74 inches (188 cm) from floor to ceiling, and a minimum of 30 inches (76 cm) of unobstructed horizontal aisle space.

(b) Special purpose commercial modulares designed for public accommodation shall comply with the accessibility provisions of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC), Chapter 11B.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4531. Glass and Glazed Openings.**

The provisions of Chapter 24 of the California Code of Regulations, Title 24, Part 2, California Building Code (CBC) shall apply to glass and glazing in all special purpose commercial modulares not subject to the federal standards under the National Traffic and Motor Vehicle Safety Act of 1966.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4532. Electrical.**

(a) Except as provided in Subsection (b), the provisions of Article 3, Subarticle 3, of this subchapter, and the following shall apply to electrical equipment and installations of all special purpose commercial modulares.

(b) Each special purpose commercial modular shall have an appropriately rated branch circuit panelboard. The panelboard shall be installed so that its bottom is at least twenty-four (24) inches (61 cm) above the floor, unless the panelboard is listed for installation in wet locations.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4533. Mechanical.**

(a) Except as provided in Subsections (b) and (c), the provisions of Article 3, Subarticle 4, of this subchapter, shall apply to mechanical equipment and installations of all special purpose commercial modulars.

(b) Make-up air shall be provided at the rate of that exhausted and may be accomplished from screened service openings, screened vents in the ceiling, or mechanically through an air-conditioning system, but not through open doors or operable windows.

(c) Ducts shall be securely fastened in place and supported at least every four (4) feet.

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4534. Plumbing.**

(a) Except as provided in Subsections (b) through (h) the provisions of Article 3, Subarticle 5 of this subchapter shall apply to plumbing equipment and installations of all special purpose commercial modulars.

(b) In pipe joints for gas pipes, right and left nipples or couplings shall not be used. Unions, if used, shall be of ground joint type. The material used for welding or brazing pipe connections shall have a melting temperature in excess of 1,000 degrees Fahrenheit (537.8 degrees Celsius). Pipe shall not be bent.

(c) Tubing joints shall be made with either a single or a double flare of the proper degree as recommended by the tubing manufacturer, or with other listed vibration-resistant fittings, or joints may be brazed with material having a melting point exceeding 1,000 degrees Fahrenheit (537.8 degrees Celsius). Metallic ball sleeve compression-type tubing fittings shall not be used.

(d) Tubing shall not be run inside walls, floors, ceilings, or partitions. Where tubing passes through walls, floors, ceilings, partitions, or similar installations, such tubing shall be protected by the use of weather-resistant grommets that shall snugly fit both the tubing and the hole through which the tubing passes. Screw joints shall be made up tight with listed pipe-joint compound, insoluble in liquefied petroleum gas, and shall be applied to the male threads only.

(e) No piping or tubing joints shall be located in any floor, wall, partition, ceiling or similar concealed construction space.

(f) Where it is necessary to join sections of screw piping, right and left nipples and couplings shall not be used. Ground joint unions may be used to connect heat-producing appliances to the appliance branch piping.

(g) A label identifying gas supply connections shall be attached permanently on the outside of the exterior wall of the special purpose commercial modular adjacent to the gas supply connection which reads (as appropriate) either:

**Combination LP Gas and Natural Gas System**  
**This gas piping system is designed for use of either liquefied petroleum gas or natural gas.**

**NOTICE: BEFORE TURNING ON GAS BE CERTAIN APPLIANCES ARE DESIGNED FOR THE GAS CONNECTED AND ARE EQUIPPED WITH CORRECT ORIFICES. SECURELY CAP THIS INLET WHEN NOT CONNECTED FOR USE.**

**When connecting to lot outlet, use a listed gas supply connector, for mobile homes, rated at**

**[ ] 100,000 Btuh**

**or more**

**[ ] 250,000 Btuh**

**Before turning on gas, make certain all gas connections have been made tight, all appliance valves are turned off, and any unconnected outlets are capped.**

**After turning on gas, test gas piping and connections to appliances for leakage with soapy water or bubble solution, and light all pilots.**

**LP-Gas System**

**This gas piping system is designed for use of liquefied petroleum gas only.**

**DO NOT CONNECT NATURAL GAS TO THIS SYSTEM.**

**CONTAINER SHUTOFF VALVES SHALL BE CLOSED  
DURING TRANSIT.**

**When connecting to lot outlet, use a listed  
gas supply connector, for mobile homes, rated at  
[ ] 100,000 Btuh  
or more  
[ ] 250,000 Btuh**

**Before turning on gas, make certain all gas connections  
have been made tight, all appliance valves are turned  
off, and any unconnected outlets are capped.**

**After turning on gas, test gas piping and connections to  
appliances for leakage with soapy water or bubble solution, and light all pilots.**

The appropriate BTUH input rating shall be marked by the manufacturer.

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

(h) An anti-siphon trap vent device shall be permitted for use only as a secondary vent in accordance with the following:

(1) Installation of an anti-siphon trap vent device shall be in accordance with the terms of its listing.

(2) An anti-siphon trap vent device shall be installed in an accessible location that provides a free flow of air for the device.

(3) An anti-siphon trap vent device shall not serve more than two (2) fixtures.

(4) An anti-siphon trap vent device shall not be used for more than two (2) consecutive fixtures before being vented to outside atmosphere.

(5) An anti-siphon trap vent device that protects two (2) fixtures shall be drained, at a minimum, by a common 1.5 inch (38.1 mm) diameter drain.

(6) An anti-siphon trap vent device shall not serve as a primary vent for toilets or holding tanks.

(7) A fixture drain or main drain that bypasses a holding tank shall be vented by a primary vent in accordance with Chapter 9 of the California Code of Regulations, Title 24, Part 5, California Plumbing Code (CPC).

**AUTHORITY:**

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

**HISTORY:**

1. Amendment of section and new Note filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

## Article 5. Third-Party Approval and Enforcement

### § 4850. Application and Scope.

(a) The provisions of this article shall apply to third-party entities, inspectors employed by third-party entities, and manufacturers of mobilehomes, commercial coaches, special purpose commercial coaches and recreational vehicles.

(b) The provisions of this article do not apply to design approval entities, inspection entities, or manufacturers whose activities are subject to the National Manufactured Housing Construction and Safety Standards Act. (42 USC, Section 5401 et seq.).

(c) This article does not apply to the manufacturers of Factory-Built Homes, as defined in Health and Safety Code Section 19971, or to third-party entities approved under subchapter 1 of this chapter.

#### AUTHORITY:

Note: Authority cited: Sections 18020 and 18030, Health and Safety Code. Reference: Sections 18013.2, 18020, 18025, 18025.5, 18026 and 18030, Health and Safety Code.

HISTORY: 1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.

2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.

4. Certificate of Compliance including new subsection (d) transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

5. Repealer of subsection (d) filed 12-20-89; operative 1-1-90 (Register 90, No. 4).

### § 4852. Conditions of Approval for a Design Approval Agency.

In addition to meeting the definition of a third-party entity provided in Health and Safety Code Section 18013.2, a Design Approval Agency shall satisfy all of the following criteria as a condition of approval.

(a) A Design Approval Agency shall employ staff which satisfy the provisions of Part A of Standard E 541, of the 1986 Annual Book of ASTM Standards published by the American Society for Testing and Materials, hereby incorporated by reference. Only such staff shall perform the activities of inspecting and approving plans and quality control manuals.

(b) For the inspection of plans for structural systems of mobilehomes or commercial coaches, a Design Approval Agency shall employ a staff engineer(s) registered by the State of California or architect(s) licensed by the State of California.

(c) A Design Approval Agency shall have the ability to enforce the provisions of California law and regulations governing the manufacture of mobilehomes, commercial coaches, special purpose commercial coaches and recreational vehicles.

(d) A Design Approval Agency shall have the ability to submit reports complying with Section 4880.

(e) A Design Approval Agency shall have the ability to maintain plans and quality control manuals as well as amendments thereto. This ability includes such activities as record keeping, storage, retrieval of approved plans or manuals and maintenance of a system to distinguish and assemble currently approved plans or manuals from those which have been superseded or cancelled.

(f) A Design Approval Agency shall be free of actual or potential conflict of interest and shall not be affiliated with, influenced by, or controlled by any manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles, or supplier.

(g) An individual applicant for approval as a Design Approval Agency shall be qualified to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

#### AUTHORITY:

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 18020, Health and Safety Code.

#### HISTORY:

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.

2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.

4. Certificate of Compliance including amendment of subsection (b) transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

5. New subsection (g) and amendment of Note filed 3-20-98 as an emergency; operative 4-6-98 (Register 98, No. 12). A Certificate of Compliance must be transmitted to OAL by 8-4-98 or emergency language will be repealed by operation of law on the following day.

6. New subsection (g) and amendment of Note refiled 8-4-98 as an emergency; operative 8-4-98 (Register 98, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-2-98 or emergency language will be repealed by operation of law on the following day.

7. Certificate of Compliance as to 8-4-98 order transmitted to OAL 12-1-98 and filed 1-14-99 (Register 99, No. 3).

### § 4854. Conditions of Approval for a Quality Assurance Agency.

In addition to meeting the definition of a third-party entity provided in Health and Safety Code Section 18013.2, a Quality Assurance Agency shall satisfy all of the following criteria as a condition of approval.

(a) A Quality Assurance Agency shall employ staff which satisfy the provisions of Part B of Standard E 541, of the 1986 Annual Book of ASTM Standards published by the American Society for Testing and Materials, hereby incorporated by reference. Only such staff shall perform inspections and monitoring activities.

(b) A Quality Assurance Agency shall employ Quality Assurance Inspectors approved by the department to perform inspections and monitoring activities.

(c) A Quality Assurance Agency shall have the ability to inspect mobilehomes, commercial coaches, special purpose commercial coaches and recreational vehicles and to monitor quality control programs for compliance with California law and regulations, approved plans and quality control manuals, and to secure compliance.

(d) A Quality Assurance Agency shall have the ability to submit reports complying with Section 4880.

(e) A Quality Assurance Agency shall be free of actual or potential conflict of interest and shall not be affiliated with, influenced by, or controlled by any manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles, or supplier.

(f) An individual applicant for Quality Assurance Agency approval shall be qualified to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 18020, Health and Safety Code.

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 8, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
5. New subsection (f) and amendment of Note filed 3-20-98 as an emergency; operative 4-6-98 (Register 98, No. 12). A Certificate of Compliance must be transmitted to OAL by 8-4-98 or emergency language will be repealed by operation of law on the following day.
6. New subsection (f) and amendment of Note refiled 8-4-98 as an emergency; operative 8-4-98 (Register 98, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-2-98 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 8-4-98 order transmitted to OAL 12-1-98 and filed 1-14-99 (Register 99, No. 3).

**§ 4856. Conditions of Approval for a Quality Assurance Inspector.**

A Quality Assurance Inspector shall meet all of the following criteria as a condition of approval.

(a) A Quality Assurance Inspector shall meet the provisions for Compliance Assurance Inspectors of Section 14, of Part B, of Standard E 541 of the 1986 Annual Book of ASTM Standards published by the American Society for Testing and Materials, hereby incorporated by reference.

(b) A Quality Assurance Inspector shall have the ability to inspect and monitor quality control programs for compliance with approved plans, quality control manuals and California law and regulations regarding mobilehomes, commercial coaches, special purpose commercial coaches and recreational vehicles.

(c) A Quality Assurance Inspector shall have the ability to prepare inspection reports describing observed violations, corrective action and making appropriate references to the plans, quality control manuals, California law or regulations and incorporated documents.

(d) A Quality Assurance Inspector shall be free of actual or potential conflict of interest and shall not be affiliated with, influenced by or controlled by any manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles, or supplier.

(e) An individual applicant for approval as a Quality Assurance Inspector shall be qualified to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 18020, Health and Safety Code.

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
5. New subsection (e) and amendment of Note filed 3-20-98 as an emergency; operative 4-6-98 (Register 98, No. 12). A Certificate of Compliance must be transmitted to OAL by 8-4-98 or emergency language will be repealed by operation of law on the following day.
6. New subsection (e) and amendment of Note refiled 8-4-98 as an emergency; operative 8-4-98 (Register 98, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-2-98 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 8-4-98 order transmitted to OAL 12-1-98 and filed 1-14-99 (Register 99, No. 3).

**§ 4858. Application for Design Approval Agency and/or Quality Assurance Agency Approval.**

(a) An applicant for approval to perform as a Design Approval Agency and/or Quality Assurance Agency pursuant to this article shall make application to the department using HCD-MH 470 Application for Design Approval Agency and/or Quality Assurance Agency Approval, dated May 1989 and provided by the department. The applicant shall provide the following information:

(1) Indication of whether the application is for an original approval, approval renewal or supplemental approval of a Design Approval Agency and/or Quality Assurance Agency.

- (2) The firm and corporate name, business and mailing address and telephone number(s) of the applicant.
  - (3) Indication of whether the ownership structure is composed of either an individual, partnership or corporation.
  - (4) The name and title of the individual owner, or the names and titles of all partners, or the names and titles of all officers, directors and major stockholders within the corporation.
  - (5) Identification of any individual owner, partner(s), officer(s), director(s) and major stockholder(s) who will participate in the management or supervision of activities pursuant to this article.
  - (6) On a separate attachment entitled, "Organization," the following information as applicable:
    - (A) In descending order of responsibility, the names, titles and responsibilities of all directors, supervisors, managers, architects, engineers, technical staff, Insignia Administrator and Quality Assurance Inspectors within the organization who are responsible for the activities to be performed pursuant to this article. An organization chart may be attached, if appropriate.
    - (B) For Design Approval Agency applicants, the name(s) and California license number(s) of the architect(s) or the California registration number(s) of the engineer(s) who will perform the inspection of plans for structural systems of mobilehomes or commercial coaches as specified in Section 4852(b).
    - (C) For Quality Assurance Agency applicants, the name(s) and department approval number(s) of each Quality Assurance Inspector who will perform inspections and monitoring activities as specified in Section 4854(b).
  - (7) On a separate attachment entitled, "Qualifications," a detailed explanation of the applicant's business activities and how the applicant meets the requirements of Section(s) 4852(a), (c), (d) and (e) and/or 4854(a), (b), (c) and (d).
  - (8) Attached resumes detailing the education, training and experience for directors, supervisors, managers, engineers, architects, technical staff, Insignia Administrator and Quality Assurance Inspectors who have not been approved by the department.
  - (9) For Quality Assurance Agency applicants, on a separate attachment entitled, "Insignia Administration and Security Procedures," a detailed explanation of the procedures to carry out insignia administration and security procedures as required in Section 4882.
  - (10) The typed or printed name and signature of the individual owner or the typed or printed name and signature of all partners or the typed or printed name and signature of all major stockholders, officers and directors, and the typed or printed name and signature of all managers, supervisors, architects, technical staff, engineers, Insignia Administrator and Quality Assurance Inspectors on form HCD-MH 471, Absence of Conflict of Interest Statement, dated May 1989, and provided by the department, certifying under penalty of perjury to the absence of any conflict of interest, potential for a conflict of interest, or any collusive or fraudulent practices as specified in Section 4872. The individual owner or the partners or the major stockholders, officers and directors and the managers, supervisors, architects, technical staff, engineers, Insignia Administrator and Quality Assurance Inspectors shall also include the date, county and state that certification was executed.
  - (11) The signature and typed or printed name of the highest ranking officer of the ownership certifying under penalty of perjury to the accuracy of the information provided.
  - (12) The date, county and state that certification was executed.
- (b) If additional space is required to list all partners, officers, directors and major stockholders in an ownership structure, and identification if they will participate in the management or supervision of activities pursuant to this article, the applicant shall indicate that such a list is attached to form HCD-MH 470 Application for Design Approval Agency and/or Quality Assurance Agency Approval, dated May 1989 and provided by the department.
- (c) Form HCD-MH 471 Absence of Conflict of Interest Statement, dated May 1989 shall be attached to form HCD-MH 470 Application for Design Approval Agency and/or Quality Assurance Agency Approval, dated May 1989.
- (d) The applicant shall present other documentation necessary to determine the applicant's eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.
- (e) The application shall be accompanied by the fee specified in Section 4884(a) and/or 4884(b) for an Application for Design Approval Agency and/or Quality Assurance Agency Approval.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 18013.2, 18020 and 18031, Health and Safety Code.

**HISTORY:**

1. New Section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance including amendment transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
5. New subsection (d), subsection relettering and amendment of Note filed 3-20-98 as an emergency; operative 4-6-98 (Register 98, No. 12). A Certificate of Compliance must be transmitted to OAL by 8-4-98 or emergency language will be repealed by operation of law on the following day.
6. New subsection (d), subsection relettering, and amendment of Note refiled 8-4-98 as an emergency, including amendment of subsection (a)(7); operative 8-4-98 (Register 98, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-2-98 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 8-4-98 order, including amendment of subsection (d), transmitted to OAL 12-1-98 and filed 1-14-99 (Register 99, No. 3).

#### **§ 4862. Application for Quality Assurance Inspector Approval.**

(a) An applicant for approval to perform as a Quality Assurance Inspector shall apply to the department using HCD–MH 469 “Application for Quality Assurance Inspector Approval,” dated May 1989 and provided by the department. The applicant shall provide the following information:

(1) Indication of whether the application is for a Quality Assurance Inspector original approval or approval renewal.

(2) The name, business address and telephone number of the applicant.

(3) Indication of whether the applicant is currently employed or will be employed by the Quality Assurance Agency upon approval by the department.

(4) The name, address and telephone number of the Quality Assurance Agency employing or to employ the applicant.

(5) An attached resume detailing the education, training and experience of the applicant which demonstrates how he or she meets the requirements of Section 4856.

(6) The typed or printed name and signature of the applicant on form HCD–MH 471, Absence of Conflict of Interest Statement, dated May 1989 and provided by the department, certifying under penalty of perjury to the absence of any conflict of interest, potential for a conflict of interest or any collusive or fraudulent practices as specified in Section 4872. The applicant shall also include the date, county and state that certification was executed.

(7) The typed or printed name and signature of the applicant certifying under penalty of perjury to the accuracy of the information provided.

(8) The date, county and state that certification was executed.

(b) Form HCD–MH 471 Absence of Conflict of Interest Statement, dated May 1989 shall be attached to form HCD–MH 469 Application for Quality Assurance Inspector Approval dated May 1989.

(c) The application shall be accompanied by the fee specified in Section 4884(c) for an Application for Quality Assurance Inspector Approval.

(d) The applicant shall present documentation necessary to determine the applicant’s eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

#### **AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 18013.2, 18020 and 18031, Health and Safety Code.

#### **HISTORY:**

1. New section filed 10–6–88 as an emergency; operative 10–6–88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–89.

2. The Certificate of Compliance transmitted to OAL 1–31–89 was disapproved. Order of Repeal of 10–6–88 emergency order filed 3–2–89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3–3–89 as an emergency; operative 3–3–89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7–3–89, or emergency language will be repealed.

4. Certificate of Compliance including amendment transmitted to OAL 6–29–89 and filed 7–24–89 (Register 89, No. 32).

5. New subsection (d) and amendment of Note filed 3–20–98 as an emergency; operative 4–6–98 (Register 98, No. 12). A Certificate of Compliance must be transmitted to OAL by 8–4–98 or emergency language will be repealed by operation of law on the following day.

6. New subsection (d) and amendment of Note refiled 8–4–98 as an emergency; operative 8–4–98 (Register 98, No. 32). A Certificate of Compliance must be transmitted to OAL by 12–2–98 or emergency language will be repealed by operation of law on the following day.

7. Certificate of Compliance as to 8–4–98 order, including amendment of subsection (d), transmitted to OAL 12–1–98 and filed 1–14–99 (Register 99, No. 3).

#### **§ 4864. Application Processing Time for Original, Renewal and Supplemental Approval.**

(a) Within 15 calendar days of receipt of an application pursuant to Section 4858, 4862, 4866(f) or 4868 of this subchapter, the department shall inform the applicant in writing that it is either complete and acceptable for filing or that it is deficient and what specific information or documentation is required to complete the application. An application is considered complete if it is in compliance with the provisions of either Section 4858, 4862, 4866(f) or 4868 of this subchapter, as applicable.

(b) Within 60 calendar days from the date of filing of a completed application, the department shall inform the applicant in writing of its decision regarding the application.

#### **AUTHORITY:**

Note: Authority cited: Section 15376, Government Code; and Section 18020, Health and Safety Code. Reference: Section 15376, Government Code; and Section 18020, Health and Safety Code.

#### **HISTORY:**

1. New section filed 10–6–88 as an emergency; operative 10–6–88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–89.

2. The Certificate of Compliance transmitted to OAL 1–31–89 was disapproved. Order of Repeal of 10–6–88 emergency order filed 3–2–89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3–3–89 as an emergency; operative 3–3–89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7–3–89, or emergency language will be repealed.

4. Certificate of Compliance including amendment of subsection (a) transmitted to OAL 6–29–89 and filed 7–24–89 (Register 89, No. 32).

#### **§ 4866. Required Reporting of Name, Address, Ownership and Staff Changes.**

(a) A third-party entity shall report all business name and address changes and a Quality Assurance Inspector shall report all name and address changes to the department no later than ten (10) days after the effective date of such change. Each report shall be accompanied by the fee specified in Section 4884(g) or (h), whichever is applicable.

(b) Whenever a person within the ownership of a third-party entity terminates ownership interest, the third-party entity shall report such change to the department in writing, no later than ten (10) days after the effective date of the change. No fee shall be required.

(c) Whenever the third-party entity terminates the employment of a person who was performing as a director, engineer, architect, inspector or insignia administrator, regardless of the cause, the third-party entity shall report such change to the department in writing, no later than ten (10) days after the effective date of the change. No fee shall be required.

(d) Whenever a third-party entity changes the responsibilities of any director, manager, engineer, architect, inspector, or insignia administrator, the third-party entity shall notify the department in writing no later than ten (10) days after the effective date of the change. No fee shall be required.

(e) Whenever a person is added to the ownership of a third-party entity, the third-party entity shall notify the department of the change by filing a new application pursuant to Section 4858. The new application may make reference to valid information and statements contained in original applications on file with the department. The application shall be transmitted to the department no later than ten (10) days after the effective date of the change. No fee shall be required.

(f) Whenever a third-party entity acquires a new employee to perform as a director, manager engineer, architect, technical staff, inspector or insignia administrator, the third-party entity shall notify the department by filing a new application for supplemental approval pursuant to Section 4858. The new application may make reference to valid information and statements contained in original applications on file with the department. The application shall be transmitted to the department no later than ten (10) days after the effective date of the change. No fee shall be required.

(g) If following receipt of a notice or application pursuant to subsections (b)(c)(d) or (f) above, the department determines that third-party entity no longer meets the conditions of approval, the third-party entity shall submit a new application pursuant to Section 4858.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance including amendment of subsections (b)-(g) transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4868. Approval Expiration and Renewal.**

(a) The approval as a Design Approval Agency and/or Quality Assurance Agency or Quality Assurance Inspector shall expire on the last day of the thirty-sixth month following the month of issuance.

(b) A Design Approval Agency and/or Quality Assurance Agency seeking renewal of the department's approval shall make application using HCD-MH 470 Application for Design Approval Agency and/or Quality Assurance Agency Approval dated May 1989 and provided by the department. The application shall be accompanied by the Design Approval Agency Approval and/or Quality Assurance Agency Approval renewal fees specified in Section 4884(d) and/or Section 4884(e). The applicant shall provide the information required by Section 4858(a)(1)(2)(3)(4)(5)(6)(A) and (B) and/or (C) and (8)(9)(10)(11)(12) and (b) as appropriate.

(c) A Quality Assurance Inspector seeking renewal of the department's approval shall make application using HCD-MH 469 "Application for Quality Assurance Inspector Approval" dated May 1989 and provided by the department. The application shall be accompanied by the Quality Assurance Inspector Approval renewal fee specified in Section 4884(f). The applicant shall provide the information required by Section 4862 (a)(1)(2)(3)(4)(6)(7) and (8).

(d) Renewal applications shall be transmitted to the department at least ninety (90) days prior to the expiration date.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance including amendment transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4870. General Operating Procedures and Requirements.**

(a) Each Design Approval Agency and Quality Assurance Agency shall maintain current copies of the California law and regulations, including any documents incorporated by reference, which are applicable to the manufacture of mobilehomes, commercial coaches, special purpose commercial coaches, and recreational vehicles.

(b) Each Quality Assurance Inspector shall have applicable California laws, regulations, documents incorporated by reference, approved plans and manuals readily available on the premises while conducting inspections or monitoring quality control programs.

(c) The Design Approval Agency or Quality Assurance Agency shall prepare a written report of any unresolved dispute between a manufacturer and the agency when it pertains to the requirements of California Health and Safety Code, division 13, part 2, or this subchapter. The report shall be transmitted to the department no later than the tenth day after the unresolved dispute occurred.

(d) The date of transmittal of reports, applications and notices will be the postmarked date issued by the U.S. Postal Service, the date received by private delivery services, or the date when delivered to the department by the third-party entity.

(e) All reports and notices shall be signed by a representative of the third-party entity who certifies under penalty of perjury to the accuracy of the information provided.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 91, No. 32).
5. Repealer of subsection (d) and renumbering of subsections (e) and (f) to (d) and (e) filed 6-10-91; operative 7-10-91 (Register 91, No. 34).

**§ 4872. Conflict of Interest, Collusion and Fraud.**

(a) A third-party entity shall be considered free of any conflicts of interest, affiliation, influence, and control when in compliance with the following criteria:

(1) It has no ownership or managerial affiliation with any supplier or manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles and does not engage in the sale or promotion of any such unit.

(2) The results of its work do not accrue financial benefits to the organization via stock ownership in any supplier or manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles.

(3) Its owners, directors, management personnel, engineers, architects or inspectors hold no ownership or stock in and receive no stock option from any supplier or manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles.

(4) The employment status of its personnel is free of influence or control by any supplier or manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles.

(5) It does not perform as a Design Approval Agency for any manufacturer whose plans, designs or manual have been created or prepared in whole or in part by a member of the agency's staff or by a member of the staff of any affiliated organization.

(b) No member of a third-party entity shall take part in any act of collusion or other fraudulent practice with a supplier or manufacturer of mobilehomes, commercial coaches, special purpose commercial coaches, or recreational vehicles.

(c) Each third-party entity and Quality Assurance Inspector shall provide the department with a written report of any contract or agreement, written or oral, with a manufacturer who is subject to this subchapter, for any service which is in addition to services provided by contract under this article. Such reports shall be transmitted to the department no later than ten (10) days after the effective date of the contract or agreement.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18013.2 and 18020, Health and Safety Code.

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4874. Contract Requirements.**

(a) Third-party entities and manufacturers shall execute written contracts describing all services to be rendered by the third-party entity pursuant to this article. A copy of each contract or amendment shall be transmitted by the third-party entity to the department no later than ten (10) days after the effective date. The department shall disapprove any contract in violation of the Health and Safety Code, Division 13, Part 2, Section 18000 et seq., or this article.

(b) Within ten (10) days of the cancellation of a contract, the third-party entity shall transmit to the department a written notice of the cancellation and of the circumstances which led to the cancellation. Whenever the department determines that the cause for a manufacturer's cancellation of a contract with a third-party entity is related to enforcement actions taken by the third-party entity to assure compliance with the Health and Safety Code, Division 13, Part 2, or this subchapter, the department shall monitor the inspections or plan approvals pursuant to any new contracts executed by the manufacturer and other third-party entities.

(c) No contract between a Quality Assurance Agency and a manufacturer for inspections of units manufactured in California shall violate the provisions of Section 4870(d).

(d) A contract executed between a manufacturer and a Quality Assurance Agency shall require the manufacturer to provide the Quality Assurance Agency with a written report by at least the tenth day of each month, which contains the information necessary for the Quality Assurance Agency to comply with Section 4880(d).

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance including amendment of subsection (d) transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4876. Design Approval Procedures and Requirements.**

(a) Plans approved prior to the effective date of any amendments to standards used in those plans shall remain valid until expiration as provided in this subsection. All plans and manual approval shall expire on the last day of the fifteenth month following the month of the approval by the Design Approval Agency. The Design Approval Agency shall provide for the renewal of expiring plans and manuals which comply with the requirements of this subchapter.

(b) The requirements of Section 4017 of this subchapter regarding the size and contents of drawings shall apply to plans submitted to a Design Approval Agency.

(c) Upon approval of a plan or quality control manual, the Design Approval Agency shall issue a unique plan approval number for each plan or manual. The plan approval number shall be prefaced by an identification given the agency by the department. Each page of an approved plan, each page of an amendment, and each manual cover, shall be wet-marked or electronically stamped marked, wet-stamped or electronically stamped with the words "Approved: State of CA-Certified Design Approval Agency," along with the name of the Design Approval Agency, the date of approval, the date of expiration and the plan approval number. The Design Approval Agency shall transmit complete copies of plans, amendments or manual bearing the approval mark to the manufacturer within ten (10) days of the approval date.

(d) When typical system approvals are used as provided in Sections 4015(b) and 4016 of this subchapter, the Design Approval Agency shall require the manufacturer's plans to contain a system of indexing which eliminates confusion as to the applicability of typical systems throughout the manufacturer's plans.

(e) The Design Approval Agency shall require an approved plan or manual to be amended in such a manner that all superseded information is removed from the plan or manual which bears the agency's mark of approval. The Design Approval Agency shall require the manufacturer to provide written instructions which explain how to update the original plan or manual by the insert of the amendment or removal of superseded pages.

(f) The Design Approval Agency shall maintain a copy of all approvals for a period of three (3) years beyond their expiration.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18020 and 18025, Health and Safety Code.

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).
5. Amendment filed 9-19-2011; operative 10-19-2011 (Register 2011, No. 38).

**§ 4878. Inspection Method and Frequency.**

(a) A Quality Assurance Agency shall inspect a manufacturer's production at the location of production. For units designed and approved for final construction (exterior roof or wall materials for example) by the manufacturer at a location other than at the manufacturing facility, the Quality Assurance Agency shall perform an additional inspection of the final construction exclusive of work performed for the installation for occupancy.

(b) Upon discovery of any violation of the Health and Safety Code, Division 13, Part 2, Section 18000 et seq., or this subchapter, the Quality Assurance Agency shall verify by inspection the satisfactory correction or elimination of the violation. If correction of the violation cannot be verified at the time of inspection, the agency shall so state in the inspection report required by Section 4880 and require the affected unit(s) held for reinspection at the manufacturing facility. The agencies report of the reinspection shall describe the reinspection and correction of the violation.

(c) In order to certify a manufacturing facility, a Quality Assurance Agency shall inspect pursuant to subsection (e) no less than the first five (5) units while under construction. Such inspections shall continue until the manufacturer has demonstrated the ability to consistently manufacturer units in compliance with the law and this subchapter as a result of an effective quality control program prescribed in an approved quality control manual. At such time, the Quality Assurance Agency shall transmit to the department a

Certification Report which complies with the provisions of Section 4880(e) and the inspection frequency shall be reduced as prescribed in subsection (f) or (g) of this section, whichever is applicable.

(d) For special purpose commercial coaches and recreational vehicles being manufactured without plan approval, the Quality Assurance Agency shall inspect each unit while under construction including all systems, components, equipment and installations subject to this subchapter, and shall witness all tests required by this subchapter prior to issuance of a California insignia.

(e) For units produced in manufacturing facilities which are not certified, the Quality Assurance Agency shall inspect each system, component, equipment and installation at each stage of assembly, and shall witness all tests required by this subchapter.

(f) For certified mobilehome and commercial coach manufacturing facilities, the Quality Assurance Agency shall monitor compliance with approved plans by inspecting all visible portions of each system, component, equipment and installation subject to this subchapter, of each mobilehome or commercial coach which will be issued California insignia.

During each inspection visit, a Quality Assurance Agency shall monitor the manufacturer's compliance with material storage, inspection and testing procedures prescribed in an approved quality control manual, and shall monitor the quality control procedures at each of the manufacturer's production stations.

(g) For certified special purpose commercial coach and recreational vehicle manufacturing facilities, the Quality Assurance Agency shall monitor compliance with approved plans by inspecting all visible portions of each system, component, equipment and installations for at least ten (10) percent of the manufacturer's production subject to this subchapter.

During each inspection visit, a Quality Assurance Agency shall monitor the manufacturer's compliance with material storage, inspection and testing procedures prescribed in an approved quality control manual and shall monitor the quality control procedures at each of the manufacturer's production stations.

(h) When the manufacturer is found to be failing to follow the plan or quality control manual, a Quality Assurance Agency shall increase the intensity and frequency of inspections until such time that the agency is satisfied that the manufacturer is producing complying units on a consistent basis.

(i) A Quality Assurance Agency shall recommend to the department, cancellation of the certification when the increased inspections required by subsection (h) reveal that a manufacturer continues to fail to comply with the quality control manual, plans, or otherwise produces noncomplying units. The recommendation shall be accompanied by the inspection reports specified in Section 4880(c) and any other documentation of actions taken to improve the manufacturer's compliance. The department shall notify the manufacturer of the recommendation and provide an opportunity for the manufacturer to submit and be heard with opposing information before the department makes a decision to cancel the certification.

(j) A Quality Assurance Agency shall recommend to the department, cancellation of the certification of any manufacturing facility which relocates, changes production sequences, changes key personnel, or introduces new designs which result in a failure to comply with the approved plans or quality control manual. The recommendation and departmental action shall be the same as specified above in subsection (i).

(k) When a certification has been cancelled, the Quality Assurance Agency shall conduct inspections as specified in subsection (e).

(l) For the purposes of this section, a manufacturing facility with plan approvals and quality control manuals in effect on the effective date of this article is considered to have been certified by the department and is not in need of recertification by a Quality Assurance Agency.

(m) A Quality Assurance Agency shall not disapprove or in any way interfere with the production of units produced in accordance with plans and quality control manuals approved by the department or the manufacturer's Design Approval Agency. When a Quality Assurance Agency believes an approved plan is in violation of the Health and Safety Code, Division 13, Part 2, or this Subchapter, the Quality Assurance Agency shall submit a written request for reconsideration of the approval to the manufacturer and the manufacturer's Design Approval Agency. The Quality Assurance Agency shall provide a copy of all such requests for reconsideration as an attachment to the Agency's monthly report specified in Section 4880(b).

If the subject of a request for reconsideration is not resolved to the satisfaction of the Quality Assurance Agency within thirty (30) days of the request, the agency shall refer the matter to the department for resolution.

**AUTHORITY:**

Note: Authority cited: Section 18020, Health and Safety Code. Reference: Sections 18020, 18025 and 18026, Health and Safety Code.

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance including amendment of subsections (c), (i) and (m) transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4880. Activity Reports Requirements.**

(a) By the fifteenth day of each month and on form HCD-MH 472 Design Approval Agency Monthly Activity Report, dated September 1988 and provided by the department, a Design Approval Agency shall prepare and transmit to the department the following information for each client manufacturer served in the previous month:

- (1) The Design Approval Agency name, address, agency number and telephone number.
- (2) The reporting month and year.

- (3) The date that the report was prepared.
  - (4) The name and identification number of the manufacturer.
  - (5) Identification of whether the type of unit produced by the manufacturer is a mobilehome, commercial coach, special purpose commercial coach or recreational vehicle.
  - (6) The number of mobilehome, commercial coach, recreational vehicle and special purpose commercial coach plans, plan amendments, manuals and manual amendments approved.
  - (7) The number of mobilehome, commercial coach, recreational vehicle and special purpose commercial coach plans, plan amendments, manuals and manual amendments rejected.
  - (8) The subtotal(s) of all mobilehome, commercial coach, recreational vehicle, special purpose commercial coach plans, plan amendments, manuals, and manual amendments approved or rejected on page(s) 1 and/or 2.
  - (9) The total number of all mobilehome, commercial coach, recreational vehicle, and special purpose commercial coach plans, plan amendments, manuals, and manual amendments approved or rejected, by adding the subtotals on pages 1 and/or 2.
  - (10) The fees calculated as follows:
    - (A) For mobilehome and commercial coach plans approved, multiply the total number by the fee specified in Section 4884(i)(1).
    - (B) For special purpose commercial coach and recreational vehicle plans approved, multiply the total number by the fee specified in Section 4884(i)(2).
    - (C) For mobilehome, commercial coach, special purpose commercial coach and recreational vehicle plan amendments approved, multiply the total number by the fee specified in Section 4884(k).
    - (D) For mobilehome, commercial coach, special purpose commercial coach and recreational vehicle manuals approved, multiply the total number by the fee specified in Section 4884(j).
    - (E) For mobilehome, commercial coach, special purpose commercial coach and recreational vehicle manual amendments approved, multiply the total number by the fee specified in Section 4884(k).
  - (11) The total fees attached by adding the fees for mobilehome, commercial coach, special purpose commercial coach and recreational vehicle plan approval, plan amendments approval, manual approval and manual amendments approval.
  - (12) The signature and title of the authorized person certifying under penalty of perjury to the accuracy of the information provided.
  - (13) The date that certification was signed.
- (b) The Design Approval Agency shall number the front and back pages on form HCD–MH 472 Design Approval Agency Monthly Activity Report, dated September 1988.
- (c) Each Design Approval Agency monthly activity report shall be accompanied by a copy of each plan, manual or amendment and instructions approved during the previous month and the plan approval monitoring fee specified by Section 4884(i), (j) and (k), whichever is applicable, for each plan, manual or amendment approved during the reporting month.
- (d) By the fifteenth day of each month and on form HCD–MH 473 Quality Assurance Agency Monthly Summary Report for Recreational Vehicle, Mobilehome, Commercial Coach and Special Purpose Commercial Coach, (Part II), dated May 1989 and provided by the department, a Quality Assurance Agency shall prepare and transmit to the department the following information for each client manufacturer served in the previous month:
- (1) The Quality Assurance Agency name, address, agency number and telephone number.
  - (2) The reporting month and year.
  - (3) The date that the report was prepared.
  - (4) The name and identification number of the manufacturer.
  - (5) Indication of whether the type of units subject to inspection and reinspection is a mobilehome, commercial coach, recreational vehicle or special purpose commercial coach.
  - (6) The total number of inspection visits, the total number of units inspected, the total number of units reinspected and the total number of units produced for California.
  - (7) The percentage of California units inspected.
  - (8) The total number of units issued California insignia, the total number of insignia assigned and the total number of insignia unassigned to units.
  - (9) Indication of whether the quality control program is acceptable or not acceptable. The department may refer to forms HCD–MH 441 and 441B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989 and forms HCD–MH 442 and 442B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989 for an explanation of why the quality control program is not acceptable.
  - (10) The grand totals of all inspections, units inspected, units reinspected, California units produced, insignia issued and insignia affixed and insignia unaffixed.
  - (11) The signature and printed name and title of the authorized person, certifying under penalty of perjury to the accuracy of the information provided.
  - (12) The date certification was signed.
- (e) The Quality Assurance Agency shall number the front and back pages on form HCD–MH 473 Quality Assurance Agency Monthly Summary Report for Recreational Vehicle, Mobilehome, Commercial Coach and Special Purpose Commercial Coach, (Part II), dated May 1989.

(f) By the fifteenth day of each month and on form HCD–MH 441 Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989 and provided by the department, a Quality Assurance Agency shall prepare and transmit to the department the following information for each client manufacturer served in the previous month:

- (1) The Quality Assurance Agency name, agency number, address and telephone number.
- (2) The reporting month and year.
- (3) The name, identification number, plant address and telephone number of the manufacturer.
- (4) The number of inspections and reinspections conducted.
- (5) The dates that inspections and reinspections were conducted.
- (6) The number of units inspected and the number of units held for reinspection.
- (7) The number of units issued California insignia.
- (8) Indication of whether the frequency of inspections by the Quality Assurance Agency and the manufacturer's quality control program is acceptable or needs improvement, and a brief narrative explaining why improvement is needed.
- (9) The number of tests witnessed by the Quality Assurance Agency.
- (10) The types of tests witnessed and the dates that tests were witnessed to include the gas piping system (low pressure and three pound (3 lb.) tests), dielectric 12, 120 or 120/240 volt systems, polarity, continuity, operational, water piping system, demand system and waste and vent system.
- (11) Indication of whether requests for plan reconsideration pursuant to Section 4878(m) are attached.
- (12) Identification of the plan submitted for reconsideration.
- (13) The make and model and complete serial number.
- (14) The plan approval number or inspection pursuant to Section 4878(d) or (e) as appropriate.
- (15) Indication of whether the unit is a mobilehome, recreational vehicle or special purpose commercial coach.
- (16) The California insignia number and date of manufacture.
- (17) The location in the manufacturing process when inspected.
- (18) The name and address of the purchaser.
- (19) The name, street address, city, state and zip code of the unit's destination.
- (20) For mobilehomes and special purpose commercial coaches only, identification of the number of sections as follows:
  - (A) Specify I if an individual section; or
  - (B) If of multi–section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.
- (21) The signature and printed name and title of the authorized person certifying under penalty of perjury to the information contained in the report and any and all attachments to the report as being true and correct.
- (22) The date that certification was signed.

(g) If the Quality Assurance Agency requires additional space to submit information required on HCD–MH 441, Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989, the agency shall complete form HCD–MH 441B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989, and provided by the department and shall contain the following information:

- (1) The Quality Assurance Agency name and agency number.
- (2) The name and identification number of the manufacturer.
- (3) The reporting month and year.
- (4) The make and model and complete serial number.
- (5) The plan approval number or inspection pursuant to Section 4878(d) or (e) as appropriate.
- (6) Identification of whether the unit is a mobilehome, recreational vehicle or special purpose commercial coach.
- (7) The California insignia number and date of manufacture.
- (8) The location in the manufacturing process when inspected.
- (9) The name and address of the purchaser.
- (10) The name, street address, city, state and zip code of the unit's destination.
- (11) For mobilehomes and special purpose commercial coaches only, identification of the number of sections as follows:
  - (A) Specify I if an individual section; or
  - (B) If of multi–section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.

(h) The Quality Assurance Agency shall number the back page of form HCD–MH 441 Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989 and number the front and back pages of form HCD–MH 441B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part I), dated May 1989. Form(s) HCD–MH 441B shall be attached to form HCD–MH 441.

(i) By the fifteenth day of each month and on form HCD–MH 442 Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989 and provided by the department, a Quality Assurance Agency shall prepare and transmit to the department the following information for each client manufacturer served in the previous month:

- (1) The Quality Assurance Agency name, agency number, address and telephone number.

- (2) The reporting month and year.
  - (3) The name, identification number, plant address and telephone number of the manufacturer.
  - (4) The number of inspections and reinspections conducted.
  - (5) The dates that inspections and reinspections were conducted.
  - (6) The number of units inspected and the number of units held for reinspection.
  - (7) The number of units issued California insignia.
  - (8) Indication of whether the frequency of inspections by the Quality Assurance Agency and the manufacturer's quality control program is acceptable or needs improvement, and a brief narrative explaining why improvement is needed.
  - (9) The number of tests witnessed by the Quality Assurance Agency.
  - (10) The dates and types of tests witnessed to include the gas piping system (low pressure and three pound (3 lb.) tests), dielectric 12, 120, 120/240, or 480 volt systems, polarity, continuity, operational, water piping system and waste and vent system.
  - (11) Indication of whether requests for plan reconsideration pursuant to Section 4878(m) are attached.
  - (12) Identification of the plan submitted for reconsideration.
  - (13) The serial number, model and plan approval number.
  - (14) The roof, floor and wind live loads, occupancy, electrical, plumbing, mechanical and fire safety for each section comprising the commercial coach.
  - (15) The California insignia number.
  - (16) The location in the manufacturing process when inspected.
  - (17) The date of manufacture.
  - (18) The name and address of the purchaser.
  - (19) The name, street address, city, state and zip code of the unit's destination.
  - (20) Identification of the number of sections within the unit as follows:
    - (A) Specify I if an individual section; or
    - (B) If of multi-section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.
  - (21) The signature and printed name and title of the authorized person, certifying under penalty of perjury that the information contained in the report and any and all attachments to the report is true and correct.
  - (22) The date that the certification was signed.
- (j) If the Quality Assurance Agency requires additional space to submit information required on form HCD-MH 442, Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989, the agency shall complete form HCD-MH 442B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989, and provided by the department and shall contain the following information:
- (1) The Quality Assurance Agency name and agency number.
  - (2) The name and identification number of the manufacturer.
  - (3) The reporting month and year.
  - (4) The serial number, model and plan approval number.
  - (5) The roof, floor and wind live loads, occupancy, electrical, plumbing, mechanical and fire comprising the commercial coach.
  - (6) The California insignia number.
  - (7) The location in the manufacturing process when inspected.
  - (8) The date of manufacture.
  - (9) The name and address of the purchaser.
  - (10) The name, street address, city, state and zip code of the unit's destination.
  - (11) Identification of the number of sections within the commercial coach as follows:
    - (A) Specify I if an individual section; or
    - (B) If of multi-section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.
- (k) The Quality Assurance Agency shall number the back page of form HCD-MH 442 Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989 and the front and back pages of form HCD-MH 442B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989. Form(s) HCD-MH 442B shall be attached to form HCD-MH 442.
- (l) The Quality Assurance Agency shall notify the department of corrections to forms HCD-MH 441 and 441B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Recreational Vehicle, Mobilehome, and Special Purpose Commercial Coach (Part 1), dated May 1989 by submitting form HC-MH 444 Quality Assurance Agency Adjustment Report for Recreational Vehicle, Mobilehome and Special Purpose Commercial Coach, dated May 1989 and provided by the department and shall contain the following information:
- (1) The Quality Assurance Agency name, agency number, address and telephone number.
  - (2) The month and year of the adjusted report.
  - (3) The name, identification number, plant address and telephone number of the manufacturer.
  - (4) The signature and printed name and title of the authorized person, certifying under penalty of perjury that the information contained in the report and any and all attachments to the report is true and correct.
  - (5) The date that the certification was signed.

- (6) The make and model and complete serial number.
- (7) The plan approval number or inspection pursuant to Section 4878(d) or (e) as appropriate.
- (8) Identification of whether the unit is a mobilehome, recreational vehicle or special purpose commercial coach.
- (9) The California insignia number and date of manufacture.
- (10) The location in the manufacturing process when inspected.
- (11) The name and address of the purchaser.
- (12) The name, street address, city, state and zip code of the unit's destination.
- (13) For mobilehomes and special purpose commercial coaches only, identification of the number of sections as follows:
  - (A) Specify I if an individual section; or
  - (B) If of multi-section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.
- (14) Specification of the appropriate adjustment code as follows:
  - (A) VI for void insignia;
  - (B) E for error in information; or
  - (C) AU to add unit to report.

(m) The Quality Assurance Agency shall number the front and back pages on form HCD-MH 444 Quality Assurance Agency Adjustment Report for Recreational Vehicle, Mobilehome or Special Purpose Commercial Coach, dated May 1989.

(n) The Quality Assurance Agency shall notify the department of corrections to forms HCD-MH 442 and 442B Quality Assurance Agency Monthly Inspection and Insignia Issuance Summary for Commercial Coach (Part I), dated May 1989 by submitting form HCD-MH 445 Quality Assurance Agency Adjustment Report for Commercial Coach, dated May 1989 and provided by the department and shall contain the following information:

- (1) The Quality Assurance Agency name, agency number, address and telephone number.
- (2) The month and year of adjusted report.
- (3) The name, identification number, plant address and telephone number of the manufacturer.
- (4) The signature and printed name and title of the authorized person, certifying under penalty of perjury that the information contained in the report and any and all attachments to the report is true and correct.
- (5) The date that certification was signed.
- (6) The serial number, model and plan approval number.
- (7) The roof, floor and wind live load, occupancy, electrical, plumbing, mechanical and fire safety for each unit.
- (8) The California insignia number.
- (9) The location in the manufacturing process when inspected.
- (10) The date of manufacture.
- (11) The name and address of the purchaser.
- (12) The name, street address, city, state and zip code of the unit's destination.
- (13) Identification of the number of sections within the commercial coach as follows:
  - (A) Specify I if an individual section; or
  - (B) If of multi-section design, designate M1 for the first section, M2 for the second section, M3 for the third section, etc.
- (14) Specification of the appropriate adjustment code as follows:
  - (A) VI for void insignia;
  - (B) E for error in information; or
  - (C) AU to add unit to report.

(o) The Quality Assurance Agency shall number the front and back pages on form HCD-MH 445 Quality Assurance Agency Adjustment Report for Commercial Coach, dated May 1989.

(p) At the conclusion of each inspection visit, the Quality Assurance Inspector shall prepare an inspection report which shall include the following information:

- (1) Identification of the Quality Assurance Agency, the inspector and the manufacturer.
- (2) The date of the inspection.
- (3) A brief narrative describing the inspection activities, i.e., production line, finished units in storage, material storage, tests, quality control inspections, etc.
- (4) The model, plan approval number, serial number and type of each unit inspected.
- (5) The location of each unit in the production sequence when inspected, including each finished unit bearing an insignia.
- (6) For each unit inspected or tested, a description of each violation observed and of the action taken to correct the violation and eliminate its recurrence. The appropriate plan or manual and law, regulation or document incorporated by reference shall be referenced for each violation.
- (7) An order to hold any unit which was found to be in violation which could not be brought into compliance during the inspection visit.
- (8) A brief narrative which describes any reinspection, correction, or the discovery of additional violations found on units held for reinspections from previous inspections.
- (9) For certified manufacturing facilities, a brief narrative which summarizes the effectiveness of the manufacturer's quality control program and notes any requirements for needed improvements.

(10) A brief narrative which summarizes the manufacturer's compliance with insignia security requirements.

(q) A copy of each inspection report shall be provided to the manufacturer. Copies of the inspection reports shall be provided the department upon written request from the department.

(r) A Certification Report required by Section 4878(c) shall include the following information:

(1) Identification of the Quality Assurance Agency and the manufacturer.

(2) The date of the report.

(3) A narrative which describes the inspections, dates of each inspection, observations, an assessment of the manufacturer's quality control program and compliance with approved plans, manuals, and applicable law or regulation, and which provides justification for the Agency's reduction in the frequency of inspection.

(4) A narrative which explains the insignia security procedures adopted by the manufacturer and which assesses their effectiveness.

(5) As an attachment, a copy of each inspection report associated with the certification of the manufacturing facility.

(s) A Quality Assurance Agency shall notify the department in writing within two (2) days of the discovery of units shipped for sale in California without inspection when required by Section 4878, insignia, or in violation of California law, regulation, or approved plans.

(t) Each Quality Assurance Agency shall maintain all reports, or copies thereof, required by this section for a period of three (3) years from the date of the report.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.

2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.

4. Certificate of Compliance including amendment transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 32).

**§ 4882. Insignia Issuance and Administration.**

(a) A Quality Assurance Agency shall apply to the department for insignia on form HCD-MH 440 Application for Insignia By Quality Assurance Agency, dated May 1989 and provided by the department and shall contain the following information at Section 1—Request for HCD Insignia:

(1) The Quality Assurance Agency name, agency number, address and telephone number.

(2) Identification of whether the type of insignia ordered is either recreational vehicle, mobilehome, commercial coach or special purpose commercial coach. The Quality Assurance Agency shall request only one type of insignia on an application.

(3) Identification of the type of method used to determine the insignia fee as follows:

(A) Method I—Identify the number of recreational vehicle insignia requested and multiply by the recreational vehicle insignia fee specified in Section 4044(h)(2).

(B) Method II—Identify the number of special purpose commercial coach insignia requested.

(C) Method III—Identify the number of mobilehome or commercial coach insignia requested and multiply by the insignia fee for mobilehome and commercial coach specified in Section 4044(h)(1) and enter the amount at Line (A).

Calculate the credits due the Quality Assurance Agency for previous mobilehome or commercial coach insignia (as appropriate) reported to the department as assigned to specific sections. Multiply the credits due by the insignia fee for mobilehome and commercial coach specified in Section 4044(h)(1) and enter the amount at Line B. (One credit may be taken for each insignia issued to a manufacturer for the 2nd, 3rd, etc. section of a multi-section mobilehome or commercial coach.)

Subtract Line (B) from Line (A) to determine the fee due the department and enter the amount at Line (C).

(4) The signature and printed name of the Insignia Administrator and the date that the request for insignia was signed.

(5) Upon completion of Section 1, the Quality Assurance Agency shall retain the pink copy and mail the white, canary and blue copies to the department along with the appropriate insignia fees.

(b) The department shall complete Section 2—Insignia Shipment, on form HCD-MH 440, Application For Insignia By Quality Assurance Agency, dated May 1989 upon receipt and acceptance of the Quality Assurance Agency's request for insignia, and the appropriate insignia fee required by Section 4044. Section 2 shall contain the following information:

(1) Indication of whether the type of insignia shipped is recreational vehicle, mobilehome, commercial coach or special purpose commercial coach.

(2) The amount of available credits.

(3) The quantity of insignia shipped.

(4) The numerical sequence of insignia issued beginning with the first insignia control number and including the last insignia control number.

(5) The name of the authorized person issuing the insignia and the date of issuance.

(c) The department shall retain the blue copy and mail the white and canary copy to the Quality Assurance Agency with the insignia requested.

(d) Upon the Quality Assurance Agency's receipt of insignia from the department, the Quality Assurance Agency shall provide the following information at Section 3—Insignia Receiving Report on form HCD–MH 440 Application for Insignia by Quality Assurance Agency, dated May 1989:

(1) The date the insignia shipment was received.

(2) The quantity of insignia received.

(3) The numerical sequence of insignia issued beginning with the first insignia control number and including the last insignia control number.

(4) The signature and printed name of the Insignia Administrator, certifying that the insignia received is in satisfactory condition and correct according to type of insignia requested, quantity ordered and numerical sequence. The Insignia Administrator shall also certify to the unsatisfactory condition of insignia received by identifying insignia that is damaged, misprinted, missing, duplicated or possessing other unsatisfactory characteristics and identify the insignia number(s) affected.

(5) Upon completion of Section 3, the Quality Assurance Agency shall retain the canary copy and mail the white copy to the department along with insignia identified as damaged, misprinted, duplicated or possessing other unsatisfactory characteristics.

(e) The Quality Assurance Agency shall not request more than a thirty (30) day supply of insignia.

(f) The insignia remain the sole property of the department. A Quality Assurance Agency shall return the insignia when the agency terminates activity or when so ordered by the department.

(g) The Quality Assurance Agency is responsible for accounting for each insignia received from the department from the time of receipt until issued to a manufacturer. Insignia security procedures shall be established and an Insignia Administrator shall be designated to maintain insignia administration and security.

(h) The Quality Assurance Agency shall require each manufacturer to establish and maintain an insignia security procedure. The Quality Assurance Agency shall refuse to issue insignia to a manufacturer unless the manufacturer establishes and maintains adequate insignia security procedures. If a manufacturer does not establish and maintain adequate insignia security, the Quality Assurance Agency shall affix the insignia to finished and complying units at the time of inspection.

(i) The insignia security procedures established by the Quality Assurance Agency and each manufacturer shall minimize the potential for insignia loss, damage, theft and misappropriation. The procedures shall provide for storage of insignia in a lockable device when the insignia are left unattended. The device shall be of a type which cannot be opened except by a key or combination and except by the Insignia Administrator and shall be of such size or attachment to a floor or wall that it cannot be easily removed from the room where it is kept. The room where insignia are kept shall be locked when unattended. In the case of the manufacturer, the procedure for issuance of insignia shall be restricted to only personnel trained in insignia security procedures.

(j) The Quality Assurance Agency shall not permit a manufacturer to accumulate more than a thirty (30) day supply of insignia.

(k) The Quality Assurance Agency shall investigate the loss, destruction or misappropriation of insignia, including insignia issued to a client manufacturer. As an attachment to the report required by Section 4880(d), the Quality Assurance Agency shall submit a written investigative report to the department which identifies any insignia lost, stolen, damaged or misappropriated during the reporting month, and which describes the investigation, the circumstances which led to the occurrence, and the measures taken in order to eliminate a recurrence.

(l) The Quality Assurance Agency may charge a manufacturer for insignia and insignia administration, in addition to the charges for inspection.

**AUTHORITY:**

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

**HISTORY:**

1. New section filed 10–6–88 as an emergency; operative 10–6–88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–89.

2. The Certificate of Compliance transmitted to OAL 1–31–89 was disapproved. Order of Repeal of 10–6–88 emergency order filed 3–2–89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).

3. New section filed 3–3–89 as an emergency; operative 3–3–89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7–3–89, or emergency language will be repealed.

4. Certificate of Compliance including amendment transmitted to OAL 6–29–89 and filed 7–24–89 (Register 89, No. 32).

**§ 4884. Fees.**

(a) Application for Design Approval Agency Approval: Three hundred forty–nine dollars (\$349)

(b) Application for Quality Assurance Agency Approval: Three hundred forty–nine dollars (\$349)

(c) Application for Quality Assurance Inspector: Two hundred ninety–five dollars (\$295)

(d) Application for Design Approval Agency Approval Renewal: Three hundred two dollars (\$302)

(e) Application for Quality Assurance Agency Approval Renewal: Three hundred two dollars (\$302)

(f) Application for Quality Assurance Inspector Approval Renewal: Two hundred sixty–seven dollars (\$267)

(g) Change of Third–Party Name, or Address: Sixty–two dollars (\$62)

(h) Change of Quality Assurance Inspector Name or Address: Sixty–two dollars (\$62)

(i) Plan Approval Monitoring:

(1) for plans relating to a manufactured home, mobilehome, multi–unit manufactured housing or commercial modular: Forty–four dollars (\$44); and

(2) for plans relating to a special purpose commercial modular: Forty–four dollars (\$44).

- (j) Plan Approval Monitoring, for Quality Control Manuals: Forty-two dollars (\$42)
- (k) Plan Approval Monitoring, for Amendments to Approved Plans or Manuals: Thirty dollars (\$30).

AUTHORITY:

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

HISTORY:

1. New section filed 10-6-88 as an emergency; operative 10-6-88 (Register 88, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2-3-89.
2. The Certificate of Compliance transmitted to OAL 1-31-89 was disapproved. Order of Repeal of 10-6-88 emergency order filed 3-2-89 by OAL pursuant to Government Code Section 11349.6 (Register 89, No. 11).
3. New section filed 3-3-89 as an emergency; operative 3-3-89 (Register 89, No. 11). A Certificate of Compliance must be transmitted to OAL within 120 days, by 7-3-89, or emergency language will be repealed.
4. Certificate of Compliance transmitted to OAL 6-29-89 and filed 7-24-89 (Register 89, No. 48).
5. Amendment filed 12/29/2005; operative 1/1/2006; (Register 2005, No. 52).