

Notice of Proposed Rule

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NO: RULE TITLE

[9B-1.002](#): Definitions[9B-1.003](#): Administration and Department Responsibilities[9B-1.004](#): Adoption of Model Codes[9B-1.006](#): Certification of Third Party Agencies[9B-1.007](#): Manufacturer Certification[9B-1.009](#): Design Plan and Systems Approval[9B-1.0095](#): Component System[9B-1.010](#): Manufacturer's Quality Assurance Manual Control Procedures[9B-1.011](#): Alterations and Relocation[9B-1.016](#): Department Insignia[9B-1.017](#): Insignia Application and Issuance[9B-1.018](#): Insignia Denial[9B-1.019](#): Removal of Insignia[9B-1.020](#): Schedule of Fees[9B-1.0211](#): Change in Manufacturer's Status[9B-1.0221](#): Manufacturer's Obligations Upon Sale of Building[9B-1.023](#): Oversight, Complaint[9B-1.026](#): Factory-built Schools, Certifications[9B-1.028](#): Factory-built Schools, Inspections and Work Progress Reports[9B-1.030](#): Factory-built Schools, Insignia and Data Plate

PURPOSE AND EFFECT: To eliminate rule provisions that duplicate requirements of the Florida Building Code; improve accountability of third-party agencies; and institute programmatic changes to increase compliance with the Florida Building Code.

SUMMARY: Clarify and ensure consistency of current rule with statute and internally in use of terms. New requirements are limited and include annual verification that insurance information is valid, requiring specification of site related items subject to local government jurisdiction on a single plan page, and specifying the location of the data plate insignia of approval.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [553.37\(1\)](#), (b), (e), [553.37\(1\)\(b\)](#), (2), (7), [553.38](#), [553.38\(1\)](#), (2), [553.381](#), [553.39](#), [553.73\(2\)](#), [553.76\(4\)](#), [553.415 FS](#).

LAW IMPLEMENTED: [553.36\(5\)](#), [553.37](#), [553.37\(1\)](#), [553.37\(1\)\(a\)](#), (b), (c), (2), (3), (4), (5), (7), (8), [553.38](#), [553.38\(1\)](#), [553.73\(2\)](#), [553.381](#), [553.415](#), [553.73](#), [553.73\(1\)](#), (2), [553.76\(4\) FS](#).

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 23, 2009, 1:00 p.m.

PLACE: Randall Kelley Training Room, Third Floor, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)922-6091. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)922-6091

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-1.002 Definitions.

(1) Department – The Florida Department of Community Affairs.

(2)(~~1~~) Third Party Agency (Agency) – An individual or entity, which may be a private sector entity, a state department with building construction responsibilities or a local government determined by the Department to be qualified pursuant to this chapter to review plans for or inspect the construction of manufactured building units, systems, or the component parts thereof together with the plans, specifications, and quality control procedures to ensure that such units, systems, or component parts are in full compliance with the codes and standards herein adopted and to assign and attach the insignia of the Department to such units complying with those standards.

(3)(~~2~~) Building System – The plans, specifications and documentation for a system of manufactured buildings or for a type or a system of building components, which may include structural, electrical, mechanical, plumbing and fire protection systems and other building systems affecting life safety.

(4)(~~3~~) Building Code Information System (BCIS) at www.floridabuilding.org – the official website of the Florida Building Commission and the Florida Building Codes and Standards Office.

(5)(~~4~~) Closed Construction – A building, component, assembly, subassembly, or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof.

(6)(~~5~~) Component – Any three dimensional assembly, subassembly, or combination of elements for use as a part of a building, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.

(7)(~~6~~) Dealer – Any person, corporation or business engaged in leasing, selling, or both leasing and selling manufactured buildings.

~~(7) Department – The Florida Department of Community Affairs.~~

(8) Equipment – All equipment, material, appliances, devices, fixtures, fittings or accessories installed in or used in the manufacture and assembly of a manufactured building.

(9) Insignia – An approved device or seal issued by the Department to indicate compliance with the provisions of this chapter. The term “insignia” includes recertification insignias.

(10) Installation – The assembly of a manufactured building component or system on site and the process of affixing a manufactured building component or system to land, a foundation, or an existing building, or service connections which are part thereof.

(11) Labeled – Shall be as defined in ~~Chapter 2 of~~ the Florida Building Code.

(12) Building Official – The officer or other designated authority or their duly authorized representative charged with the administration of the applicable technical codes in the subject jurisdiction. This term is synonymous with “building official” as that term is defined in Section 468.603(1), F.S.

~~(13) Enforcement Agency – An agency of state or local government with authority to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures or facilities.~~

(13)(~~14~~) Manufacture – The process of making, modifying, fabricating, constructing, forming or assembling or reassembling a product from raw, unfinished, semifinished, or finished materials.

(14)(~~15~~) Manufactured Building, Modular Building, or Factory-Built Building – A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection; ~~with or without other specified components~~; as a finished building or as part of a finished building, which shall include but not be limited to residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a certified manufacturer.

(15)(~~16~~) Manufacturer – Any person who, or entity which, has been certified to produce, modify, or produce and modify manufactured buildings for placement in the State of Florida.

(16)(~~17~~) Model – A specific design of manufactured buildings, which is based on size, room arrangement, method of construction, location, arrangement or size of plumbing, mechanical or electrical equipment and systems therein in accordance with plans submitted to the Department.

(17)(~~18~~) Modification – Any change to a manufactured building which affects the structural, electrical, thermal, mechanical, plumbing systems, life safety, means of egress, material flammability/flame spread or accessibility of the building to persons with disabilities in accordance with the Florida Accessibility Code for Building Construction.

~~(18)(19)~~ Occupancy Classification – The characterization of the intended purpose for which the building will be used as determined in accordance with the Florida Building Code. The purpose for which a building, or part thereof, is used or intended to be used as defined in the codes and standards adopted herein.

~~(19)(20)~~ Open Construction – Any manufactured building, building component, assembly or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly, damage to or destruction thereof.

~~(20)(21)~~ Quality Control Manual – A manual which contains all aspects of quality control procedures to be utilized by an entity or individual performing a function regulated hereby.

~~(21)(22)~~ Recertified Building – A manufactured building which has been previously approved by the Department and which has been subjected to the supplemental procedures provided in this chapter for subsequent approval.

~~(22)(23)~~ Residential Building – Shall be as defined in the Florida Building Code. Any structure in which sleeping accommodations are provided which is not classified as an Institutional Occupancy as defined in the Florida Building Code, including but not limited to, dwellings, multiple-family dwellings, hotels, motels, dormitories and lodging houses.

~~(23)(24)~~ Standard Design – Any building system, model, series or component intended for duplication or repetitive manufacture.

~~(24)(25)~~ Storage Shed – A closed construction building that is not designed for human habitation, without regard to whether the storage unit is used for residential or commercial purposes. This term does not include a building used to house communications equipment.

~~(25)(26)~~ System – The structural, plumbing, electrical, mechanical, thermal efficiency and life safety elements, materials or components of a building.

~~(26)(27)~~ Traveler – A form utilized in a manufacturing facility in conjunction with the manufacturer's quality control program to indicate that all quality control inspections are conducted during the manufacturing process and that all inspections indicate compliance with the approved plans.

Rulemaking Specific Authority 553.76(4), 553.415 FS. Law Implemented 553.37, 553.415, 553.73 FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, 5-13-07, _____.

9B-1.003 Administration and Department Responsibilities.

(1) Forms – The following forms are hereby adopted by reference for use in administering this part.

(a) FMBP 1-00 Manufacturer Application for State Approval, effective 10/1/05;

(b) FMBP 2-00 Agency Application for State Approval, effective 10/1/05;

(c) FMBP PS-1-00 School District Application, effective 10/1/05;

(d) FMBP 4-00 ~~Third Party~~ Agency Renewal Form, effective 10/1/05;

~~(e) FMBP 6-00 Insignia Disposition Report, effective 10/1/05. [These forms may be obtained online at www.floridabuilding.org, click on Manufactured Buildings and then Forms.]~~

(2) Certification – The Department shall certify manufacturers and ~~third party~~ Agencies in accordance with this rule chapter. Certifications shall be for a period of three years from the date of initial certification. All certifications, licenses and approvals granted by the Department pursuant to Rule Chapter 9B-1, F.A.C., are subject to revocation for failure to adhere to Rule Chapter 9B-1, F.A.C., the codes and standards adopted herein, or Chapter 553, F.S. Proceedings against certifications, insignia and approvals shall be in accordance with Section 120.60, F.S.

(3) Monitoring – The Department, through its employees or its designated performance auditors, shall monitor the performance of ~~third party~~ Agencies and manufacturers. Each certified manufacturer and each certified ~~third party~~ Agency shall be subject to a performance audit at a minimum of once every three years. Unannounced visits to offices and manufacturing facilities shall be utilized unless impractical based upon the nature of the business to be monitored. Information obtained through monitoring shall remain confidential to the extent permitted by law. Agencies and manufacturers shall provide the auditor access to records, facilities and personnel as requested by the auditor. The auditor shall collect information through interviews, examination of documents and observation of activity to determine whether the manufacturer or ~~third party~~ Agency complies with the codes and standards adopted herein and this chapter. Any determination of nonconformance with any applicable provision shall be reported to the Department and the manufacturer or ~~third party~~ Agency or both the ~~third party~~ Agency and the manufacturer. The report shall identify the facts that support the finding of nonconformity and recommend corrective action. The Department shall determine the appropriate corrective action subject to the requirements of Section 120.60, F.S.

(4) Testing and Evaluations of Products – Shall be in accordance with the Florida Building Code, ~~and~~ Rule 9B-72, F.A.C., or Section 553.825, F.S.

~~Rulemaking Specific~~ Authority 553.37(1), (2), 553.73(2), 553.76(4) FS. Law Implemented 553.37(1), (2), 553.73(2), 553.76(4), 553.381 FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01, 7-16-03, 5-13-07,_____.

9B-1.004 Adoption of Model Codes.

(1) Building Code – The design and fabrication of manufactured buildings and components shall comply with the requirements of the Florida Building Code as defined in Rule 9B-3.047, F.A.C., and adopted herein by reference.

(2) Florida Fire Prevention Code – Buildings designed and manufactured by these rules shall conform to the requirements of the Florida Fire Prevention Code, referenced in Sections 633.022 and 633.025, F.S.

~~(3) Building Official – For purpose of this chapter, where reference is made in any of the above mentioned codes in Rule 9B-1.004, F.A.C., to the building official, the plumbing or mechanical inspector, to the administrative authority or enforcement official, or to any such authoritative person, it shall mean the Manufactured Buildings Program Manager.~~

~~(3)(4)~~ A copy of the above referenced Florida Building Code has been filed with the Secretary of State. The Florida Building Code is also available for reference and inspection at the Department of Community Affairs, Building Codes & Standards Office or online at www.floridabuilding.org.

~~(4)(5)~~ The above shall not apply to any building exempted pursuant to Section 553.73, Part IV, F.S.

~~(5)(6)~~ Notwithstanding the above, the service connections and foundations prepared at the installation site shall be regulated by the local building official according to the Florida Building Code.

~~(6)(7)~~ Notwithstanding the foregoing provisions of this section, factory-built schools shall be subject to the following:

(a) Existing Buildings. Factory-built schools utilized as educational facilities prior to July 1, 2001, are hereby designated as existing buildings and shall comply with the requirements of Section 423, Florida Building Code.

(b) New Construction. Factory-built schools other than existing buildings shall be manufactured and installed as required by the Florida Building Code, including Section 423.

~~Rulemaking Specific~~ Authority 553.37(1), 553.415, 553.73(2), 553.76(4) FS. Law Implemented 553.37(8), 553.38(1), 553.415, 553.73(1), (2) FS. History–New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, 7-16-03, 5-13-07,_____.

9B-1.006 Certification of ~~Third Party~~ Agencies.

(1) Individuals or entities who desire to perform plan review, inspection, or both plan review and inspection of manufactured buildings shall be certified by the department. Those inspectors and plans reviewers employed by entities to perform the delegated functions do not require individual certification as an agency to the extent that the delegated functions are performed within the scope of the individuals' regular course of employment. Individuals or entities performing delegated functions as an independent contractor for ~~a third party~~ an Agency shall be individually certified.

(2) Application – The applicant shall submit a completed application (Form FMBP 2-00) with application fee amount stated in the Schedule of Fees. The application shall contain the following information.

(a) Name, address, and phone number of the applicant. If the applicant is a corporation, the application shall identify the officers and directors of the corporation, as well as the identity of any shareholders that hold controlling ownership interest in the corporation. If the applicant is a partnership, the application shall identify each partner.

(b) Names and professional license types and numbers of all employees or contractors employed or otherwise utilized for inspections or plans review or both inspections and plans review within the State of Florida.

(c) A statement of independence which shall be signed by the individual, each of the partners of a partnership, or the chief operating officer of a corporation to be certified. The statement shall be notarized and dated within the twelve months immediately preceding its submission. The statement shall affirm that the Agency, any independent contractors utilized by the Agency and its employees are not owned, operated, or controlled by any manufacturer or dealer.

(d) An affirmation that the Agency shall comply with the Florida Manufactured Buildings Act and the Rule Chapter 9B-1, F.A.C.

(e) Proof of general liability insurance with minimum coverage limits of \$1,000,000, which shall be renewed annually and posted on the Building Code Information System at www.floridabuilding.org.

~~(3) Agency's Quality Control Assurance Program Manual~~ – The applicant shall submit a quality control assurance manual to the department with the application which shall at a minimum contain the following sections.

(a) An introduction to the agency – A brief history, types of services provided.

(b) Outline of internal quality control plan and ~~personnel person~~ in charge of quality control. How the Agency plans to meet duties and responsibilities stated in subsection (4) below.

(c) An organizational chart showing relationship between administration, operation, and quality control

responsibilities including plan reviewers and inspectors by name and title. Identify if they are employees or under contract.

(d) Personnel resumes shall be included for architects, engineers, plan reviewers, inspectors, and their supervisors. Applicable education, experience, and license number shall be indicated in the resume.

(e) Training program – Programs for required continuing education, seminars, discussions on code compliance, plan reviews, inspections, department requirements, etc.

(f) Inspection procedures – Including inspection checklists for code compliance, inspection records, correction notice, reinspection, inspection visits and scope of inspections.

(g) Procedure for control of insignia;

(h) Procedure for maintenance of approved plans and other public records in accordance with Chapter 19, Florida Statutes.

(4) Duties and Responsibilities – Upon certification, the ~~Agency~~ shall be entitled to conduct such plans review and inspection services for which it is qualified pursuant to these rules and shall comply with Chapter 120, F.S., and the following general duties and responsibilities.

(a) The ~~Agency~~ shall act faithfully on behalf of the Department implementing the laws and rules of the ~~Manufactured Buildings Program.~~

(b) The primary duty and responsibility of the ~~Agency~~ is to assure that the buildings and components manufactured are compliant with the Florida Building Code applicable codes.

(c) Upon ~~Agency's~~ approval of plans, satisfactory inspection of a building, or both approval of plans and a building constructed in accordance with those plans, the approved plans, the inspection report, or the plans and inspection report shall be transmitted to the Department through the Building Code Information System.

(d) The ~~Agency~~ shall triennially evaluate the manufacturer's quality assurance (control) program to coincide with the change in the Florida Building Code. The Agency shall post the Quality Control (QC) Manual on the BCIS and maintain copies on file, available for monitoring.

(5) The ~~Agency~~ shall maintain its independence as certified until the expiration or resignation of its certification. An ~~Agency~~ shall not perform plans review or inspect buildings that are designed by the ~~Agency~~, its employees or those of its contractors working on such review or inspection.

(6) Renewal – The ~~third party Agency~~ shall renew its certification once every three years and update the information provided in its initial application using the Building Code Information System. The Agency will be notified electronically at least 90 days prior to the expiration date of the manufacturer's certification. If the ~~Third Party Agency~~ does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. The Agency must meet the qualifications in effect upon the date of renewal to have its certification renewed.

Rulemaking Specific Authority 553.37(1), 553.38(1), 553.73(2), 553.76(4) FS. Law Implemented 553.37(1)(c), (8) FS. History– New 1-17-72, Amended 2-23-75, 12-8-75, 11-14-76, 3-23-77, 3-1-80, 9-29-82, 4-21-83, 11-1-84, Formerly 9B-1.06, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, 5-13-07, _____.

9B-1.007 Manufacturer Certification.

(1) All individuals or entities manufacturing buildings or components for installation in Florida must be certified by the ~~Department~~. In the event that a manufacturer has more than one facility producing manufactured buildings, the manufacturer shall obtain certification for each such facility individually.

(2) Initial Certification Requirements – A manufacturer must submit to the ~~Third Party Agency~~ for validation to the Department the following for certification:

(a) Application Package – A completed application; application fee; certificate of product liability insurance with coverage not less than \$1,000,000, which shall be renewed and posted on the Building Code Information System at www.floridabuilding.org annually; and a copy of a contract with a certified ~~third party Agency~~ for plan review and inspection services.

(b) Identification of principals which shall at a minimum include the positions of partners if the manufacturer is a partnership or its officers, directors, controlling owners and registered agent if the manufacturer is a corporation.

(c) Description of manufacturing facility including, at a minimum, the size of shed(s) for weather protection of building materials and buildings under construction or repair, the size of yard at the facility for storing buildings and a site plan of the facility.

(d) A Quality Control Assurance Program Manual ~~which also may be called Quality Control Manual (QC Manual).~~

(3) The manufacturer shall submit a separate application for each of its plant locations. The Quality Control Assurance Program Manual shall be kept at each location.

(4) Renewal – The manufacturer shall renew its certification once every three years and update the information

provided in its initial application using the Building Code Information System. Manufacturers will be notified electronically at least 90 days prior to the expiration date of the manufacturer's certification. If the manufacturer does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. The manufacturer must meet the qualifications in effect upon the date of renewal to have its certification renewed.

~~Rulemaking Specific~~ Authority 553.37(1), 553.38(1), 553.381, 553.73(2), 553.76(4) FS. Law Implemented 553.37(8), 553.381 FS. History--New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95, 9-7-00, 9-13-01, 7-16-03, 5-13-07, _____.

9B-1.009 Design Plan and Systems Approval.

(1) General. A final design plan approval shall be contingent upon compliance with these rules and the building codes specified in Rule 9B-1.004, F.A.C. The manufacturer shall submit plans for approval by the ~~Third Party~~ Agency. The ~~Third Party~~ Agency reviewing the plans shall notify a manufacturer of any apparent errors or omissions and request any additional information necessary to evaluate the plans submitted within thirty days of receipt of the plans. The Department shall have the authority to seek revocation of a plan approval by an ~~Third Party~~ Agency if, through monitoring activities, the Department discovers that the plans fail to comply with the standards adopted herein.

(2) ~~Approved Plans Design Plan Submittal.~~ Plans are approved for all code related items installed at the manufacturing facility in accordance with Sections 553.37(1) and 553.38, F.S. All code related items not installed at the manufacturing facility shall be clearly noted on the plans cover page as "Items to be site installed and subject to local code review and compliance."

(3) Completed sets of design plans and specifications, prepared by an architect or engineer licensed to practice in the State of Florida, except as exempted by Florida law; supporting calculations and any required test results for each system and prototype to be approved. Based on compliance with the codes in Rule 9B-1.004, F.A.C., the ~~Third Party~~ Agency's ~~plans examiner licensed under Chapter 468, F.S.,~~ shall approve or disapprove the manufacturer's submittal. If the submittal is approved, the ~~Agency individual~~ shall affix a stamp authorized by the Department on each sheet. Plans drawn to a scale less than 1/8" to the foot are not acceptable. Plans shall be legible for reproduction purposes, including verbiage.

(4) ~~(3)~~ System Approval. The manufacturer may submit through the ~~Third Party~~ Agency for Department approval a system of construction which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical elements or components. Such submission shall include all documents and data providing complete information necessary for evaluation of the systems' performance and capabilities for its intended use.

(5) ~~(4)~~ The Agency shall conduct a ~~A licensed modular plan reviewer shall~~ review of each set of documents ~~so~~ submitted, including the plans, specifications and design calculations, for compliance with the appropriate code and this part and shall utilize a checklist. The plans review and the checklist utilized therewith shall at a minimum contain the following elements and comply with Rule Chapter 9B-72, the plan review requirements of the Florida Building Code, adopted pursuant to Rule 9B-3.047, F.A.C.:

~~(a) For commercial buildings:~~

- ~~1. Building including determination of occupancy group and special occupancy requirements, and determination of minimum type of construction;~~
- ~~2. Fire resistant construction requirements including fire resistant separations, fire resistant protection for type of construction, protection of openings and penetrations of rated walls, fire blocking and draftstopping and calculated fire resistance;~~
- ~~3. Fire suppression systems including early warning, smoke evacuation systems schematic, fire sprinklers, standpipes, pre-engineered systems, and riser diagram;~~
- ~~4. Life Safety systems including occupant load and egress capacities, early warning systems, smoke control, stair pressurization, and systems schematic;~~
- ~~5. Occupancy Load/Egress Requirements including gross and net occupancy load, means of egress including exit access, exit and exit discharge, stairs construction/geometry and protection, doors, emergency lighting and exit signs, specific occupancy requirements, construction requirements, and horizontal exits/exit passageways;~~
- ~~6. Structural requirements including termite protection, design loads, wind requirements, building envelope, structural calculations (if required), wall systems, floor systems, roof systems, threshold inspection plan, and stair systems;~~
- ~~7. Materials including wood, steel, aluminum, concrete, plastic, glass, masonry, gypsum board and plaster, insulating (mechanical), roofing and insulation;~~
- ~~8. Accessibility requirements including accessible route, vertical accessibility, toilet and bathing facilities;~~

- drinking fountains, equipment, special occupancy requirements and fair housing requirements;
9. Interior requirements including interior finishes (flame spread/smoke develop), light and ventilation and sanitation;
10. Special systems including elevators, escalators and lifts;
11. Electrical including wiring services, feeders and branch circuits, overcurrent protection, grounding, wiring methods and materials, and GFCI's, equipment, special occupancies, emergency systems, communication systems, low-voltage, and load calculations;
12. Plumbing including minimum plumbing facilities, fixture requirements, water supply piping, sanitary drainage, water heaters, vents, roof drainage, back flow prevention, irrigation, location water supply line, grease traps, environmental requirements and plumbing riser;
13. Mechanical including energy calculations, exhaust systems including clothes dryer exhaust, kitchen equipment exhaust and specialty exhaust systems, equipment, equipment location, make-up air, roof mounted equipment, duct systems, ventilation, combustion air, chimneys, fireplaces and vents, appliances, boilers, refrigeration, bathroom ventilation and laboratory;
14. Gas including gas piping, venting, combustion air, chimneys and vents, appliances, type of gas, fire places, LP tank location and riser diagram/shut-offs.

(b) For residential one and two family buildings:

1. Building including fire resistant construction if required, fire including smoke detector locations, egress including egress window size and location and stairs construction requirements, structural requirements including complete wall section from lowest element of the building through roof including assembly and materials, connector tables, wind requirements and structural calculations (if required), and accessibility requirements including show/identify accessible bath;
2. Electrical including service location, panel location and load calculations;
3. Plumbing including minimum plumbing facilities and fixture location based on floor plan;
4. Mechanical including energy calculations, equipment and duct layout and chimney and fireplaces if required;
5. Gas including location of gas appliances and indicate combustion air locations;

(6)(5) Plan Approval Expiration – Upon revision of the building codes adopted herein, plan approvals shall expire upon the effective date of the revisions unless the manufacturer files with the department a sworn statement by an Third Party Agency that the plans as previously approved have been reviewed and that they are in compliance with the revisions to the adopted codes. The Agency shall ensure that it has obtained, and retains as a public record, all data and information necessary to support that sworn statement consistent with rules regulating the practice of engineering or architecture or both engineering and architecture. This rule is not intended to provide a defense for Agencies from any charge of unlicensed practice of engineering or architecture. The Third Party Agency shall transmit plans electronically through the Building Code Information System to the Department.

(7)(6) Manufacturer's Component Data Plate. Each component or package of like components shall contain a manufacturer's data plate which indicates the limiting characteristics and design criteria of such components for determining how they are to be installed and utilized within their capabilities. Such data plate information shall be approved by the Agency.

(8)(7) Manufacturer's Modular Data Plate. The manufacturer shall install on all manufactured (modular) buildings and components prior to leaving the manufacturing plant a data plate which shall be permanently affixed mounted on or about the electrical panel and which shall contain, but not be limited to, the following design information when applicable.

- (a) Name and address of Manufacturer;
- (b) Name of Third Party Agency;
- (c)(b) Manufacturer Certification Number;
- (d)(c) Date of Manufacturer;
- (e)(d) Date of Alteration;
- (f)(e) Number of Modules;
- (g)(f) Construction Type as defined in Chapter 6 of the Code;
- (h)(g) Occupancy Use Classification in accordance with Chapter 3 of the Code;
- (i) Design Occupant Load;
- (j)(h) Serial Number;
- (k)(i) Agency Plan Number;
- (l)(j) Standard Plan Approval Number;
- (m)(k) Maximum Floor Load (pounds per square foot), Live Load and Dead Load;
- (n)(l) Roof Load; Live Load and Dead Load;
- (o)(m) Wind Velocity Rating;

- (p) ~~(m)~~ "U" rating of Floor, Wall, and Roof;
- ~~(o) Approved for Flood Zone Usage; and~~
- (q) ~~(p)~~ Limitations of the plan approval by the ~~Third Party Agency~~;
- (r) If an automatic sprinkler system is provided, whether the sprinkler system is required; and
- (s) Any special stipulations and conditions of the building permit.

Rulemaking Specific Authority 553.37(1), 553.76(4) FS. Law Implemented 553.37(1)(a) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, 5-13-07,_____.

9B-1.0095 Component System.

(1) A manufacturer may prefabricate building components such as wall, floor, or roof panels in standardized sections that are closed construction and assembled in buildings. These components may be certified under the Florida Manufactured (Modular) Buildings Program.

(2) The applicable authority having jurisdiction ~~enforcement agency~~ is responsible for inspecting installation of components.

(3) The manufacturer shall submit documents and data providing complete information necessary for evaluation of the component's performance and capabilities for its intended use. Method of construction, calculations and test procedures shall be certified by a Florida registered architect or engineer and shall be as follows:

- (a) Method of construction and detail drawings shall be submitted;
- (b) Structural calculations in accordance with established principles of engineering design;
- (c) When the component is such that calculations of their safe structural integrity or fire resistance cannot be accurately determined, tests shall be performed by a recognized testing organization. Test procedures and results shall be submitted;

(d) All components shall comply with the applicable building codes, ~~and~~ Rule Chapter 9B-72, F.A.C., or Section 553.8425, F.S.

Rulemaking Specific Authority 553.37, 553.38, 553.76(4) FS. Law Implemented 553.37, 553.38, 553.36(5), 553.76(4) FS. History–New 9-13-01, Amended 7-16-03, 5-13-07,_____.

9B-1.010 Manufacturer's Quality ~~Assurance Manual~~ Control Manual Procedures.

The manufacturer's Quality Control Manual shall at a minimum contain the following information.

(1) Organizational Element:

(a) Introduction of the manufacturer – a brief history which shall, at a minimum include ~~the length of time that the manufacturer has been in the manufactured buildings industry~~; where it is incorporated, whether it is a division of any parent organization, the identity of products it manufactures, and the location of the facility.

(b) An organizational chart showing responsible management and supervisory positions by title. A job description for each of the positions shall be provided.

(c) Brief qualifications of all personnel in management and supervisory positions including the Quality Control Manager.

(d) Administrative procedure for revision of Quality Control ~~procedure and Q-C~~ Manual.

(e) Procedure for retaining permanent records of plans, travelers, inspection reports, serial numbers of buildings, insignias used, first destination of labeled buildings or components in accordance with Chapter 19, F.S.

(f) Method and frequency of ~~for~~ training of quality control and production personnel.

(2) Design and Specification Control:

(a) Procedures for revisions to plans.

(b) Recording system of drawings and specifications.

(3) Material Control:

(a) Inspection procedure of materials, equipment and supplies when received.

(b) Method of storing and protection of building materials and equipment against damage.

(c) Provision for disposal of rejected materials, equipment and supplies.

(d) Forms used.

(4) Production Control:

(a) A description of manufacturing process – method and sequence of construction.

(b) Check lists of material specifications and workmanship inspections performed at each stage of production by supervisors, corrective actions taken, use of traveler.

(c) Frequency of quality control inspections.

(d) List of tests to be performed, testing equipment, results and technical data acceptable.

(e) Procedures for timely preventive and remedial measures.

(f) Assignment of authority to accept or reject work.

- (g) Provision for disposition of rejected items.
- (h) Forms used.
- (5) Finished Product Control and Identification of Products:
 - (a) Procedure for handling and storage of finished buildings/modules and components.
 - (b) Preparation for shipping, transportation, and delivery.
 - (c) Serial numbering system of buildings or components and location of the serial number not readily removable.
 - (d) Location of manufacturer's data plate. Information to contain in the data plate.
 - (e) Location of Florida State insignia.
 - (f) Forms used.

Rulemaking Specific Authority 553.37(1)(b), 553.76(4) FS. Law Implemented 553.37(1)(b), (6), (8), 553.76(4) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, Formerly 9B-1.10, Amended 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01, 5-13-07,_____.

9B-1.011 Alterations and Relocation.

(1) Alteration or Conversion. Any unauthorized modification, alteration, or conversion made to an approved manufactured building prior to installation shall void the insignia of approval. The insignia affixed to the building shall be confiscated by the inspection agency or the building official as authorized by the Department and returned to the Department.

(2) Off site modifications. Modifications made in an approved manufacturing facility other than at the installation site shall require certification by the Department pursuant to this paragraph. Modifications made in other than an approved manufacturing facility are subject to the local authority having jurisdiction.

(a) In order to recertify a previously approved used manufactured building, the owner must provide the approved inspection Agency with a set of the original or as-built plans of the building reflecting the proposed modifications. When the Agency approves the plans to modify the building, the manufacturer is authorized to begin work on it. The Agency shall forward copies of the approved plans to the Department as provided in subsection 9B-1.009(7), F.A.C., for its records. Once the Agency has tested and/or evaluated each system in the building and certifies to the Department that the building is in compliance with the applicable codes, the Department will issue a recertification insignia to be affixed to the building. A building bearing a recertification insignia shall be deemed to comply with the requirements of all ordinances or regulations enacted by local governments which govern building construction.

(b) Manufactured buildings which bear an insignia of approval can be modified after the initial insignia is affixed in accordance with the provisions of this chapter. Only that portion of the building being modified is required to comply with the current codes while the portion not being modified must comply with the original plans. The requirements and procedures for obtaining an initial insignia, including the fee schedule established in Rule 9B-1.020, F.A.C., shall apply to recertified buildings.

(c) In order to certify a used manufactured building for which no state insignia has been issued, the agency must require a complete set of as-built plans prepared and sealed by a Florida professional engineer or architect. Under this subsection the entire building must be brought into compliance with the applicable codes. The agency shall forward a copy of the approved plans to the Department for its review and records. Once the agency has tested and/or evaluated each system in the building and certifies to the Department that the building is in compliance with the applicable codes the Department will issue an recertification insignia to be affixed to the building.

(d) A building bearing a recertification insignia shall be deemed to comply with the requirements of all ordinances or regulations enacted by local governments which govern building construction.

(3) On-site Modifications. On-site modifications to previously approved manufactured buildings must be inspected by either an agency approved by the Department or by the local authority having jurisdiction building official and must comply with the Florida Building Code applicable codes. The manufactured building is not subject to locally adopted codes when until it is taken out of compliance with the applicable state approved plans by modifications, or the occupancy classification has changed. The local jurisdiction has superseding authority over any on-site modifications to a manufactured building or may delegate this authority to the Department in writing on a case-by-case basis. Upon issuance of a certificate of occupancy for the modified manufactured building, the old insignia shall be removed and returned to the Department.

(4) Relocation of an existing manufactured building does not constitute an alteration.

(5) A relocated manufactured building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the 1997 Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the

wind speed map of the Florida Building Code shall be applicable.

~~Rulemaking Specific~~ Authority 553.37(1) FS. Law Implemented 553.37(1), (4) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.11, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, _____.

9B-1.016 Department Insignia.

(1) Each manufactured building, re-certified building, and components approved by the ~~Third Party~~ Agency shall be affixed with the appropriate insignia prior to leaving the manufacturing plant ~~except factory-built school buildings~~.

(2) Insignia fees shall be charged as provided in the Schedule of Fees.

(3) Assigned insignias are not transferable from one building to another, or from one manufacturer to another manufacturer.

(4) The control of the insignia shall remain with the Department and will be revoked by the Department in the event of violation of the conditions of approval. All such voided insignias shall be returned to the Department.

(5) Insignias shall be ordered from the Department ~~utilizing insignia request~~ using the Building Code Information System at www.floridabuilding.org (~~BCIS~~). Fees for insignia as provided in Rule 9B-1.020, F.A.C., shall be submitted at the time of the ~~order request for insignia~~. One insignia shall be required for each building.

(6) The Department shall issue insignias for those buildings and components built from previously approved plans. No insignia shall be issued until the plans for that building have been approved.

(7) Insignias shall be mailed to the manufacturer's inspection agency for release to the Manufacturer's Quality Control personnel ~~Assurance person~~ when the ~~inspection Agency~~ is satisfied ~~that~~ the building or component meets the Florida Building Code.

(8) The ~~Agency~~ or manufacturer's Quality Control personnel ~~Assurance person~~ shall affix insignias to buildings only after inspection and determination ~~that~~ the building or component is in compliance with the ~~Florida Building Codes~~. The insignia and data plate shall be permanently affixed on or about the electrical panel. If the building does not include an electrical panel, the insignia and data plate location shall be designated on the approved plans.

(9) After insignia is affixed, no alteration shall be made before installation.

(10) Insignias shall be denied to buildings and components not conforming to ~~with~~ approved plans or system design.

(11) Affixing an insignia to a building or components which has code deficiencies or do not conform to the approved plan, shall be grounds for decertification of the manufacturer or ~~Agency~~ or both. In such case the insignia shall be removed ~~at the direction of by the agency, manufacturer's Quality Assurance person or the Department~~. ~~Rulemaking Specific~~ Authority 553.37(1), (e), 553.76(4) FS. Law Implemented 553.37(1)-(5), 553.38, 553.73(2) FS. History–New 1-17-72, Amended 9-17-73, 2-23-75, 3-1-80, 6-24-80, 9-29-82, 11-1-84, Formerly 9B-1.16, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, 5-13-07, _____.

9B-1.017 Insignia Application and Issuance.

(1) Following the receipt of initial Department approval, the manufacturer shall complete an ~~order insignia request~~ for an insignia for each component or system manufactured as required herein. The insignia ~~order requests~~ shall be submitted via the Building Code Information System which shall calculate the fees based on the fee schedule in these rules and regulations. The insignia ~~order request~~ shall include the plan approval number of each unit for which an insignia is required. ~~Additionally, the manufacturer shall file via the Building Code Information System an insignia disposition report at least monthly, which indicates the model serial number, insignia number, and initial location of each unit.~~

(2) Insignias shall be issued to the manufacturer's ~~Third Party~~ Agency, and shall not be affixed to a building until the ~~inspection Agency~~ has completed the inspections required in the Florida Building Code, and ~~determined found~~ the building to be in compliance with the requirements of this chapter and entered the Inspection Report on the ~~Building Code Information System~~ at www.floridabuilding.org ~~BCIS~~. If an insignia is for a modified building, after the modifications are completed and the building inspected, the original insignia shall be removed and returned to the Department by the ~~inspection Agency~~ or Quality Control ~~Assurance~~ personnel and the new insignia affixed. ~~Rulemaking Specific~~ Authority 553.37(1)(b) FS. Law Implemented 553.37, 553.38, 553.73(2), 553.76(4) FS. History–New 1-17-72, Amended 9-27-73, 2-23-75, Formerly 9B-1.17, Amended 1-1-87, 3-1-92, 3-1-95, 7-16-03, 5-13-07, _____.

9B-1.018 Insignia Denial.

Should an inspection reveal that a manufacturer is not manufacturing components or systems according to plans as approved by the Department and such manufacturer, after having been served with a notice setting forth the provisions of the plan approval which have been violated, continues to manufacture units in violation of the plan approval, applications for new insignia shall be denied and the insignia previously issued for units in violation of the

plan approval shall be confiscated. Upon satisfactory proof of compliance such manufacturer may resubmit an order request for an insignia.

Rulemaking Specific Authority 553.37(1) FS. Law Implemented 553.37(1), 553.38 FS. History–New 1-17-72, Amended 2-23-75, Formerly 9B-1.18, Amended 3-1-92, 3-1-95, 9-7-00,_____.

9B-1.019 Removal of Insignia.

In the event that any manufactured building bearing the insignia is found to be in violation of the approved plans prior to the issuance of the local certificate of occupancy, at the direction of the Department, the Agency or authority having jurisdiction ~~Department~~ shall remove the insignia on such defective unit and shall furnish the owner and the Department or his agency with a written statement of such violations.

Rulemaking Specific Authority 553.37(1) FS. Law Implemented 553.37(2), (3), (4), 553.38(1) FS. History–New 1-17-72, Amended 9-17-73, Repromulgated 2-23-75, Amended 3-1-80, Formerly 9B-1.19, Amended 3-1-95,_____.

9B-1.020 Schedule of Fees.

The Department shall charge the following fees for the indicated items:

(1) Manufacturer's initial application fee is \$300 plus \$300 for the triennial certification. The triennial renewal fee is \$300. Each additional plant will be assessed an initial application fee of \$100 plus \$150 triennial certification. The triennial renewal fee is \$150.

(2) ~~Third Party~~ Agency's initial application fee is \$600 plus \$900 for the triennial certification. The triennial renewal fee is \$900.

(3) Insignia fees:

(a) Factory-built schools fee is \$15 per building;

(b) Components (Panels) fee is \$3 per panel. The insignia will be affixed to each panel prior to leaving the factory;

(c) Storage sheds (less than 720 square feet in area) is \$5;

(d) Manufactured buildings fee is \$50 per module, including storage sheds over 720 feet.

Rulemaking Specific Authority 553.37(7) FS. Law Implemented 553.37(7) FS. History–New 1-17-72, Amended 2-1-72, 2-23-75, 12-8-75, 3-20-79, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.20, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, 8-16-04, 5-13-07,_____.

9B-1.0211 Change in Manufacturer's Status.

(1) Change of Ownership – When the ownership of a manufacturer changes, the new owner shall take the following steps:

(a) Inform the department in writing within 10 days of such change and give effective date of change.

(b) The new owner shall submit a completed manufacturer's application to the department.

(c) Submit an organizational chart of the management identified by title of officers.

(d) Send resume of officers in the management to the department.

(e) Send a certificate of product liability insurance to the department.

(f) A service contract with the plan review/inspection agency.

(g) If the new owner received exclusive rights to use state approved plans and the Quality Control Manual of the previous owner, it shall be informed to the department.

(h) Certification of Quality Control Manual by agency. Make name changes and other changes in the Quality Control Manual where applicable. The Department shall assign a new manufacturer's identification number.

(2) Change of Name and Address – In the event of a change in the name or address of any manufacturer or ~~plan review/inspection~~ Agency, the Department shall be notified within ten days.

(3) Change of Agency – The following procedure shall be followed when a manufacturer changes the ~~Third Party~~ Agency.

(a) The manufacturer shall inform the department of its change of Agency reflecting effective date. The manufacturer shall not be without an Agency.

(b) The manufacturer shall submit to the Department a copy of the service agreement with the new Agency reflecting an effective date.

(c) The new Agency shall review and approve the existing or ~~an~~ updated Quality Control Manual ~~of the manufacturer~~ and post on the Building Code Information System at www.floridabuilding.org BCIS.

(4) Termination of state certificate – When a manufacturer or an Agency decides to discontinue doing business, the Department shall be informed in writing at least thirty (30) days in advance and such discontinuance shall act as a resignation of the certification. Any subsequent resumption of business activities by a manufacturer or Agency will require a new application.

Rulemaking Specific Authority 553.37(1) FS. Law Implemented 553.37(1), (4) FS. History–New 9-13-01, Amended 7-16-03, 5-

13-07,_____.

9B-1.0221 Manufacturer's Obligations Upon Sale of Building.

The manufacturer shall provide a TRANSPORTATION AND INSTALLATION BOOKLET with each new building and component package. It shall include:

- (1) Precautions and instructions for transportation of buildings and modules; and
- (2) Installation instructions.

Rulemaking Specific Authority 553.38 FS. Law Implemented 553.38 FS. History--New 9-13-01, Amended 5-13-07, Repromulgated_____.

9B-1.023 Oversight, Complaint.

(1) Any person, firm or corporation, with a substantial interest in any action or any failure to act in conformity with these rules, including without limitation the technical standards and administrative provisions adopted hereby, may file a complaint to the Department. Such complaints may be with regard to the conduct of the Department, the Agency, the manufacturer or any of their employee(s).

(2) It is the responsibility of the manufacturer to correct code violations. The Agency that approved the plans for the subject building or inspected the building shall investigate complaints and make a recommendation to the Department regarding the existence of a code violation and disposition thereof. This activity shall be subject to monitoring, and the Department shall make an independent determination about the existence of a violation.

(3) Any complaint should contain sufficient information including the following:

- (a) Parties involved;
- (b) Description of grievance;
- (c) Important dates and transactions;
- (d) What is being affected; and
- (e) Documentation of code violations or plan deviations by a licensed contractor, Architect, Engineer or Building Official.

Building Official.

(f) ~~(e)~~ Relief sought by the applicant.

Rulemaking Specific Authority 553.38(2), 553.39 FS. Law Implemented 553.38(2), 553.39 FS. History--New 9-13-01, Amended_____.

9B-1.026 Factory-built Schools, Certifications.

(1) Manufacturers. Prior to manufacturing factory-built schools for utilization in the State of Florida, a manufacturer shall be certified by the Department as provided in Rule 9B-1.007, F.A.C., and shall be subject to the continuing requirements thereof to maintain certification. Fees for certification of manufacturers shall be as provided in Rule 9B-1.020, F.A.C.

(2) Agency ~~Third Party~~ Plan Review. The Department shall contract with an individual or entity to perform plan review pertaining to ~~newly constructed~~ factory-built schools. Such individual or entity shall be subject to certification as an Third Party Agency as provided in Rule 9B-1.006, F.A.C. Maximum fees ~~that the Agency third party entity~~ may charge those seeking plan approval shall be established by contract between the Department and the Agency Plan Review entity. ~~Plans for modification of factory-built schools shall be reviewed by an approved Third Party Agency selected by the manufacturer as set forth in Rule 9B-1.009, F.A.C.~~

(3) Agencies ~~Inspectors and Third Party Inspection Entities.~~ All entities that perform inspections of factory-built schools shall be Agencies certified by the Department as provided in Rule 9B-1.006, F.A.C. ~~Individual inspectors shall be licensed pursuant to Part XII, Chapter 468, F.S., or until January 1, 2002, certified by Department of Education as Uniform Building Code Inspectors.~~ Inspectors permanently employed by local school boards and community colleges shall be granted an exemption from certification by the Department pursuant to Rule 9B-1.006, F.A.C., upon written request of the Local School Board or Community College. All entities that perform inspections, whether exempt from certification or not, shall submit a Quality Control assurance Manual to the Department with the application, which shall at a minimum contain the following sections:

- (a) Introduction to the Agency, including a brief history and types of services provided;
- (b) Outline of the Agency's internal quality control plan, including the name and titles of the personnel in charge of quality control and how the Agency plans to meet the duties and responsibilities imposed by this chapter;
- (c) Organizational chart showing the relationship between administration, operation, and quality control responsibilities, including a list of inspectors by name and title, identifying each as an employee or under contract;
- (d) Personnel resumes;
- (e) Training program, including programs for required continuing education, seminars, discussions on code compliance, inspections and department requirements;
- (f) Inspection procedures, including inspection checklists for code compliance, inspection records, correction

- notice, reinspection, inspection visits and scope of inspections;
- (g) Test procedures and methods pertaining to tests required by the applicable building codes;
- (h) Procedure for control of insignia; and
- (i) Procedure for maintenance of records.

Rulemaking Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Amended _____.

9B-1.028 Factory-built Schools, Inspections and Work Progress Reports.

(1) All site installation and annual inspections are the responsibility of the School Board. The Department DCA insignia attests only to compliance of the building with the Florida Building Code and not any site plans or site related issues.

(2) Manufacturers and their agents and employees, Inspectors and those representatives of the educational entity responsible for supervising work related to the manufacture and installation of a factory-built school shall complete and execute a Work Performance Report, Form FMBP-SB-5-00. There shall be at least one Work Performance Report for all periods during which a factory-built school is being manufactured or installed. The report shall be executed by that person who actually supervised the work during the period for which the report is completed. The completed reports shall be kept and maintained by the entity that has actual physical custody of the building.

Rulemaking Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Amended 7-16-03, 5-13-07, _____.

9B-1.030 Factory-built Schools, Insignia and Data Plate.

(1) Each factory-built school building utilized for public educational purposes shall bear the “SREF/school” insignia of the Department and a data plate. The data plate shall be fabricated by the manufacturer of new buildings and the owner of existing buildings of durable material with the required information inscribed thereon. The insignia and data plate shall be permanently affixed mounted on or about the electrical panel. The insignia must be affixed prior to leaving the factory. The data plate shall provide the following information:

- (a) Name and address of Manufacturer;
- (b) Name of Third Party Agency;
- (c) ~~(b)~~ Manufacturer certification number;
- (d) Code Edition;
- (e) ~~(c)~~ Date of manufacture;
- (f) ~~(d)~~ Date of alteration;
- (g) ~~(e)~~ Number of modules;
- (h) ~~(f)~~ Construction type, as defined in Chapter 6 of the Code;
- (i) ~~(g)~~ Occupancy use classification in accordance with Chapter 3 of the Code;
- (j) ~~(h)~~ Serial number;
- (k) ~~(i)~~ Agency plan number;
- (l) ~~(j)~~ Standard plan approval number;
- (m) ~~(k)~~ Maximum floor load (pounds per square foot), live load, and dead load;
- (n) ~~(l)~~ Roof load, live load and dead load;
- (o) ~~(m)~~ Wind velocity rating;
- (p) ~~(n)~~ “U” rating of floor, wall and roof;
- (q) ~~(o)~~ Whether the building is approved for flood zone usage;
- (r) ~~(p)~~ Whether the building is approved for enhanced hurricane protection zone usage;
- (s) ~~(q)~~ Whether the building is designed for use as a public shelter in enhanced hurricane protection areas;
- (t) ~~(r)~~ Limitations of the plan approval by the third-party agency; ~~and~~
- (u) ~~(s)~~ Whether the building is rated as satisfactory for use as an educational facility; ~~and~~
- (v) If an automatic sprinkler system is provided, whether the sprinkler system is required; and
- (w) Any special stipulations and conditions of the building permit.

(2) Issuance of Insignia. Insignias to be affixed to factory-built schools shall be issued ~~to the educational entity~~ upon receipt by the Department of an inspection report designating finding that the building is satisfactory for educational purposes and containing information required for the data plate.

(3) Revocation. ~~An inspector shall notify the Department of any unsatisfactory finding as the result of an installation or annual inspection.~~ The insignia ~~of the Department~~ shall be revoked upon a determination that the factory-built school fails to comply with the applicable standards. Revocation shall be accomplished through procedures established by Section 120.60, F.S.

(4) Fees. Fees shall be paid prior to issuance of insignia for factory-built schools. One insignia shall be issued per building. The fees for insignia shall be as provided in Rule 9B-1.020, F.A.C. Such fees are non-refundable.

Rulemaking Specific Authority 553.415 FS. Law Implemented 553.415 FS. History--New 9-13-01, Amended 5-13-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator,
Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)922-6091
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Building Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008