

**ADOPTED REGULATION OF
THE ADMINISTRATOR OF THE
MANUFACTURED HOUSING DIVISION OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY**

LCB File No. R009-12

Effective June 23, 2014

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted-material] is material to be omitted.

AUTHORITY: §§1, 6, 7 and 18, NRS 489.231; §§2-5, 8-11 and 14-16; NRS 489.231 and 489.262; §12, NRS 489.231 and 489.305; §13, NRS 489.231 and 489.481; §17, NRS 489.231 and 489.401.

A REGULATION relating to manufactured housing; making various changes concerning portable buildings, manufactured buildings, factory-built housing and branch offices of certain licensees of the Manufactured Housing Division of the Department of Business and Industry; repealing certain unnecessary definitions; and providing other matters properly relating thereto.

Legislative Counsel's Digest

The Manufactured Housing Division of the Department of Business and Industry regulates various aspects of the construction, sale, installation and use of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing. (Chapter 489 of NRS)

Assembly Bill No. 358 of the 2011 Session of the Nevada Legislature (A.B. 358) requires the Administrator of the Division to adopt regulations prescribing safety standards for the construction, transportation, installation, use, repair and maintenance of portable buildings, which are defined as certain movable structures that, among other characteristics, are constructed without axles, are intended to rest directly on the surface of the ground and are not used for residential purposes. (NRS 489.133, 489.262) This regulation implements the provisions of A.B. 358.

Existing regulations provide for the adoption by reference of certain standards for the installation of manufactured homes, mobile homes and commercial coaches. (NAC 489.416) Section 14 of this regulation makes those standards applicable to portable buildings. Section 2 of

this regulation, however, provides that if an applicable standard for the installation of a portable building is not provided in the standards adopted by reference, the portable building may be installed in accordance with any plans, specifications and drawings that are stamped and signed by a licensed professional engineer and approved by the Division.

Under existing regulations, a manufactured home, mobile home or commercial coach that is moved from one location to another may not be occupied unless it is inspected and a certificate of installation is issued which certifies that the manufactured home, mobile home or commercial coach has been installed in compliance with the provisions of chapter 489 of NAC. (NAC 489.405) **Section 15** of this regulation makes most portable buildings subject to this requirement; however, **section 15** also establishes an exception to this requirement for a single-section portable building for which the owner has obtained a 2-year certificate of installation. **Section 3** of this regulation establishes the requirements and procedures to obtain such a 2-year certificate of installation. **Section 13** of this regulation establishes the fee to obtain such a certificate in addition to establishing fees for certain inspections and filings associated with portable buildings. **Section 16** of this regulation extends to most portable buildings a requirement of existing regulations that a person obtain a permit before installing, reconstructing or making an addition to a manufactured home, mobile home or commercial coach on a job site. **Section 16**, however, also provides that a person is not required to obtain a permit before installing a single-section portable building on a job site if the owner of the portable building has obtained a 2-year certificate of installation.

The definition of "portable building" established by A.B. 358 includes the requirement that the portable building contain an electrical system with a component that allows for the quick connection or disconnection of the electrical system to a source of electricity. (NRS 489.133) **Section 4** of this regulation prescribes the characteristics of such a component.

Section 5 of this regulation provides that the provisions of chapter 489 of NAC do not apply to a portable building that is not designed or equipped for human occupancy.

Sections 6, 7, 9 and 10 of this regulation amend various provisions of existing regulations to render them applicable to portable buildings.

Existing regulations provide for the adoption by reference of certain international and uniform codes and standards applicable to commercial coaches. (NAC 489.177) **Section 8** of this regulation makes those codes and standards applicable to portable buildings.

Section 11 of this regulation extends to manufacturers of portable buildings the provisions of existing regulations concerning the issuance of certificates and labels of compliance to manufacturers of commercial coaches. **Section 11** also provides that the inspections required to obtain such certificates and labels may be performed by an authorized inspection agency under agreement with the Division. (NAC 489.185)

Section 12 of this regulation revises existing regulations concerning the management of a branch office maintained by a manufactured home or commercial coach dealer, manufacturer, general serviceperson or specialty serviceperson.

Section 17 of this regulation adds manufactured buildings and factory-built housing to existing regulations concerning written acknowledgments given by a holder of a lien or security interest in a manufactured home, mobile home or commercial coach who has received written notification of the sale of the manufactured home, mobile home or commercial coach.

Section 18 of this regulation repeals certain obsolete and duplicative definitions.

Section 1. Chapter 489 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *If a standard for the installation of a portable building is not provided in the Nevada Manufactured Home, Mobile Home and Commercial Coach Installation Standards, adopted by reference in NAC 489.416, the portable building may be installed in accordance with plans, specifications or drawings that are:*

1. Stamped and signed by a professional engineer licensed pursuant to chapter 625 of NRS; and

2. Approved by the Division.

Sec. 3. *1. The owner of a single-section portable building who wishes to obtain a 2-year certificate of installation for the portable building must submit to the Division:*

(a) An application on a form prescribed by the Division. The application must include, without limitation:

(1) The serial number or other information that uniquely identifies the portable building; and

(2) The current physical location of the portable building.

(b) Plans, specifications or drawings that set forth in detail the method of installation to be used in the installation of the portable building. The plans, specifications and drawings must be stamped and signed by a professional engineer licensed pursuant to chapter 625 of NRS.

(c) The fee set forth in NAC 489.380.

2. As a condition for obtaining a 2-year certificate of installation for the portable building, the applicant must agree:

(a) To maintain in the portable building at all times that it is occupied a copy of all plans, specifications and drawings submitted with the application.

(b) To install the portable building:

(1) In accordance with the method of installation set forth in the plans, specifications and drawings submitted with the application.

(2) Under the direction of the owner of the portable building or a person licensed pursuant to this chapter and chapter 489 of NRS as a dealer, manufacturer, general serviceperson or specialty serviceperson.

(c) To remove any label of installation affixed to the portable building promptly upon its expiration or revocation.

(d) If requested in writing by the Division, to submit to the Division, not later than 3 business days after receiving the request, a statement that sets forth the serial number or other identifying information and the current physical location of each portable building owned by the applicant. The Division will keep confidential any information submitted by an applicant pursuant to this paragraph.

3. *If the application is complete and the Division approves the method of installation set forth in the plans, specifications or drawings submitted with the application, the Division will issue a 2-year certificate of installation and matching label for the portable building.*

4. *Unless earlier revoked pursuant to subsection 5, a 2-year certificate of installation for a portable building expires 24 months after the date of issuance set forth on the certificate.*

5. *The Division may revoke a 2-year certificate of installation for a portable building if the holder of the certificate fails to comply with the requirements for issuance of the certificate set forth in this section.*

Sec. 4. *The component of the electrical system of a portable building that allows for the quick connection or disconnection of the electrical system to a source of electricity must:*

1. *Enable a person to effect the connection without using a tool or be capable of being otherwise connected by a person who holds a license to perform electrical work;*

2. *Be able to effect a complete disconnection between the portable building and the source of electricity;*

3. *Be listed by Underwriters Laboratories, Inc., or an equivalent organization; and*

4. *Be used in a manner that:*

(a) *Is consistent with its listing; and*

(b) *Complies with the National Electrical Code, as adopted by reference in NAC 489.177.*

Sec. 5. *The provisions of this chapter do not apply to a portable building that is not designed or equipped for human occupancy.*

Sec. 6. *NAC 489.030 is hereby amended to read as follows:*

489.030 "Authorized inspection agency" means any governing body, other agency or person which has assumed inspection responsibilities for manufactured homes, mobile homes, *portable buildings* or commercial coaches under agreement with the Division.

Sec. 7. NAC 489.045 is hereby amended to read as follows:

489.045 "Certificate of installation" means a certificate issued by the Division which certifies that a manufactured home, mobile home, *portable building* or commercial coach has been installed in compliance with the provisions of this chapter.

Sec. 8. NAC 489.177 is hereby amended to read as follows:

489.177 The Administrator hereby adopts by reference the following codes and standards for *portable buildings*, commercial coaches and accessory structures:

1. The *International Building Code*, 2006 edition, published by the International Code Council, with the following modifications:

(a) Any reference to the *International Plumbing Code* shall be deemed a reference to the *Uniform Plumbing Code*, 2006 edition;

(b) Any reference to the *International Electrical Code* shall be deemed a reference to the *National Electrical Code*, 2005 edition;

(c) Any reference to the *International Mechanical Code* shall be deemed a reference to the *Uniform Mechanical Code*, 2006 edition;

(d) The definition of "manufactured home" set forth in section G201.2 of Appendix G is deleted and replaced with "has the meaning ascribed to it in NRS 489.113"; and

(e) Section G501 of Appendix G is deleted.

↪ The *International Building Code*, 2006 edition, may be obtained from the International Code Council by mail at ~~{4051 West Flossmoor Road, Country Club Hills,}~~ **25442 Network Place, Chicago, Illinois** ~~{60478-5771,}~~ **60673-1254**, or at the Internet address **<http://www.iccsafe.org>**. The price is ~~{\$78.75}~~ **\$94** for members and ~~{\$105.00}~~ **\$125** for nonmembers.

2. The *Uniform Plumbing Code*, 2006 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~{5001}~~ **4755 East Philadelphia Street, Ontario, California** ~~{91761-2816,}~~ **91761-2810**, or at the Internet address ~~{<http://www.iapmo.org>}~~ **<http://www.iapmomembership.org>**. The price is ~~{\$74 for members and \$93 for nonmembers.}~~ **\$50**.

3. The *Uniform Mechanical Code*, 2006 edition, published by the International Association of Plumbing and Mechanical Officials. This code may be obtained from the International Association of Plumbing and Mechanical Officials by mail at ~~{5001}~~ **4755 East Philadelphia Street, Ontario, California** ~~{91761-2816,}~~ **91761-2810**, or at the Internet address ~~{<http://www.iapmo.org>}~~ **<http://www.iapmomembership.org>**. The price is ~~{\$74 for members and \$93 for nonmembers.}~~ **\$70**.

4. The *National Electrical Code*, 2005 edition, published by the National Fire Protection Association. This code may be obtained from the National Fire Protection Association by mail at **1 Batterymarch Park, Quincy, Massachusetts 02169-7471**, or at the Internet address **<http://www.nfpa.org>**. The price is ~~{\$67.50}~~ **\$80.55** for members and ~~{\$75.00}~~ **\$89.50** for nonmembers.

5. The *NFPA 101: Life Safety Code*, 2006 edition, published by the National Fire Protection Association. The code may be obtained from the National Fire Protection Association by mail at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, or at the Internet address <http://www.nfpa.org>. The price is ~~{\$67.50}~~ **\$83.70** for members and ~~{\$75.00}~~ **\$93.00** for nonmembers.

6. The *International Energy Conservation Code*, 2006 edition, published by the International Code Council. This code may be obtained from the International Code Council ~~by mail at 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5771, or~~ at the Internet address <http://www.iccsafe.org>. The price is ~~{\$25.00}~~ **\$29** for members and ~~{\$32.50}~~ **\$39** for nonmembers.

Sec. 9. NAC 489.180 is hereby amended to read as follows:

489.180 1. The Division will administer and enforce the provisions of chapter 489 of NRS and the regulations adopted pursuant thereto, the Manufactured Home Construction and Safety Standards, 24 C.F.R. Part 3280, and the Manufactured Home Procedural and Enforcement Regulations, 24 C.F.R. Part 3282, of the United States Department of Housing and Urban Development.

2. Each manufacturer, distributor and dealer of manufactured homes shall establish and maintain the records, make the reports and provide the information required by the Department of Housing and Urban Development to enable that Department to determine whether the manufacturer, distributor or dealer has complied with the National Manufactured ~~Home~~ **Housing** Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and chapter 489 of NRS.

3. Standards for continuous foundations and underground services are the responsibility of local governmental units. Any local governmental unit which discovers a violation of this chapter shall report the violation to the Division.

4. Every manufactured home or mobile home manufactured after June 15, 1976, which is sold or offered for sale in this State must bear a label of compliance issued by the United States Department of Housing and Urban Development.

5. Every manufactured home, mobile home, *portable building* and commercial coach which is reconstructed in this State must be certified by the Division or by a licensed engineer that it is reconstructed in compliance with the standards or their equivalent applicable at the time of original manufacture.

Sec. 10. NAC 489.183 is hereby amended to read as follows:

489.183 For the purposes of obtaining the approval of the Administrator for a system of construction or a plan for a model of a *portable building or* commercial coach, a manufacturer of *portable buildings or* commercial coaches shall be deemed a manufacturer of manufactured buildings subject to the requirements set forth in NAC 461.050, 461.100 to 461.120, inclusive, 461.130 to 461.200, inclusive, 461.207 and 461.300 to 461.380, inclusive.

Sec. 11. NAC 489.185 is hereby amended to read as follows:

489.185 1. The Division will issue labels of compliance to manufacturers of *portable buildings or* commercial coaches if:

(a) The Division has approved plans and specifications;

(b) The Division *or an authorized inspection agency* has inspected the manufacturing plant to approve the quality control of its construction and the qualifications of its key personnel; and

(c) The manufacturing plant has employed an independent firm to certify compliance with all applicable construction standards.

2. The manufacturer shall apply for labels of compliance upon the form supplied by the Division.

3. The Division will issue a certificate of compliance to the owner of a used *portable building or* commercial coach and attach a label of compliance to such a *portable building or* commercial coach if:

(a) The certificate of compliance or label of compliance is missing;

(b) The *portable building or* commercial coach complies with the:

(1) Codes and standards adopted by the Division in NAC 489.177; and

(2) Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., and the regulations adopted pursuant thereto; and

(c) Any reconstruction or alteration of the *portable building or* commercial coach has been completed and approved by the Division.

Sec. 12. NAC 489.305 is hereby amended to read as follows:

489.305 1. The Division may require as a condition of licensing any information it deems necessary for each location where a manufactured home or commercial coach dealer, manufacturer, general serviceperson or specialty serviceperson maintains a branch office. Upon receiving sufficient information, the Division will issue a license for the branch office.

2. The mere listing of manufactured homes, mobile homes or commercial coaches for sale does not constitute a branch office, but the use of a mobile home park or estate sales office by a

licensee for the sale or offering for sale of manufactured homes or mobile homes does constitute the maintenance of a branch office.

3. ~~{Except as provided in this subsection, the}~~ **The** licensee is responsible for the operation of the branch office in accordance with the provisions of this chapter and chapter 489 of NRS.

4. ~~{If it is not feasible for a licensee to exercise direct supervision over a branch office, it must be managed by a corporate officer, partner or responsible managing employee.}~~

~~—5.}~~ A responsible managing employee of a branch office may not manage more than one branch office.

~~{6.}~~ 5. All branch office records required to be kept by this chapter and chapter 489 of NRS must be kept at that branch office or the main office of the licensee.

~~{7.}~~ 6. A branch office is not required to have a trust account separate from the trust account of the main office. If a separate account is maintained, the required signatures are those of the responsible managing employee of the branch office and the dealer to whom the main office license is issued.

Sec. 13. NAC 489.380 is hereby amended to read as follows:

489.380 1. The Division will charge the following fees:

- (a) For each certificate and label of compliance.....\$50.00
- (b) For each certificate and label of installation50.00
- (c) *For each 2-year certificate and label of installation for a portable building.....50.00*
- (d) For each permit for installation, reconstruction, repair or addition10.00
- ~~{(d)}~~ (e) For each original or duplicate certificate of ownership40.00

+(e) (f) For each notice of conversion of real property	40.00
+(f) (g) For a replacement of a:	
(1) Label of compliance	50.00
(2) Label of installation.....	50.00
(3) License	50.00
+(g) (h) For the inspection and approval of a set of plans:	
For the first hour	75.00
For each additional half hour or fraction thereof	37.50
+(h) (i) For the inspection and approval of a modification of an approved plan,	
per hour or fraction thereof	75.00
+(i) (j) For the consideration of a system of construction for approval	500.00
+(j) (k) For the inspection at the site and approval of the installation of:	
(1) A commercial coach with a plumbing system, a manufactured home or a	
mobile home if the inspection is conducted within 25 miles of the	
inspector's station of duty	100.00
(2) A <i>portable building</i> or commercial coach without a plumbing system if	
the inspection is conducted within 25 miles of the inspector's station of	
duty	80.00
+(k) (l) For the reinspection and approval of the installation of a manufactured	
home, mobile home , <i>portable building</i> or commercial coach, in addition to	
the original fee for inspection	80.00

{(+)} (m)	For the final inspection or reinspection at the site of a manufactured home, mobile home, mobile home park, <i>portable building</i> , commercial coach or travel trailer, or of the installation of a device which burns solid fuel or for any other inspection or service for which a fee is not prescribed:	
	For the first hour.....	80.00
	For each additional half hour or fraction thereof	40.00
{(m)} (n)	For an inspection of a plant used to manufacture manufactured homes, <i>portable buildings</i> , commercial coaches or travel trailers.....	750.00
{(n)} (o)	For each search conducted to determine title.....	15.00
{(o)} (p)	For the sale of printed material:	
	For each page of a copy.....	0.25
	For each study guide for an examination	15.00
	For each copy of a regulation.....	5.00
{(p)} (q)	For filing a lien or an amended lien asserted upon a manufactured home, mobile home or commercial coach	40.00
{(q)} (r)	For collecting a fee after a check given for payment is dishonored.....	35.00
{(r)} (s)	For the inspection and approval of a set of plans for an attachment pursuant to NAC 489.470:	
	For the first hour.....	75.00
	For each additional half hour or fraction thereof	37.50
{(s)} (t)	For filing an affidavit of the sale of a manufactured home, mobile home	40.00

or commercial coach to satisfy a lien.....

~~{(t)}~~ (u) For recording the sale of a manufactured home, mobile home or
commercial coach without the immediate transfer of the certificate of title
or certificate of ownership40.00

~~{(u)}~~ (v) For filing a notice or an amended notice of sale by auction of a
manufactured home, mobile home or commercial coach40.00

~~{(v)}~~ (w) For a copy of the monthly report prepared by the Division on the record
of sales of a dealer.....75.00

~~{(w)}~~ (x) For a list of the certificates of ownership issued by the Division for a
period of:

Less than 2 years75.00

Two years but not more than 5 years150.00

More than 5 years375.00

~~{(x)}~~ (y) For a list of all mobile home parks or for a rent history of all mobile
home parks75.00

2. For each inspection or reinspection conducted more than 25 miles from the inspector's
station of duty, the Division will charge, in addition to the fee listed, the inspector's actual
expenses for time and travel.

3. The Division will collect a fee for the sale of reports not listed in subsection 1 based upon
the cost to the Division to produce those reports, plus a minimum fee for handling of \$40 for the
first report.

4. The Division will collect a fee for inspection, pursuant to a schedule established by the Secretary of Housing and Urban Development, from each manufacturer of manufactured homes who has a plant located in this State. The Division will pay the fee to the Secretary of Housing and Urban Development.

5. As used in this section, "rent history" means the economic and demographic data collected by the Administrator pursuant to NRS 118B.025.

Sec. 14. NAC 489.400 is hereby amended to read as follows:

489.400 NAC 489.400 to 489.416, inclusive, *and sections 2 and 3 of this regulation* apply to the installation on-site of all manufactured homes, mobile homes, *portable buildings* and commercial coaches, regardless of the date of manufacture and the location of the manufactured home, mobile home, *portable building* or commercial coach.

Sec. 15. NAC 489.405 is hereby amended to read as follows:

489.405 1. ~~No~~ A manufactured home, mobile home, *portable building* or commercial coach that is moved from one location to another may *not* be occupied as a dwelling unit or otherwise unless ~~it~~ :

(a) A certificate of installation and a matching label has been issued certifying that the manufactured home, mobile home, *portable building* or commercial coach has been installed in accordance with NAC 489.400 to 489.416, inclusive ~~it~~, *and section 2 of this regulation; or*

(b) *In the case of a single-section portable building, a 2-year certificate of installation and a matching label has been issued to the owner of the portable building pursuant to section 3 of this regulation.*

2. A dealer shall provide the original copy of the certificate of installation to each purchaser of a new manufactured home within 15 days after it has been inspected and approved.

Sec. 16. NAC 489.411 is hereby amended to read as follows:

489.411 1. ~~{A}~~ *Except as otherwise provided in this section, a person shall not install, reconstruct or make an addition to a manufactured home, mobile home , **portable building** or commercial coach on a job site unless he or she first obtains a permit from the Administrator.*

2. The person must apply for a permit on a form provided by the Administrator and pay the fee set forth in NAC 489.380.

3. The holder of a permit shall maintain the permit at the job site and provide the permit to the Division or a city or county building department upon request.

4. *A person is not required to obtain a permit before installing a single-section portable building on a job site if a 2-year certificate of installation and a matching label has been issued to the owner of the portable building pursuant to section 3 of this regulation.*

Sec. 17. NAC 489.602 is hereby amended to read as follows:

489.602 1. For the purposes of subsection 9 of NRS 489.401, a written acknowledgment that the holder of a lien or security interest in a manufactured home, mobile home , *manufactured building* or commercial coach *or factory-built housing* has received written notification of the sale of the manufactured home, mobile home , *manufactured building* or commercial coach *or factory-built housing* includes the return receipt if the holder sent the written acknowledgment by certified mail.

2. A dealer shall maintain each written acknowledgment he or she receives in a permanent file.

Sec. 18. NAC 489.020, 489.025, 489.070, 489.072, 489.073, 489.074, 489.075, 489.110, 489.150 and 489.155 are hereby repealed.

TEXT OF REPEALED SECTIONS

489.020 "Anchoring equipment" defined. (NRS 489.231) "Anchoring equipment" means straps, cables, turnbuckles and chains, including tensioning devices, which are used with ties to secure a manufactured home, mobile home or commercial coach to ground anchors.

489.025 "Anchoring system" defined. (NRS 489.231) "Anchoring system" means a combination of ties, anchoring equipment and ground anchors that will, when properly designed and installed, resist overturning or lateral movement of a manufactured home, mobile home or commercial coach from wind.

489.070 "Footing" defined. (NRS 489.231) "Footing" means that portion of the support system which transmits loads directly to the soil.

489.072 "Franchise" defined. (NRS 489.231) "Franchise" means a written agreement between a franchisor and franchisee which establishes that the franchisee will sell or distribute new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operate using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor.

489.073 "Franchisee" defined. (NRS 489.231) "Franchisee" means any natural person or entity that, pursuant to a franchise, sells or distributes new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operates using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor.

489.074 "Franchisor" defined. (NRS 489.231) "Franchisor" means any natural person or entity that owns the overall rights to the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor and grants a franchise for their use by a franchisee.

489.075 "Ground anchor" defined. (NRS 489.231) "Ground anchor" means any device at the stand for the manufactured home, mobile home or commercial coach designed to transfer anchoring loads to the ground.

489.110 "Pier" defined. (NRS 489.231) "Pier" means that portion of the support system between the footing and the manufactured home, mobile home or commercial coach, exclusive of caps and shims.

489.150 "Support system" defined. (NRS 489.231) "Support system" means a combination of footings, piers, caps and shims that will support the manufactured home, mobile home or commercial coach.

489.155 "Tie" defined. (NRS 489.231) "Tie" means a strap, cable or securing device used to connect the manufactured home, mobile home or commercial coach to ground anchors.

Informational Statement

BRIAN SANDOVAL
Governor

STATE OF NEVADA



BRUCE BRESLOW
Director

JIM dePROSSE
Administrator

Department of Business & Industry
MANUFACTURED HOUSING DIVISION

INFORMATIONAL STATEMENT

LCB No. R009-12

May 15, 2014

NRS 233B.066 Informational statement required concerning adopted permanent or temporary regulation; contents of statement.

1. Except as otherwise provided in subsection 2, each adopted regulation which is submitted to the Legislative Counsel pursuant to NRS 233B.067 or filed with the Secretary of State pursuant to subsection 2 or 3 of NRS 233B.070 must be accompanied by a statement concerning the regulation which contains the following information:

(a) A clear and concise explanation of the need for the adopted regulation.

As a result of the passage of AB 358, the definition of "Portable Buildings" (NRS489.133) and the requirement for the administrator to develop related regulation (NRS489.262) for the installation and construction of portable buildings were introduced. The directive from the Legislature (NRS 489.262) requires the Division to clarify the safety standards through regulation.

This adopted regulation defines the process and required documentation to be submitted for inspections of a Portable Building to be compliant with the regulatory safety standards which also includes those published by the International Code Council.

(b) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

The administrator collaborated closely with industry in the drafting of AB358 and worked closely with industry in the development of the proposed regulations to insure appropriate safety standards for Portable Buildings that would insure public safety yet business friendly in application. Group meetings and individual discussions with industry constituents who would be directly affected by the regulation were held on many occasions. It should be noted that the industry group that will most be affected by this regulation, consists of less than 10 licensed Commercial Coach Dealers, statewide. Related analysis and the development of the proposed regulation was a result of the collaborative meetings with this industry group.

Additionally, the Division conducted two public workshops addressing the development of the regulation: One in Las Vegas, video conferenced to Carson City and the one in Carson City, video conferenced to Las Vegas. Notices for these workshops were sent to 430 licensees and interested parties.

At the request of the Legislative Commission, the Division held a 3rd workshop on March 27, 2014, to review the proposed regulation again. With the 430 notices sent to licensees and interested parties, the Division included a questionnaire requesting constituents suggestions regarding the regulation.

Questionnaires mailed – 430 Questionnaires returned – 8	YES	NO	Cannot Answer	SUGGESTIONS
1. Are you in favor of this proposed regulation?	3	3	2	
2. Please list suggestions regarding this regulation.				0

A copy of this summary of the public response and all related documents for this proposed regulation can be found on the Manufactured Housing Division website at mhd.nv.gov.

(c) The number of persons who:

(1) Attended each hearing: 31

(2) Testified at each hearing: 6

(3) Submitted to the agency written statements: 1

(d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information is provided to the agency conducting the hearing:

- (1) Name: *Gene Temen*
- (2) Telephone number: *775-742-2053*
- (3) Business address: *P.O. Box 7417, Reno, NV 89510*
- (4) Business telephone number: *775-359-4688*
- (5) Electronic mail address: *gene@quickspacenevada.com*
- (6) Name of entity or organization represented: *Quick Space*

(e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

The administrator reached out to the industry and interested parties to determine if the proposed safety standards relating to the installation and construction of portable buildings would have an impact on their business. Through direct contact with interested parties, conducting two public workshops and a hearing, the public's comments and feedback were positive and consistent with what industry desires while also insuring public safety.

A copy of this summary of the public response and all related documents for this proposed regulation can be found on the Manufactured Housing Division website at mhd.nv.gov.

(f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No changes were necessary for the adopted regulation, since the only industry feedback was a testimony and a written statement submitted at the hearing. The constituent's testimony was taken into consideration and it was determined that it did not impose a significant business impact.

(g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

(1) Both adverse and beneficial effects; and

- **Adverse effects** – *The Division does not anticipate an adverse effect on small businesses, since the \$50 fee that is mentioned in the proposed regulation is not a new fee for portable building owners. Because owners will not be required to purchase certificate of installations and labels each time the building is moved, there may be a reduction of business for MHD licensed installers, who would otherwise be hired to perform an installation.*
- **Beneficial effects** – *Prior to the enrollment of AB358, on June 2, 2011, a fee of \$50 was charged for each certificate and label of installation each time a building was moved. With the adoption of R009-12 the cost of purchasing certificate of installation and label will be greatly reduced since the Division will only be charging this same fee every two years instead of each time the portable building is moved. According to industry, these types of buildings are moved frequently.*

(2) Both immediate and long-term effects.

- **Immediate Effect** - *The immediate economic effect will be positive for industry and the end user resulting in a lower cost and more self regulated approach to the installation of portable buildings.*
- **Long-term Effect** - *The long-term economic effect will be positive for industry and the end user resulting in a lower cost and more self regulated approach to the installation of portable buildings.*

(h) The estimated cost to the agency for enforcement of the proposed regulation.

No additional cost will be incurred by the Division to enforce this regulation. All Division fees are calculated to reimburse the Division staff for the time and material expended to perform the requirements of the regulation.

(i) A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This proposed regulation does not overlap with any other state or federal regulations.

(j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

This proposed regulation does not include any provisions that are more stringent than a federal regulation.

(k) If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There is not a new fee in this regulation. The existing fee, pursuant to NAC 489.380(b), will be charged once every two years instead of each time the building is moved.

2. The requirements of paragraphs (b) to (f), inclusive, of subsection 1 do not apply to emergency regulations.

This is not an emergency regulation.

Small Business Impact Statement



Department of Business & Industry
MANUFACTURED HOUSING DIVISION

LCB File No. R009-12

June 5, 2014

Pursuant to Nevada Revised Statute 233B.0608, the following is a statement identifying the methods used in determining the impact of Proposed Regulation, R009-12, on a small business and the reasons for our conclusions.

Methods used by the agency

The administrator collaborated closely with industry in the drafting of AB358 and worked closely with industry in the development of the proposed regulations to insure appropriate safety standards for Portable Buildings that would insure public safety yet business friendly in application. Group meetings and individual discussions with industry constituents who would be directly affected by the regulation were held on many occasions. It should be noted that the industry group that will most be affected by this regulation, consists of less than 10 licensed Commercial Coach Dealers, statewide. Related analysis and the development of the proposed regulation was a result of the collaborative meetings with this industry group.

Additionally, the Division conducted two public workshops addressing the development of the regulation: One in Las Vegas, video conferenced to Carson City and the one in Carson City, video conferenced to Las Vegas. Notices for these workshops were sent to 430 licensees and interested parties.

At the request of the Legislative Commission, the Division held a 3rd workshop on March 27, 2014, to review the proposed regulation again. With the 430 notices sent to licensees and interested parties, the Division included a questionnaire requesting constituents suggestions regarding the regulation.

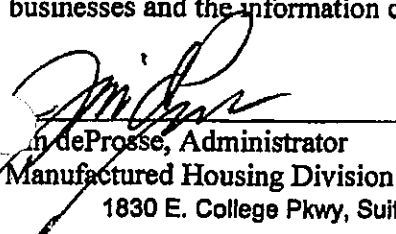
Questionnaires mailed - 430 Questionnaires returned - 8	YES	NO	Cannot Answer	SUGGESTIONS
1. Are you in favor of this proposed regulation?	3	3	2	
2. Please list suggestions regarding this regulation.				0

Reasons for the conclusions

Prior to the enrollment of AB358, on June 2, 2011, a fee of \$50 was charged for each certificate and label of installation each time a building was moved. It was the desire of industry to have a less regulated environment for Portable Buildings because of the frequency that they are relocated. According to industry, these types of buildings are moved frequently. With the adoption of R009-12 the cost of purchasing certificate of installation and label will be greatly reduced since the Division will only be charging this same fee every two years instead of each time the portable building is moved.

The Division has put together regulations that are simplified, more business friendly, and will result in reduced cost to licensees and the citizens of Nevada.

To the best of my knowledge a concerted effort was made to determine the impact of proposed regulation on small businesses and the information contained in this statement is accurate.


Jim deProsse, Administrator
Manufactured Housing Division



Department of Business & Industry
MANUFACTURED HOUSING DIVISION

Small Business Impact Statement for R009-12

May 15, 2014

The Manufactured Housing Division (Division) has determined that the proposed regulations should not impose an economic burden upon a small business or have a negative impact on the formation, operation or expansion of a small business in Nevada.

NRS 233B.0609 Proposed permanent or temporary regulation: Contents of small business impact statement; person responsible for agency to sign impact statement.

1. A small business impact statement prepared pursuant to NRS 233B.0608 must set forth the following information:

(a) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The development of AB 358 (2011) was a collaborative effort with industry constituents and the Division in the creation of the definition of a "Portable Building". Previous to the passage of AB358, these buildings were considered Commercial Coaches by definition and required an inspection from the Division each time they were moved. It was the desire of industry constituents to create this definition in statute that would allow for more simplified regulations specific only to Portable Building structures. Industry constituents viewed favorably the prospect of new regulations that would be more suitable for these frequently relocated structures and that would differentiate the installation requirements from other similar structures that the Division regulates. The final version of LCB file R009-12 reflects the desire of industry constituents; simplified regulations that are less burdensome on industry and that are less costly to comply with as compared to the installation requirements for similar structures regulated by the Division. A copy of this document will be posted on the Division's website for all interested parties to review.

(b) The manner in which the analysis was conducted.

The analysis was conducted with industry constituents directly through group meetings and individual discussions. It should be noted that the industry group that will most be affected by this regulation, consists of less than 10 licensed Commercial Coach Dealers, statewide. Related analysis and the development of the proposed regulation was a result of the collaborative meetings with this industry group.

Additionally, the Division conducted two public workshops addressing the development of the regulation: One in Las Vegas, video conferenced to Carson City and the one in Carson City, video conferenced to Las Vegas.

At the request of the Legislative Commission, the Division held a 3rd workshop on March 27, 2014, to review the proposed regulation again. With the 430 notices sent to licensees and interested parties, the Division included a questionnaire requesting constituents suggestions regarding the regulation.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects; and

- *Adverse effects – The Division does not anticipate an adverse effect on small businesses, since the \$50 fee that is mentioned in the proposed regulation is not a new fee for portable building owners. Because owners will not be required to purchase certificate of installations and labels each time the building is moved, there may be a reduction of business for MHD licensed installers, who would otherwise be hired to perform an installation.*

- **Beneficial effects** – Prior to the enrollment of AB358, on June 2, 2011, a fee of \$50 was charged for each certificate and label of installation each time a building was moved. With the adoption of R009-12 the cost of purchasing certificate of installation and label will be greatly reduced since the Division will only be charging this same fee every two years instead of each time the portable building is moved. According to industry, these types of buildings are moved very frequently.

(2) Both direct and indirect effects.

- **Direct effects** – Because businesses will not be required to purchase an installation certificate each time the building is relocated, the business owner's time and expense for each purchase will be greatly reduced. That time can be better spent on more productive business activities resulting in a direct economic benefit to the licensee's business.
- **Indirect effects** – Typically, costs incurred by the licensee are passed on to the end user, in this case, the business that leases the Portable Building, who will also experience a cost savings.

(d) A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.
The Division originally proposed that the suggested bi-annual fee be charged annually. Through the solicitation of input at the public workshops, it was suggested by industry that the time frame be extended to a period greater than one year. The Division considered this input and later proposed a two year cycle resulting in further reduction in cost to the licensee and the end user.

(e) The estimated cost to the agency for enforcement of the proposed regulation.
No additional cost will be incurred by the Division to enforce this regulation. All Division fees are calculated to reimburse the Division staff for the time and material expended to perform the requirements of the regulation.

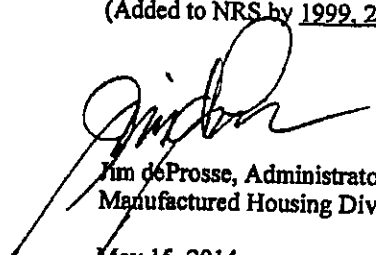
(f) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.
There are no additional fees associated with this regulation. The money collected by the Division once the regulation is adopted reduces revenue received and work performed by the Division.

(g) If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.
There are no duplicative standards. Currently all structures that are regulated by the Division are regulated only by the Division or authorized representatives.

(h) The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.
The Division has worked closely with industry constituents on the original concept and drafting of AB358 (2011) and the proposed regulations, LCB File R009-12. It was the desire of industry to have a less regulated environment for Portable Buildings because of the frequency that they are relocated. The Division has put together regulations that are simplified, more business friendly, and will result in reduced cost to licensees and the citizens of Nevada.

2. The director, executive head or other person who is responsible for the agency shall sign the small business impact statement certifying that, to the best of his or her knowledge or belief, the information contained in the statement was prepared properly and is accurate.

(Added to NRS by 1999, 2071; A 2013, 2306)


 Jim deProsse, Administrator
 Manufactured Housing Division

May 15, 2014

Other Materials

Portable Buildings - R009-12 Historical Summary

Industry Asked For...	MHD Responded...
Portable Buildings to be defined and regulated separately from Commercial Coaches.	10/1/11 - AB 358 was created and became effective as NRS 489.133. NRS 489.262 was also drafted to promulgate regulations.
<p>10/27/11 - MHD conducted 1st preliminary workshop, prior to drafting regulations to get industry input.</p> <ol style="list-style-type: none"> 1. It is our proposal that we submit to the Division specifications and guidelines for the installation for each configuration that would eliminate the Division to inspect each time the unit is relocated. If we are randomly inspected and the installation is not done by the engineered installation plans, the company would be fined. 2. A quick disconnect of building power, disconnecting the electrical source to the building will be safe. 3. The installation plans should be available for an inspector if he happens to be in the area of a portable building to inspect it. 4. If it is decided that anyone can install these units, it will have a negative impact on businesses that are licensed. 5. There needs to be a compliance sticker before the unit can be occupied. 6. If an inspector sees that an installation is done incorrectly, we pay a fine. 	<ol style="list-style-type: none"> 1. Sections 2 & 3 of the regulation were written as acknowledgement of industry's request. 2. Section 4 clarifies the quick connection and disconnection process, acknowledging industry's request. 3. Section 3 (2)(a) states the applicant agrees to maintain in the portable building, a copy of all plans. 4. Section 3 (2)(b)(2) The person must be licensed as a dealer, manufacturer, general serviceperson or specialty serviceperson, or the owner. 5. Section 3 (3) indicates that a 2-year certificate of installation and matching label will be issued. 6. Section 3 (5) states that the Division may revoke a 2-year certificate.
<p>12/13/12 – 430 notices sent - 41 attended MHD conducted 2nd workshop to review first draft of the proposed regulation and address the following concerns:</p> <ol style="list-style-type: none"> 1. Can we fill out an installation certificate form on line and take it out of a pre-funded account like the Secretary of State office? 2. Can the timeframe for the installation certificate be 2 or 3 years? 3. We think we should not have to divulge where all our buildings are located. 4. I am having a problem with the physical disconnection. 5. Need clarification of "human occupancy". 	<ol style="list-style-type: none"> 1. No, but the Division now accepts credit cards over the phone. We also have the ability to create forms that are accessible on the website. 2. The Division changed the Installation Certificate to be valid from 1 to 2 years as requested by industry. 3. Clarified that a building location is ONLY required when an audit is being performed for investigative purposes. 4. We worked diligently to develop language for electrical disconnection that aligned with industry's request. This is clarified in Section 4 of final draft. 5. The term "human occupancy" in this regulation pertains to all portable

Exhibit 1

Revised May 15, 2014

Industry Asked For...	MHD Responded...
	buildings except those designed to hold something other than people
<p>6. We think the verbiage about advertising, titles, and continuing education does not relate to us.</p>	<p>6. The Division removed <u>13</u> sections from the original draft that were not related to the installation, construction or maintenance of portable buildings.</p>
<p><u>1/10/14 – 430 notices sent - 28 attended</u> MHD conducted a hearing to adopt the regulation. Attendees asked the following questions:</p> <ol style="list-style-type: none"> 1. Clarification that once the Installation Certificate is affixed to the building it is good for 2 years and they do not have to call the Division for an inspection for another two years, no matter how many times they move it. 2. What is the additional \$80 fee for? 3. Does the Division have a process for an inspection in a remote area? 4. Can we have more than 3 days to give the Division the location of a building when an audit is conducted? 5. Will I be required to have engineered plans for each configuration? 6. Not sure what Human Occupancy is. 7. IBC 2006 vs. IBC 2012 8. If we are going to be burdened by these extra fees it will change our business model. 9. Can the building be hard wired if done by a licensed electrician? 	<ol style="list-style-type: none"> 1. Yes, there will not be a requirement or a fee for an inspection of a portable building within the 2 year period the Installation Certificate is valid. 2. This is an existing re-inspection fee for a building which has not passed the previous inspection. 3. Yes, we now have a larger fleet of inspectors who can be dispatched to a remote area much quicker than before. 4. This timeframe is necessary when investigating a compliant issue. Depending on the investigative situation, often, time is of the essence. 5. Yes. You are only required to have an engineered stamped installation plan for each configuration. A photo-copy of that type of installation for that particular type of configuration will be accepted and must be affixed inside each building. 6. The term "human occupancy" in this regulation pertains to all portable buildings except those designed to hold something other than people. 7. IBC 2006 currently applies. LCB File No. R113-13 will adopt IBC 2012. 8. You have two options for inspections. <ol style="list-style-type: none"> a) Follow existing regulation which is: The Division will inspect the building every time it is moved, using the existing installation standards. - OR - b) Apply for a 2-year Installation Certificate where you can move the building multiple times in two years without having to pay for an inspection each time it is moved. 9. Yes, provided it has a mechanism for quick disconnection from the electrical source.

Exhibit 1

Revised May 15, 2014

Industry Asked For...	MHD Responded...
<p><u>3/27/14 – 430 notices and questionnaires sent - 42 attended - 8 questionnaires were submitted</u></p> <p>MHD conducted a 3rd workshop to review the proposed regulation.</p> <ol style="list-style-type: none">1. What is the Division's plan for enforcing the new inspection program?2. Can the fees be charged annually instead of every two years so that I can budget it as a line item on my profit and loss statement?	<ol style="list-style-type: none">1. The Division supplied 6 Exhibits to address in writing all of the questions and concerns regarding how the Division will implement and enforce the new inspection program.2. The Division extended the initial inspection timeline from 180 days to 240 days, allowing industry more time for implementation and reducing the burden for the initial inspection fees.

FAQs

Regarding proposed regulation for Portable Buildings

1. Why do we need regulations for portable buildings?

Pursuant to NRS 489.262, the Nevada Legislature mandated that the Division adopt regulations for portable buildings.

NRS 489.262 Regulations pertaining to portable buildings. *The Administrator shall adopt regulations prescribing safety standards for:*

1. *The construction, transportation, installation and use of a portable building;*
2. *The inspection of any plumbing, heating, cooling, fuel burning or electrical system contained in a portable building; and*
3. *The maintenance and repair of a portable building.*

(Added to NRS by 2011, 1630)

2. Why are we required to have inspections now, when we have not been required to do so since October 2011?

At the direction of the Attorney General's office, while waiting for approval of regulations, the Division suspended inspections and fees.

3. What is the difference between a commercial coach and a portable building?

NRS 489.062 "Commercial coach" defined.

"Commercial coach" means a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes. The term does not include a recreational park trailer or portable building.

(Added to NRS by 1977, 1451; A 1979, 1215; 2001, 1726; 2011, 1630)

NRS 489.133 "Portable building" defined.

"Portable building" means a structure which:

1. *Is at ground level, has no axles and rests on the surface of the ground;*
2. *Is for nonresidential use;*
3. *Is not a fixture or improvement to real property;*
4. *Is designed to be used without a permanent foundation; and*
5. *Contains an electrical system with a component that allows for the quick connection or disconnection of the electrical system to a source of electricity.*

(Added to NRS by 2011, 1629)

4. Do I have to pay for a professional engineer to stamp plans for the floor plans and the installation inspection method?

You must have stamped professional engineered plans as follows:

- a) Compliance Label: *Most portable buildings have a compliance label that is affixed to the building from the factory where it was built. If a used portable building is acquired that does not have a compliance label, a set of plans, stamped and signed by a professional engineer licensed pursuant to chapter 625 of NRS, is required before the Division can issue the compliance label.*
- b) Installation Label: *Plans, specifications or drawings that set forth the method of installation, that are stamped and signed by a professional engineer licensed pursuant to*

Exhibit 2

Revised May 15, 2014

chapter 625 of NRS, are required to obtain the proposed 2-year certificate of installation and matching label. This is required only for each configuration, not for each individual building.

5. Do we have to have an original drawing for each building?
A photo-copy of that type of installation for that particular type of configuration will be accepted and must be affixed inside each building.

6. Do I have to get an inspection done every time I move the portable building, even if I have a certificate of installation and label?
No. The objective of this proposed regulation is eliminate the time and cost for an inspection to be performed each time a portable building is moved. If the Division has issued the 2-year certificate of installation and matching label, an inspection is not required for two years from the date of the Certificate. See Section 16 of the proposed regulation.

7. Is the \$50 for a certificate and label a new fee?
No, this is not a new fee. The fee, pursuant to NAC 489.380(b), will be charged once every two years instead of each time the building is moved.

Before the passage of AB358 (6/2/11):

Pursuant to NAC 489.380(b) a fee of \$50 was charged for each certificate and label of installation each time a building was moved.

After the passage of AB358 (6/2/11 to date):

To date, no inspections have been performed or fees been charged since the Division does not have regulations in place for Portable Buildings. At the direction of the Attorney General's office, while waiting for approval of regulations, the Division suspended inspections and fees.

8. Can the 2-year certificate of installation be changed to a 3 year certificate?
The original timeframe was 1 year. At the request of industry the Division extended the timeframe to 2 years. Extending the timeframe beyond 2 years would increase the risk of public safety due to the structures being frequently moved and re-installed at various locations.
9. What if I have a portable building in a rural area?
We have a large pool of inspectors who can be dispatched to a remote area much quicker than before. The Division will work with industry on an agreed upon timeframe to obtain installation labels for those portable buildings that are in rural areas.
10. As the owner of a portable building do I have to hire a licensed serviceperson to install or remove a window A/C unit or change out a ballast or light bulb?
A Manufactured Housing Division license is not required for this scope of work.
11. Do I have to notify the Division of the location of all my portable buildings?
No, only if requested by the Division would an owner need to divulge the location of a portable building, within 3 business days. This timeframe is necessary when investigating a compliance issue. Depending on the investigative situation, time is often of the essence.
Please note: NAC 489.205(2) states that the Division can upon demand, request all records.

Exhibit 2

Revised May 15, 2014

NAC 489.205 Determination of compliance. (NRS 489.231, 489.431)

1. The Division will conduct routine office surveys, audits and inspections to determine whether licensees are complying with the provisions of this chapter and chapter 489 of NRS.
 2. All business records and accounts of a licensee are subject to inspection and audit by the Division or its authorized representatives. Upon demand, a licensee shall provide the Division with all business records, accounts and permission necessary to complete an inspection and audit, including that necessary to inspect and audit funds in any bank or depository.
 3. When a complaint is made to the Division the scope of the investigation is not limited to the matters set forth in the complaint but may extend to any act which appears to violate the provisions of this chapter, chapter 489 of NRS or federal laws or regulations.
 4. If the Division determines that there is not sufficient evidence to make a prima facie case, it may dismiss the matter without prejudice at any stage of the investigation or proceeding.
 5. If the Division is satisfied, after an investigation initiated by a complaint or on its own initiative, that there is sufficient evidence to make a prima facie case, the Division may commence a formal proceeding.
- [Mfd. Housing Div., Mobile Homes Reg. § 500, eff. 12-20-79]

12. Why do we need a copy of the installation plans in each building if the building already has an installation label?

If an inspector is in the area and does a random inspection, he needs to determine if the structure is installed according to the installation method posted in the building.

13. Can the building be hard wired if done by a license electrician?

Yes, provided it has a mechanism for quick disconnection from the electrical source.

14. Why not use this regulation to adopt the IBC 2012 codes?

LCB File No. R113-13 will adopt IBC 2012. Until that regulation is passed, IBC 2006 will continue to apply.

15. What will be the timeframe for inspections to be done for units that are being rented?

The Division will work with the owner to come up with a feasible timeline for structures that are currently in the field being rented or leased. See Exhibit 4-Amended Implementation Plan.

16. What will the status be of the companies that have been constructing and modifying these for years? We need a grandfather clause.

Any portable building that was issued a compliance label previous, when the structures were classified as commercial coaches will be acceptable. Thus, the compliance of that particular building will be "grandfathered" in.

17. ADA on a portable building is cumbersome.

ADA accessibility does not pertain to temporary structure issued for 180 days or less, per IBC 2006. Since it is the Division's understanding that portable buildings are moved frequently, the Division will assume that all portable building installation will be for a period less than 180 days unless otherwise informed by the building owner or licensee.

18. Do on-site repairs need a permit?

A list of all projects that require a permit can be found on the Division's website. The list of projects applies to all structures the Division has jurisdiction over, which includes portable buildings.

Exhibit 2

Revised May 15, 2014

19. What is required if a portable building is going to be remodeled?
Pursuant to NAC 489.185 (3) (c), if there is any reconstruction or alteration, a new set of plans, inspection and compliance label is required.
20. How do I obtain an Installation Certificate and Label? What are the mechanics?
See Exhibit 4 – Amended Portable Building 2-year Installation Certificate Implementation Plan
21. What does “all plans...” relate to in Section 3.2. (a)?
Because this section of the proposed regulation pertains only to installation, the “all plans” term is referring to the method of installation plans.
22. Will we be in violation if a unit is in a remote area and the label has expired before it is returned?
If the certificate of installation renewal fee has been paid prior to the expiration date, the owner will not be in violation.
23. Does the quick connection or disconnection refer to a “knife switch” or similar device, and will that be acceptable?
Yes, for the purpose of quick disconnect and connect, a “knife switch” or similar device will be acceptable.
24. If existing units already have certifications of compliance/labels of compliance, will they be deemed to have complied with the new regulations?
Yes, all existing units, bearing a previously issued certificate of compliance and matching label by the Division, will be considered compliant.
25. Would the Division consider the “configuration” to be the size of the unit or where the door, window and A/C unit is located?
For the purpose of the 2-year certificate of installation, “configuration” is the exterior dimension of the building, length x width of each building with the same exterior dimension will be considered as the same “configuration”.
26. What does “human occupancy” mean?
The term “human occupancy” in the proposed regulation R009-12, pertains to all portable buildings except those designed to hold something other than people.

Exhibit 3

Manufactured Housing Division Inspection Cost Comparison for Portable Buildings

March 2014

This cost analysis is using the following business assumptions:

1. 10 different configurations
2. The cost of obtaining plans, specifications or drawings that set forth in detail the method of installation stamped and signed by a licensed professional engineer is \$250
3. Inventory of 100 Portable Buildings
4. Each building is moved 4 times in 2 years
5. The total expense is for a two year period
6. The buildings are located within a 25 miles of the inspector's station of duty

Current regulations for all other structures		Proposed regulations for Portable Buildings Only	
Licensed Professional Engineered plans for method of installation 10 configurations x \$250 =	\$2,500	Licensed Professional Engineered plans for method of installation 10 configurations x \$250 =	\$2,500
Move each building 4 times in 2 yrs 1 inspection = \$80 1 permit = \$10 1 seals \$50 Total cost of 1 inspection per building is \$140 \$140 x 4 (relocations) = \$560		Move each building 4 times in 2 yrs 1 inspection = \$80 1 permit = \$10 1 2-year certificate of installation & matching label = \$50 Total cost for a Certificate of Installation & matching Label per building is \$140 *This is a one-time cost every 2 years, no matter how many times you move the building.	
x 100 buildings =	\$56,000	X 100 buildings =	\$14,000
TOTAL	\$58,500	TOTAL	\$16,500

Reference: NAC 489.360, NAC 489.370 and NAC 489.380

Portable Building 2-Year Installation Certificate Implementation Plan

Completion Timeframe – 240 Days

Upon approval by the Legislative Commission of proposed regulation R009-12;

1. First 90 Days: (approximately May 1, 2014 through July 31, 2014)

- a. The building owner/licensee, together with a Nevada Certified Engineer will generate stamped engineered plans for the method used for the installation of the Portable Building. Any method approved and stamped by the Nevada Certified Engineer will be acceptable to the Division.

2. Next 60 Days: (approximately August 1, 2014 through September 30, 2014)

- a. There will be two installation options for the Portable Building owner/licensee;
 - i. If the building owner/licensee chooses to install a portable building and have the Division perform an inspection immediately after the installation and prior to occupancy (traditional approach); then the procedure outlined in the existing Nevada Manufactured Home and Commercial Coach Installation Standards will apply, where as the unit must be installed to drawings approved and stamped by a Nevada Registered Engineer or consistent with the manufacturer's installation requirements for the specific unit which must be provided to the Division prior to the installation inspection;

OR,

- ii. The building owner/licensee will pursue the 2-Year installation certificate/label and must;

1. Provide a copy of the installation plan for each building configuration/size approved and stamped by a Nevada Registered Engineer and insure a copy for each approved drawing is located inside each building of that configuration,
2. notify the Division of the location of each Portable Building that they wish to purchase a 2-Year Installation certificate (and matching label) for,
 - a. These locations will include all those buildings planned for service located at the storage location of the building owner/licensee and those that are currently out in the field being leased.
 - b. The building owner licensee will also notate the anticipated expiration date of any portable buildings currently in service allowing for the Division to efficiently schedule the inspection (prior to the next relocation of the building) of the Portable Buildings, issue the certificate and affix the label to the portable building.

3. Next 90 Days: (approximately October 1, 2014 through December 30, 2014)

- a. The Division will schedule inspections for each building at the location specified, issue the certificate and affix the label to the portable building.
- b. Any buildings that have been relocated since the first submission of location to the Division will necessitate an update of the location by the building owner/licensee, allowing for the Division to travel to the proper new location where the building is located.

Exhibit 5

NEVADA MANUFACTURED HOUSING DIVISION

PROJECTS REQUIRING A PERMIT

Project Classification	Type of Project	Base Cost	Additional Cost (each additional 30 minutes of time)
Installation	Installation of Manufactured/Mobile/Modular Home – Single Section	\$160.00	N/A
	Inspection of Manufactured/Mobile/Modular Home – Multi Section	\$240.00	N/A
	Inspection of Commercial Coach (Wet)	\$160.00	N/A
	Inspection of Commercial Coach (Dry)	\$140.00	N/A
	Re-Inspection	\$80.00	N/A
Electrical	Heat Producing Appliances (install; water heater, etc.) (except cook stove)	\$90.00	\$40.00
	Wiring Repair or Modification** (with dielectric or continuity test)	\$90.00	\$40.00
	Service Feeder Replacement (with dielectric or continuity test)	\$90.00	\$40.00
	Distribution Panel Replacement** (with dielectric or continuity test)	\$90.00	\$40.00
	Conversion of Home** (from gas & electric to all electric home)	\$90.00	\$40.00
Plumbing	Drain/Water System Replacement	\$90.00	\$40.00
Gas System	Heat Producing Appliance Install (except cook stove)	\$90.00	\$40.00
	Low Pressure Manometer Test*** (to re-establish service after interruption)	\$90.00	\$40.00
	Piping Modifications** (with high & low pressure tests)	\$90.00	\$40.00
HVAC	On-Site Heating Unit Replacement	\$90.00	\$40.00
	On-Site AC Unit Install or Replacement	\$90.00	\$40.00
Structural	Remodel**	\$90.00	\$40.00
	Damage Repair** (due to fire, flood, wind, transportation, etc.)	\$90.00	\$40.00
Roofing	Replace 25% or more	\$90.00	\$40.00
	Truss, Sheathing, Sub-Roof, and Shingle**	\$90.00	\$40.00
	Penetrations and Jacks**	\$90.00	\$40.00
	Valley Construction**	\$90.00	\$40.00
	Dormer Construction**	\$90.00	\$40.00
Miscellaneous	Install Solid Fuel Burning Device (i.e. fireplace, wood stove, etc.)	\$90.00	\$40.00
	Accessory Structures Attached to the Home (i.e. carport, awnings, etc.)	\$90.00	\$40.00

Indicates the inspection requires **approved plans or a **scope of work**

***As required by a local utility company

Note: The Division will conduct inspections of Structural Perimeter Foundations ONLY in jurisdictions that do not otherwise conduct inspections of foundations for Manufactured, Modular, or Mobile Homes. All foundations must be designed and stamped by a Nevada Registered Engineer or Architect and approved through Manufactured Housing Division.

If you have any questions about your project, please contact the Division for clarification. Our addresses and phone numbers can be found on our website at: <http://mhd.nv.gov>

Exhibit 6

NRS 489.062 "Commercial coach" defined.

"Commercial coach" means a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes. The term does not include a recreational park trailer or portable building.

(Added to NRS by 1977, 1451; A 1979, 1215; 2001, 1726; 2011, 1630)

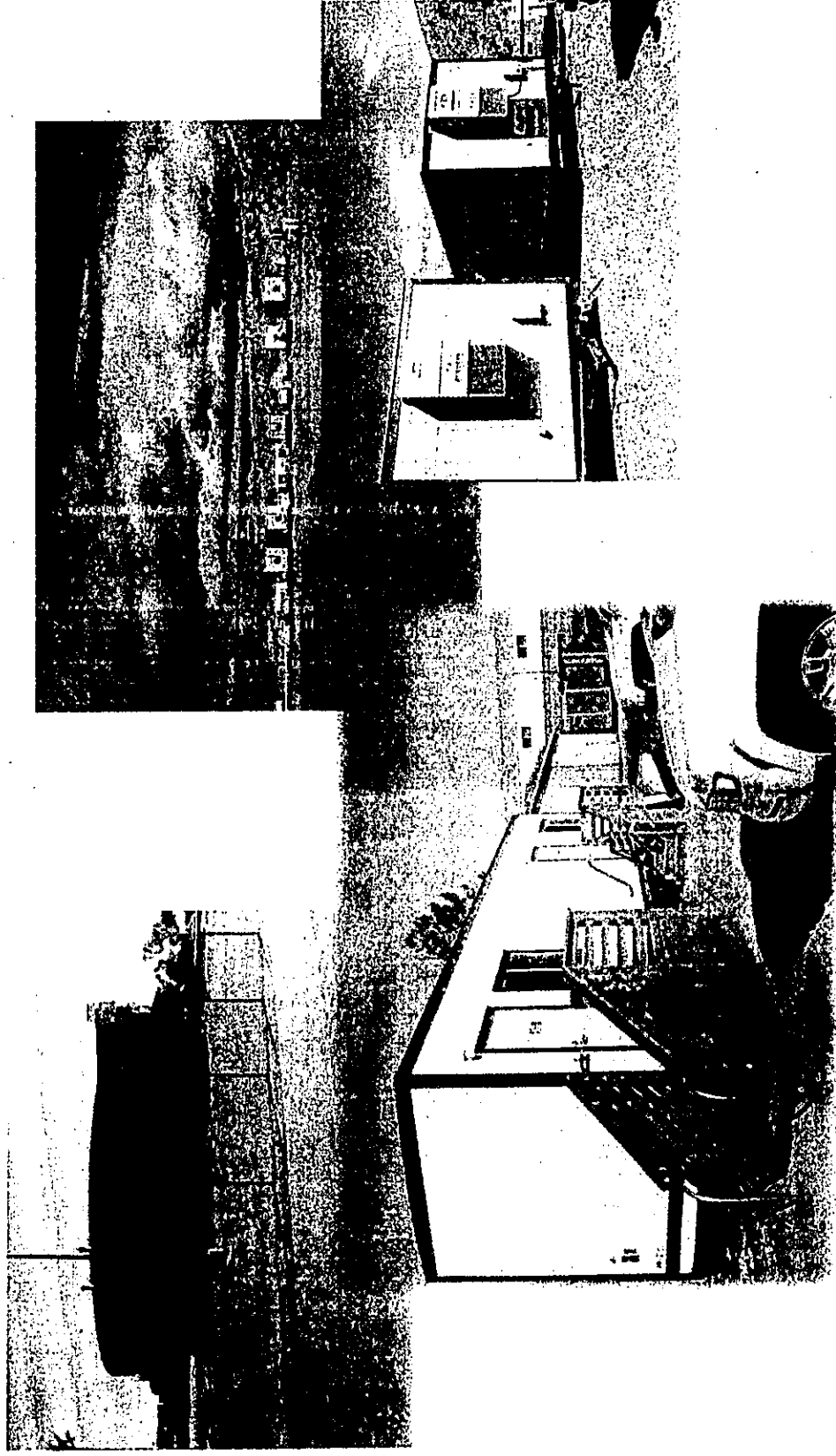


Exhibit 6

NRS 489.133 "Portable building" defined.

"Portable building" means a structure which:

1. Is at ground level, has no axles and rests on the surface of the ground;
2. Is for nonresidential use;
3. Is not a fixture or improvement to real property;
4. Is designed to be used without a permanent foundation; and
5. Contains an electrical system with a component that allows for the quick connection or disconnection of the electrical system to a source of electricity.

(Added to NRS by 2011, 1629)

