



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Housing and Community Development
Virginia Administrative Code (VAC) citation	<u>13 VAC 5-91</u>
Regulation title	Virginia Industrialized Building Safety Regulations
Action title	Amend and Update Virginia Industrialized Building Safety Regulations
Final agency action date	December 16, 2013
Document preparation date	January 14, 2014

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Virginia Industrialized Building Safety Regulations (IBSR) are regulations governing the in-factory construction of industrialized buildings, which are also known as modular buildings. The regulations provide the same standards for construction as those buildings constructed on-site and regulated by the Virginia Uniform Statewide Building Code (13 VAC 5-63) (the "USBC"). Both regulations utilize nationally recognized model building codes and standards to provide the technical requirements for the actual construction of the regulated buildings. The model codes are produced by the International Code Council and every three years new editions of the model codes become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newer editions of the model codes into the regulations through the publishing of a proposed regulation. Those affected by the regulations then review the proposed regulations to assure that the newest model codes and standards reflect the minimum standards necessary for the safe construction of such buildings and structures. After the publishing of the proposed regulations, the board establishes a comment period for the acceptance of code change proposals to modify the model codes and standards or any provisions of the entire regulation. Code change proposals are assimilated into a compilation document containing a staff evaluation of each proposal and the compilation document is reviewed by client groups during a

second comment period and additional comment on each proposal is accepted. A public hearing is also held. The board then considers all comments on all proposals and develops a final regulation to complete the regulatory process.

The changes comprising the final regulation are described below:

13VAC5-91-260C: The final regulation clarifies the language to say the compliance assurance agency is required to purchase registration seals from the State Building Codes Office (SBCO). It also requires to the compliance assurance agency to maintain permanent records of seals purchased.

13VAC5-91-260E: The final regulation deletes the language regarding records of registration seals since this is now covered in 13VAC5-91-260C. The section now delineates refund requirements in accordance with state law.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On December 16, 2013, the Board of Housing and Community Development approved final regulations for the Virginia Industrialized Building Safety Regulations.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The final regulations do not have an impact on the institution of the family and family stability.