

SENATE BILL No. 717

October 17, 2001, Introduced by Senators KOIVISTO and GOUGEON and referred to the Committee on Human Resources and Labor.

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 19 (MCL 125.1519).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. (1) The commission shall promulgate rules estab-
2 lishing a procedure by which a premanufactured unit intended for
3 use in this state may be issued a certificate of acceptability by
4 the commission at its place of manufacture.

5 (2) The procedure shall require that the manufacturer submit
6 to the commission detailed plans and specifications for the pre-
7 manufactured unit for approval as in compliance with the code.

8 ~~It~~ THE COMMISSION may require that the manufacturer submit ~~to~~
9 ~~the commission~~ test results on the premanufactured unit or its
10 components, ~~other~~ ANY material or information the commission
11 considers relevant, or 1 or more of the premanufactured units for

SENATE BILL No. 717

1 testing and evaluation BY THE COMMISSION. ~~It shall require that~~
2 ~~each~~

3 (3) EACH premanufactured unit SHALL be inspected by the com-
4 mission, or a qualified person selected by ~~it~~ THE COMMISSION,
5 to determine that the premanufactured unit has been manufactured
6 in accordance with plans and specifications submitted ~~to the~~
7 ~~commission and the code, or at the election of the commission,~~
8 ~~that each~~ UNDER SUBSECTION (2). THE COMMISSION MAY ISSUE A CER-
9 TIFICATE OF ACCEPTABILITY FOR A premanufactured unit ~~bear~~ THAT
10 BEARS the approved label of an independent, nationally recognized
11 body having follow-up inspection service satisfactory to the com-
12 mission, certifying that the premanufactured unit complies with
13 plans and specifications submitted ~~to the commission and the~~
14 ~~code~~ UNDER SUBSECTION (2).

15 (4) THE APPROVAL OF THE PLANS AND SPECIFICATIONS AND THE
16 TESTING FOR 1- AND 2-FAMILY RESIDENTIAL DWELLINGS MAY BE PER-
17 FORMED BY THE COMMISSION OR AN INDEPENDENT ENTITY APPROVED BY THE
18 COMMISSION.

19 (5) A local enforcing agency may also inspect a premanufac-
20 tured unit at its place of manufacture to determine that it has
21 been manufactured in accordance with plans and specifications
22 submitted ~~to the commission and in accordance with the code~~
23 UNDER SUBSECTION (2) and shall advise the state inspector and the
24 commission in writing of any deviations found.

25 (6) ~~(2)~~ If an application for a building permit specifying
26 use of a premanufactured unit with a certificate of acceptability
27 is submitted to an enforcing agency, and if the application,

1 except for the part calling for use of a premanufactured unit
2 with a certificate of acceptability, complies with applicable
3 construction regulations, ~~and~~ zoning laws, and LOCAL ordi-
4 nances, the enforcing agency shall issue the building permit
5 within the time specified in this act.

6 (7) At the time of installation, a premanufactured unit with
7 a certificate of acceptability is subject only to ~~such~~ THE non-
8 destructive tests approved by the commission necessary to deter-
9 mine that it has not been damaged in transit or installation, and
10 that it has been installed in accordance with the building permit
11 and construction regulations.

12 (8) The fees established for a building permit when the
13 application ~~therefor~~ specifies use of a premanufactured unit
14 with a certificate of acceptability, or for inspection of the
15 installation of the premanufactured unit shall ~~be intended to~~
16 bear a reasonable relation to the costs incurred by the enforcing
17 agency in ~~performing such acts~~ ISSUING A PERMIT OR PERFORMING
18 AN INSPECTION. ~~A certificate of acceptability issued by the~~
19 ~~commission shall not be used for advertising purposes.~~

20 (9) ~~(3)~~ Notwithstanding ~~subsections (1) and (2)~~ ANY
21 OTHER PROVISION OF THIS SECTION, an enforcing agency may object
22 to use of a premanufactured unit with a certificate of accepta-
23 bility on the basis that the premanufactured unit does not comply
24 with the code. If an enforcing agency on receipt of an applica-
25 tion for a building permit specifying the use of a premanufac-
26 tured unit does object, it may set forth its objections in
27 writing to the commission before issuance of a building permit

1 and within 10 business days after receipt of the application.

2 Within 10 business days after receipt of the objections, the com-
3 mission, or a panel of 3 or more members designated for that pur-
4 pose by its chairman, shall hold a hearing on the objections in
5 accordance with rules ~~to be~~ promulgated by the commission.

6 After the hearing, the commission, or its panel, within 3 busi-
7 ness days shall determine 1 of the following:

8 (a) The premanufactured unit does not comply with the code
9 ~~in which case subsections (1) and (2) shall not apply~~ AND ORDER
10 THAT THE CERTIFICATE OF ACCEPTABILITY BE VOIDED.

11 (b) The premanufactured unit requires additional testing and
12 evaluation in which case the testing and evaluation shall be con-
13 ducted in accordance with ~~subsection (1)~~ THIS SECTION.

14 (c) The objections are not valid ~~in which case~~ AND ORDER
15 the enforcing agency ~~shall~~ TO issue the building permit within
16 3 business days.

17 (10) A CERTIFICATE OF ACCEPTABILITY ISSUED BY THE COMMISSION
18 SHALL NOT BE USED FOR ADVERTISING PURPOSES.