

1.1 **Department of Labor and Industry**

1.2 **Proposed Permanent Rules Relating to the Construction Code**

1.3 **1350.0100 DEFINITIONS.**

1.4 [For text of subps 1 to 7, see M.R.]

1.5 Subp. 7a. **Architect.** "Architect" means an architect that is an individual or entity
1.6 licensed to practice architecture in a state or other United States jurisdiction and subject to
1.7 all laws and limitations imposed by the agency in the state or jurisdiction that regulates
1.8 the architect.

1.9 [For text of subps 8 to 19, see M.R.]

1.10 Subp. 19a. **Engineer.** "Engineer" means an engineer that is an individual or entity
1.11 licensed to practice engineering in a state or other United States jurisdiction and subject to
1.12 all laws and limitations imposed by the agency in the state or jurisdiction that regulates the
1.13 engineer.

1.14 [For text of subps 20 to 24, see M.R.]

1.15 Subp. 24a. **HUD.** "HUD" means the United States Department of Housing and
1.16 Urban Development.

1.17 [For text of subps 25 and 26, see M.R.]

1.18 Subp. 26a. **Individual.** "Individual" means a human being.

1.19 Subp. 27. **Installation.** "Installation" of a manufactured home means assembly,
1.20 at the site of occupancy, of all portions of the manufactured home, connection of the
1.21 manufactured home to utility connections, and installation of support or anchoring
1.22 systems; the completion of work to stabilize, support, anchor, and close up a manufactured
1.23 home, and to join sections of a multisection manufactured home when any such work is
1.24 governed by the state installation standards or federal installation standards in Code of

2.1 Federal Regulations, title 24, part 3285, or by state installation standards that are certified
2.2 as part of a qualifying installation program.

2.3 [For text of subps 28 and 29, see M.R.]

2.4 Subp. 30. **Installation instructions.** "Installation instructions" means ~~those~~
2.5 ~~instructions provided by the manufacturer accompanying each manufactured home~~
2.6 ~~detailing the manufacturer's requirements for ground supports and anchoring systems~~
2.7 ~~attachments.~~ a manufacturer's Design Approval Primary Inspection Agency (DAPIA)
2.8 approved set of specifications to ensure that a manufactured home is set up according to
2.9 applicable installation standards, as required under Code of Federal Regulations, title
2.10 24, part 3285.

2.11 [For text of subp 31, see M.R.]

2.12 Subp. 31a. **Installation standards.** "Installation standards" means the standards
2.13 established by HUD in Code of Federal Regulations, title 24, part 3285, or any set of
2.14 state standards that the secretary has determined provide protection to the residents of
2.15 manufactured homes that equals or exceeds the protection provided by the standards in
2.16 Code of Federal Regulations, title 24, part 3285.

2.17 Subp. 32. **Installer.** "Installer" means ~~a licensed manufactured home installer,~~
2.18 ~~according to Minnesota Statutes, sections 326.83 to 326.98.~~ a person or entity that
2.19 is retained to engage in, or who engages in, the business of directing, supervising,
2.20 controlling, or correcting the installation or repair of a manufactured home, as governed
2.21 by Code of Federal Regulations, title 24, part 3285, and this chapter. Installers are required
2.22 to be licensed according to Minnesota laws and rules.

2.23 [For text of subps 33 to 45, see M.R.]

2.24 Subp. 46. **Person.** "Person" means ~~a person, partnership, corporation, or other~~
2.25 ~~legal entity.~~ includes, unless the context indicates otherwise, a corporation, company,

3.1 association, firm, partnership, society, or joint stock company, as well as an individual, but
3.2 does not include a tribal entity on a federal reservation.

3.3 [For text of subps 47 and 48, see M.R.]

3.4 Subp. 48a. **Repair.** "Repair" means the reconstruction, replacement, or renewal of
3.5 any part of an existing structure, using materials of like kind and type for the purpose of
3.6 the structure's maintenance.

3.7 Subp. ~~48a.~~ 48b. **Replacement construction seal.** "Replacement construction seal"
3.8 means a construction seal issued by the commissioner to replace a construction seal or
3.9 label that has been lost or removed from a manufactured home after application has been
3.10 made and verification has been received by the commissioner that the home complies
3.11 with the manufactured home code.

3.12 Subp. ~~48b.~~ 48c. **Retailer.** "Retailer" is synonymous with dealer wherever it appears
3.13 in parts 1350.0100 to 1350.9200 and in federal and state laws and rules relating to
3.14 manufactured housing.

3.15 [For text of subps 49 to 51, see M.R.]

3.16 Subp. 51a. **Set up.** "Set up" means any assembly or installation of a manufactured
3.17 home on site that includes aspects of work that are governed by Code of Federal
3.18 Regulations, title 24, part 3280 or 3285, and this chapter.

3.19 [For text of subps 52 to 60, see M.R.]

3.20 **1350.0200 AUTHORIZATION.**

3.21 Parts 1350.0100 to 1350.6900 are authorized by Minnesota Statutes, sections
3.22 326B.02, 327.31 to 327.36, and 327B.04, and established through the rulemaking
3.23 procedures in Minnesota Statutes, sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to
3.24 14.45, to implement, interpret, and carry out the provisions of Minnesota Statutes, sections
3.25 326B.801, 327.31 to 327.36 and, 327B.04, and 327B.10, relating to manufactured homes.

4.1 If parts 1350.0100 to 1350.6900 differ from the code promulgated by the American
4.2 National Standards Institute as ANSI A119.1, or the provisions of the National Fire
4.3 Protection Association identified as NFPA 501B, parts 1350.0100 to 1350.6900 govern in
4.4 all cases.

4.5 **1350.0400 REQUIREMENT FOR SEALS, CODE COMPLIANCE,**
4.6 **CONSTRUCTION COMPLIANCE CERTIFICATES, OR LABELS.**

4.7 Subpart 1. **Construction seals; code compliance; construction compliance**
4.8 **certificates or labels.** After July 1, 1972, no person shall sell or offer for sale in this state
4.9 any manufactured home manufactured after July 1, 1972; manufacture any manufactured
4.10 home in this state; or ~~park~~ install for occupancy any manufactured home manufactured
4.11 after July 1, 1972, in any manufactured home park in this state, unless the manufactured
4.12 home complies with the code and the commissioner's revisions to it, bears a construction
4.13 seal issued by the commissioner, and is accompanied by a construction compliance
4.14 certificate by the manufacturer or dealer, on a form issued by the commissioner, both
4.15 evidencing that it complies with the code, or if manufactured after June 14, 1976, bears a
4.16 label as required by the secretary.

4.17 [For text of subp 2, see M.R.]

4.18 Subp. 3. **Requirement for installation seals.** No person shall install or connect to
4.19 any manufactured home or manufactured home accessory structure a ~~ground~~ support or
4.20 anchoring system unless the system and installation comply with parts 1350.0100 to
4.21 1350.6900. The installer shall affix the correct installation seals to the manufactured
4.22 home or the manufactured home accessory structure installed in compliance with parts
4.23 1350.0100 to 1350.6900. Evidence of compliance shall be supported by the submission
4.24 of a certificate to the commissioner, the retailer, and the manufactured home owner.
4.25 Installation seals and certificates are ~~not~~ required for all manufactured homes installed
4.26 ~~on a foundation system~~ in Minnesota, including those in a municipality enforcing the

5.1 State Building Code. Exceptions to the requirement for seals and certificates apply
5.2 to manufactured homes installed on a federal reservation or by the homeowner of the
5.3 manufactured home. Retailers shall submit documentation to the commissioner for
5.4 manufactured homes installed according to the exception for seals and certificates on
5.5 a form provided by the commissioner. A permit to install a manufactured home in a
5.6 municipality enforcing the State Building Code is required by the municipality.

5.7 [For text of subps 4 and 5, see M.R.]

5.8 **1350.0500 ACQUISITION OF LABELS AND SEALS; INSTALLER LICENSING.**

5.9 [For text of subpart 1, see M.R.]

5.10 Subp. 2. **Acquisition of ~~construction seals or replacement construction seals.~~ Any**
5.11 A person may qualify for replacement seals by furnishing proof on forms furnished by the
5.12 commissioner that the manufactured home to which the seal or label was affixed and was
5.13 manufactured in compliance with the State or Federal Manufactured Home Building Code
5.14 and has not been brought out of conformance because of damage, additions, or alterations.

5.15 [For text of subp 3, see M.R.]

5.16 Subp. 4. **Installer licensing; proper seal issuance; proper code or standard**
5.17 **application.** Application for installer licensing shall be issued by the Department of
5.18 ~~Commerce~~ Labor and Industry as required by Minnesota Statutes, section ~~326.89~~ 326B.83.
5.19 Installer license verification must be submitted as supporting evidence to the commissioner
5.20 of labor and industry to establish that installation seals issued to an installer will be affixed
5.21 only to those manufactured homes where the support system and ground anchoring system
5.22 installations comply with parts 1350.0100 to 1350.6900 ~~and the,~~ applicable State Building
5.23 Code provisions, or federal installation standards. The State Building Code provisions or
5.24 federal installation standards that apply to the installation are dependent upon the date
5.25 that the home was manufactured.

6.1 Subp. 5. **Acquisition of installation seals.** Any licensed installer shall qualify for
6.2 acquisition of installation seals by providing proof of licensure in good standing with
6.3 ~~the Department of Commerce~~ that has been issued by the commissioner or a reciprocal
6.4 manufactured home licensing program in another state or federal jurisdiction of the United
6.5 States that has been approved by the commissioner.

6.6 **1350.0900 PLACEMENT AND LOCATION OF SEALS.**

6.7 Subpart 1. **Replacement construction seals ~~or construction seals.~~** Each
6.8 replacement construction seal ~~or construction seal~~ shall be assigned and affixed to a
6.9 specific manufactured home. Assigned replacement construction seals ~~or construction~~
6.10 ~~seals~~ are not transferable and are void when not affixed as assigned, and all voided
6.11 replacement construction seals or original HUD labels shall be returned to, or may be
6.12 confiscated by, the commissioner.

6.13 The replacement construction seal shall be securely affixed to the rear of the
6.14 manufactured home on the lower left corner of the exterior wall ~~not less than six inches~~
6.15 ~~above the floor line.~~

6.16 Subp. 2. **Installation seals.** Only one ~~of each type of~~ installation seal shall be
6.17 assigned to a manufactured home whether the manufactured home consists of one or
6.18 multiple units. The installation seal shall be placed in a readily visible location adjacent to
6.19 the primary label or construction seal. Appropriate installation seals shall be affixed to
6.20 each accessory structure.

6.21 [For text of subp 3, see M.R.]

6.22 **1350.1100 RETURN OF SEALS.**

6.23 Subpart 1. **Installation seals.** ~~On~~ Upon discontinuing the installation of
6.24 manufactured homes, an installer shall notify the commissioner in writing within ten
6.25 days of the date of such discontinuance and return all unused installation seals ~~which~~
7.1 that have been issued to the installer. Installation seals may not be transferred by any

7.2 installer. Upon return of the unused installation seals, a refund, minus an administrative
7.3 fee of 20 percent of the total value of the seals, must be issued by the commissioner to
7.4 the installer returning the seals.

7.5 [For text of subp 2, see M.R.]

7.6 **1350.1400 APPLICATION FOR MANUFACTURED HOME ACCESSORY**
7.7 **STRUCTURE APPROVAL.**

7.8 [For text of subpart 1, see M.R.]

7.9 Subp. 2. **Plans and specifications.** Submissions of required plans and specifications
7.10 shall be in duplicate and shall include, but not be limited to, the following:

- 7.11 A. a dimensioned floor plan(s);
- 7.12 B. proposed use of rooms and method of light and ventilation;
- 7.13 C. size, type, and location of windows and exterior doors;
- 7.14 D. type and location of all appliances and fixtures;
- 7.15 E. type, size, and location of plumbing, drain, water, gas, and electrical
7.16 connections;
- 7.17 F. type and location of all electrical outlets (receptacles and lights);
- 7.18 G. number of outlets and appliances on each circuit and circuit rating; ~~and~~
- 7.19 H. installation details and instructions: for accessory structures;
- 7.20 I. mechanical layout for heating or cooling;
- 7.21 J. heating and cooling load calculations;
- 7.22 K. structural calculations;
- 7.23 L. engineered truss drawings or rafter calculations; and

8.1 M. approval letter from home manufacturer allowing addition of accessory
8.2 structure for new manufactured homes subject to the limited warranty of merchantability
8.3 and fitness.

8.4 **1350.2100 INSPECTION REQUESTS.**

8.5 Any person manufacturing manufactured homes or any person selling, offering for
8.6 sale, or parking any manufactured home in any mobile home park in the state, or any
8.7 dealer or installer of manufactured homes, or any person holding title, may request the
8.8 commissioner to make an inspection of any manufactured home manufactured after July
8.9 1, 1972, ~~if said person holds title to the house to be inspected.~~ Additionally, any person
8.10 ~~holding title to the manufactured home~~ listed above may request an inspection of the
8.11 ~~ground~~ installation, support, and anchoring system of the manufactured home. Inspection
8.12 requests ~~should~~ must be made on "Application for Inspection" forms, available from the
8.13 commissioner. In connection with requested inspections, the commissioner may require
8.14 the submission of plans, specifications, calculations, and test results.

8.15 **1350.2300 OTHER INSPECTIONS.**

8.16 Subpart 1. Facility inspections. In addition to making inspections on request, the
8.17 commissioner shall make periodic inspections of the facilities of persons who are subject
8.18 to the code and parts 1350.0100 to 1350.9200. The inspections shall include oversight
8.19 inspections at the in-state manufactured home manufacturing facilities to review the
8.20 manufacturer's consumer complaint handling and notification and correction as required
8.21 by parts 1350.3900 to 1350.5700. Oversight inspections shall be made annually. The
8.22 frequency of oversight inspections may be increased when the need is indicated by the
8.23 number of consumer complaints received by the commissioner.

8.24 Subp. 2. Installation inspections. Every manufactured home installed in Minnesota
8.25 after January 1, 2009, must have the installation inspected by the commissioner, the local

9.1 authority having jurisdiction, or an inspection agency authorized by the commissioner or
9.2 the secretary.

9.3 **1350.2400 NOTICE OF VIOLATIONS CORRECTION.**

9.4 When an inspection reveals that a manufactured home or the home's installation is in
9.5 violation of the construction code to which the home was manufactured, or parts 1350.0100
9.6 to 1350.9200, the commissioner or local authority having jurisdiction shall serve upon
9.7 the owner or the owner's agent a notice specifying the violation required correction. An
9.8 owner or agent so served shall not move the manufactured home from the premises until
9.9 such time as the commissioner or local authority having jurisdiction determines that the
9.10 manufactured home has been brought into compliance with the construction code to which
9.11 the home was manufactured, and parts 1350.0100 to 1350.9200.

9.12 **1350.2500 STABILIZING SYSTEMS FOR MANUFACTURED HOME**
9.13 **INSTALLATION.**

9.14 Stabilizing devices ~~when~~ installed at the site of occupancy shall comply with
9.15 ~~parts 1350.2500 to 1350.3200~~ State Building Code, chapter 1350, and Code of Federal
9.16 Regulations, title 24, part 3285.

9.17 **1350.2600 INSTRUCTIONS AND DESIGNS.**

9.18 Subpart 1. **Manufacturer's installation instructions.** Each manufactured
9.19 home shall have its stabilizing system installed according to the manufactured home
9.20 manufacturer's installation instructions. The manufacturer's instructions shall include a
9.21 typical support system designed by a ~~registered professional~~ an engineer or architect to
9.22 support the anticipated loads that the manufacturer's installation instructions specify for
9.23 the design zone, including ~~climate~~ the climatic region, of installation. The instructions
9.24 shall also meet the requirements of parts 1350.3900 to 1350.5700-, for manufactured
9.25 homes manufactured prior to January 1, 2009. Manufactured homes manufactured on or
9.26 after January 1, 2009, must comply with the manufacturer's instructions or Code of Federal

10.1 Regulations, title 24, part 3285. These instructions shall be left with the manufactured
10.2 home following completion of the installation.

10.3 Footings shall be sized to support the loads shown in these instructions.

10.4 Stabilizing devices not provided with the manufactured home shall meet or exceed
10.5 the design and capacity requirements of the manufactured home manufacturer and parts
10.6 1350.2500 to 1350.3200 and shall be installed according to the manufactured home
10.7 manufacturer's installation instructions.

10.8 Foundation systems shall be in compliance with the State Building Code.

10.9 No portion of a manufactured home shall be removed during installation or when
10.10 located on its home site unless it is designed to be removable and is removed according to
10.11 the manufacturer's instructions.

10.12 [For text of subp 2, see M.R.]

10.13 **1350.2700 FOUNDATION AND SUPPORT SYSTEMS.**

10.14 [For text of subps 1 to 3, see M.R.]

10.15 Subp. 4. **Footings.** The required load-bearing capacity of individual load-bearing
10.16 supports and their footings shall be calculated at not less than a combined live and dead
10.17 load of ~~85~~ 95 pounds per square foot. Footings shall be adequate in size to withstand the
10.18 tributary live and dead loads of the manufactured home and any concentrated loads.

10.19 Footings shall be at least 16-inch by 16-inch by four-inch solid concrete blocks or
10.20 other product approved for the use intended. As an alternate, two eight-inch by 16-inch by
10.21 four-inch solid concrete blocks can be used as footings provided the joint between the
10.22 blocks is parallel to the steel I-beam frame.

10.23 Footings or pier foundations, when required, shall be placed level on firm undisturbed
10.24 soil or on controlled fill which is free of grass and organic materials, compacted to a
10.25 minimum load-bearing capacity of 2,000 pounds per square foot (unless otherwise
10.26 approved by a ~~registered professional~~ an engineer). Where unusual soil conditions exist as

11.1 determined by the authority having jurisdiction, footings shall be designed specifically
11.2 for such conditions.

11.3 [For text of subps 5 to 8, see M.R.]

11.4 **1350.2800 ANCHORING EQUIPMENT.**

11.5 [For text of subp 1, see M.R.]

11.6 Subp. 2. **Resistance to weather deterioration.** Anchoring equipment exposed to
11.7 weathering shall have a resistance to weather deterioration at least equivalent to that
11.8 provided by a coating of paint or zinc on steel of not less than 0.625 ounces per square
11.9 foot on each side of the surface coated as determined by ASTM Standard Methods of Test
11.10 for Weight of Coating on Zinc-coated (galvanized) Iron or Steel Articles (ASTM A90-69).

11.11 Note: Slit or cut edges of zinc-coated steel strapping do not need to be zinc coated.

11.12 [For text of subps 3 to 7, see M.R.]

11.13 **1350.2900 GROUND ANCHORS.**

11.14 [For text of subps 1 to 4, see M.R.]

11.15 Subp. 5. **Table of soil types.** ~~NOTE: The following data gives information relative to~~
11.16 ~~soil types with blow counts and torque values:~~ For determination of soil types for anchors
11.17 and soil bearing capacities, refer to the table in Code of Federal Regulations, title 24, part
11.18 3285.202, which is included in this part.

	Blow Count	Test Probe¹
Types of Soils	(ASTM D1586)	Torque Value²
Sound hard rock	NA	NA
Very dense and/or cemented sands, course gravel and cobbles, preloaded		
silts, clays, and corals	40-up	more than 500 lbs. inch

- 12.1 ~~Medium dense coarse sands, sandy~~
- 12.2 ~~gravels, very stiff silts and clays~~ ~~24-39~~ ~~350-549 lbs. inch~~
- 12.3 ~~Loose to medium dense sands, firm to~~
- 12.4 ~~stiff clays and silts, alluvial fill~~ ~~14-23³~~ ~~200-349 lbs. inch~~

12.5 ¹~~The test probe is a device for measuring the torque value of soils to assist in~~
 12.6 ~~evaluating the holding capability of the soils in which the anchor is placed. The test probe~~
 12.7 ~~has a helix on it. The overall length of the helical section is 10.75 inches; the major~~
 12.8 ~~diameter is 1.25 inches; the minor diameter is 0.81 inches; the pitch is 1.75 inches. The~~
 12.9 ~~shaft must be of suitable length for anchor depth.~~

12.10 ²~~A measure synonymous with moment of a force when distributed around the shaft of~~
 12.11 ~~the test probe.~~

12.12 ³~~Below these values, a professional engineer should be consulted.~~

12.13 Table to Part 3285.202

<u>Soil classification</u>		<u>Soil description</u>	<u>Allowable soil bearing pressure (psf)¹</u>	<u>Blow count ASTM D 1586-99</u>	<u>Torque probe³ value⁴ (inch-pounds)</u>
<u>Classification number</u>	<u>ASTM D 2847-00 or D 2488-00 (incorporated by reference, see Part 3285.4)</u>				
<u>1</u>		<u>Rock or hard pan</u>	<u>4000+</u>		
<u>2</u>	<u>GW, GP, SW, SP, GM, SM</u>	<u>Sandy gravel and gravel; very dense and/or cemented sands; coarse gravel/cobbles; preloaded silts, clays and coral</u>	<u>2000</u>	<u>40+</u>	<u>More than 500</u>

13.1	<u>3</u>	<u>GC, SC, ML, CL</u>	Sand; silty sand; clayey sand; silty gravel; medium dense coarse sands; sandy gravel; and very stiff silt, sand clays	<u>1500</u>	<u>24-39</u>	<u>351-550</u>
13.2						
13.3						
13.4						
13.5						
13.6						
13.7						
13.8	<u>4A</u>	<u>CG, MH²</u>	Loose to medium dense sands; firm to stiff clays and silts; alluvial fills	<u>1000</u>	<u>18-23</u>	<u>276-350</u>
13.9						
13.10						
13.11						
13.12	<u>4B</u>	<u>CH, MH²</u>	Loose sands; firm clays; alluvial fills	<u>1000</u>	<u>12-17</u>	<u>175-275</u>
13.13						
13.14	<u>5</u>	<u>OL, OH, PT</u>	Uncompacted fill; peat; organic clays	Refer to Part 3285.202(e)	<u>0-11</u>	<u>Less than 175</u>
13.15						

13.16 Notes:

13.17 ¹ The values provided in this table have not been adjusted for overburden pressure,
 13.18 embedment depth, water table height, or settlement problems.

13.19 ² For soils classified as CH or MH, without either torque or probe values or blow count
 13.20 test results, selected anchors must be rated for a 4B soil.

13.21 ³ The torque test probe is a device for measuring the torque value of soils to assist in
 13.22 evaluating the holding capacity of the soil in which the ground anchor is placed. The shaft
 13.23 must be of suitable length for the full depth of the ground anchor.

13.24 ⁴ The torque value is a measure of the load resistance provided by the soil when subject to
 13.25 the turning or twisting force of the probe.

13.26 **Subp. 6. Use of concrete slabs or continuous footings.** ~~If concrete slabs or~~
 13.27 ~~continuous footings are used to transfer the anchoring loads to the ground, the following~~
 13.28 ~~shall be required:~~ Concrete slabs, piers, or continuous footings that transfer anchor loads
 13.29 to the ground must be constructed and installed according to the anchor manufacturer's

14.1 instructions or with engineered designs. The anchor loads pertaining to the slabs, piers,
14.2 or footings shall comply with subpart 2.

14.3 ~~A. Steel rods cast in concrete shall be capable of resisting loads as specified in~~
14.4 ~~subpart 2.~~

14.5 ~~B. Dead-man concrete anchors may be used in place of listed anchors if they~~
14.6 ~~meet the requirements of subpart 2.~~

14.7 ~~C. Concrete slabs may be used in place of ground anchors provided the slab is~~
14.8 ~~so constructed that it provides holding strength equal to the requirements of subpart 2.~~

14.9 [For text of subp 7, see M.R.]

14.10 **1350.3300 PIER SPECIFICATIONS.**

14.11 Subpart 1. **Piers less than 40 inches tall.**

15.1 Subp. 2. **Piers 40 to 80 inches tall.**

16.1 Subp. 3. **Piers over 80 inches tall.**

17.1 [For text of subp 4, see M.R.]

18.1 **1350.3400 UTILITY CONNECTIONS.**

18.2 Subpart 1. **Water connections.** Water piping to manufactured homes shall comply
18.3 with the Minnesota Plumbing Code, chapter 4715. Upon the completion of a section or
18.4 the entire water distribution system, it shall be tested in accordance with Code of Federal
18.5 Regulations, title 24, part 3285.603(e)1 and 2, and proved airtight with the use of air or
18.6 water not less than the minimum working pressure under which it is to be used. The water
18.7 heater must be disconnected when the piping system is air tested. Pipes shall be protected

18.8 from freezing. Heat tape, when installed, shall be listed and installed in conformance with
18.9 its listing and the manufacturer's instructions. When the manufactured home is installed
18.10 on a support system subject to ground movement due to freezing and thawing, approved
18.11 flexible connectors or semirigid copper tubing shall be used to prevent pipe breakage.

18.12 Subp. 2. **Sewer connections.** Waste piping from the on-site sewer connection to
18.13 the manufactured homes home's drain outlet shall comply with the Minnesota Plumbing
18.14 Code, chapter 4715. After completion of the drainage system at the site of occupancy,
18.15 the entire drain/waste/vent system shall be tested by introducing air into the system equal
18.16 to the pressure on a one-inch water column, or in accordance with Code of Federal
18.17 Regulations, title 24, section 3280.612(b), whichever is acceptable to the local authority
18.18 having jurisdiction. When a manufactured home is installed on a support system subject to
18.19 ground movement due to freezing and thawing, offsets or approved flexible connectors;
18.20 ~~or both~~, shall be used to prevent pipe breakage. Both offsets and approved flexible
18.21 connectors may be used.

18.22 [For text of subps 3 to 5, see M.R.]

18.23 Subp. 5a. **Electrical on-site testing.** After completion of all electrical wiring and
18.24 connections, crossovers, electrical lights, and ceiling fans, the electrical system shall be
18.25 tested on site by the electrical contractor of record. Tests shall include a continuity test
18.26 to ensure proper bonding of metallic parts, polarity checks to determine if connections
19.1 have been properly made, and an operational test on equipment. Continuity, polarity, and
19.2 operational tests do not apply to water heaters, electric furnaces, dishwashers, clothes
19.3 washers and dryers, and portable appliances. Smoke alarms and carbon monoxide
19.4 detectors shall be functionally tested in accordance with the manufacturers' instructions.

19.5 **1350.3800 CONSTRUCTION ALTERATIONS.**

19.6 Subpart 1. **Effect on seal or label.** Any alteration of the construction, plumbing,
19.7 heating, cooling, ~~or~~ fuel-burning system, electrical equipment ~~or installations~~, installation,

19.8 or fire safety in a manufactured home ~~which~~ that bears a seal or label, prior to receiving
19.9 review and approval, and prior to obtaining permits, which include necessary inspections,
19.10 shall void the approval, and the seal or label shall be returned to the commissioner.

19.11 [For text of subp 2, see M.R.]

19.12 Subp. 3. **Application.** Any person proposing an alteration to a manufactured home
19.13 bearing a seal or label shall make application for review and approval of the alteration
19.14 to the commissioner or to the local authority having jurisdiction on the form issued by
19.15 the commissioner.

19.16 Subp. 4. **Inspection.** Upon completion of the alteration, the applicant shall request
19.17 the commissioner or the local authority having jurisdiction to make an inspection pursuant
19.18 to part 1350.2100 to determine code compliance of the approved alteration.

19.19 Subp. 5. **Replacement construction seal.** If approvals and inspections for
19.20 alterations were not obtained, and the home's construction seal or label is removed by
19.21 the commissioner, or the commissioner ordered removal by the local authority having
19.22 jurisdiction, then the applicant may apply for a replacement construction seal upon
19.23 inspection and approval of the alteration. Replacement construction seals shall require
19.24 submission of an application in accordance with part 1350.0500, subpart 2.

19.25 Subp. 6. [See repealer.]

20.1 **1350.3850 DISPUTE RESOLUTION PROGRAM.**

20.2 The department received approval from HUD of its compliance with Code of
20.3 Federal Regulations, title 24, part 3288.210, on February 6, 2008, regarding its dispute
20.4 resolution program. A request for resolution of a dispute among manufacturers, retailers,
20.5 and installers may be initiated by any of these parties, in writing, on a form provided by
20.6 the commissioner. Homeowners may initiate a request for dispute resolution and act
20.7 as observers, but cannot be recognized as a party to the dispute. A request for dispute

20.8 resolution will be handled pursuant to this chapter and Minnesota Statutes, sections
20.9 327.31 and 327B.01 to 327B.12.

20.10 **1350.6700 ANNUAL REGISTRATION REQUIREMENT AND INSTALLER**
20.11 **LICENSING RECIPROCIITY.**

20.12 Subpart 1. **Registration.** An installer shall ~~provide~~ register with the department to
20.13 obtain seals by providing a copy (proof) of a manufactured home installer's ~~annual~~ license
20.14 issued by the ~~Department of Commerce~~ commissioner or a reciprocal state or United
20.15 States jurisdiction prior to obtaining required installation certificates and seals under
20.16 ~~parts~~ part 1350.0600, subpart 2, and ~~1350.6500, subpart 2.~~ Regulations shall be renewed
20.17 every three years.

20.18 Subp. 2. **Reciprocity.** An installer who holds and maintains an unexpired license or
20.19 certificate issued by any state other than Minnesota or by a United States jurisdiction in
20.20 which the licensing or certification and renewal requirements meet or exceed Minnesota's
20.21 licensing and renewal requirements as determined by the commissioner is exempt from
20.22 the requirement to obtain licensure in Minnesota as a manufactured home installer if the
20.23 installer:

20.24 A. provides proof of valid license or certification to the commissioner;

20.25 B. provides proof of public liability insurance coverage in the amount of
20.26 \$300,000 per occurrence and \$10,000 property damage coverage;

21.1 C. posts a bond of at least \$2,500; and

21.2 D. registers in accordance with subpart 1.

21.3 **1350.6705 DEFINITIONS.**

21.4 Subpart 1. **Applicability.** The definitions in this part apply to part 1350.6710.

21.5 Subp. 2. **Appropriate and related knowledge.** "Appropriate and related
21.6 knowledge" means facts, information, or principles that are clearly relevant to the installer

21.7 in performing responsibilities under a license issued by the commissioner. These facts,
21.8 information, or principles must convey substantive and procedural knowledge as it relates
21.9 to postlicensing issues and it must be relevant to the technical aspects of a particular area
21.10 of continuing education.

21.11 Subp. 3. **Classroom hour.** "Classroom hour" means 50 minutes of continuing
21.12 education training for every hour of training required.

21.13 Subp. 4. **Instructor.** "Instructor" means a person approved by the commissioner to
21.14 act as a trainer, teacher, or presenter of approved manufactured home installer continuing
21.15 education courses.

21.16 **1350.6710 LICENSED MANUFACTURED HOME INSTALLER EDUCATION.**

21.17 Subpart 1. **Installer continuing education requirements.** An installer licensed
21.18 in Minnesota is required to complete a minimum of 12 classroom hours of continuing
21.19 education training during every three-year license renewal period, with a minimum of four
21.20 classroom hours consisting of training in the following areas:

21.21 A. an overview of the act and the general regulatory structure of the HUD
21.22 manufactured housing program;

22.1 B. an overview of the manufactured home installation standards and regulations
22.2 established in Code of Federal Regulations, title 24, parts 3285 and 3286, and applicable
22.3 Minnesota laws and rules, with specific instruction covering:

- 22.4 (1) preinstallation considerations;
- 22.5 (2) site preparation;
- 22.6 (3) foundations;
- 22.7 (4) anchorage against wind;
- 22.8 (5) optional features, including comfort cooling systems;

- 22.9 (6) ductwork and plumbing and fuel supply systems;
- 22.10 (7) electrical systems; and
- 22.11 (8) exterior and interior close-up work;
- 22.12 C. an overview of the construction and safety standards and regulations found
22.13 in Code of Federal Regulations, title 24, parts 3280 and 3282;
- 22.14 D. licensing requirements applicable to installers;
- 22.15 E. installer responsibilities for correction of improper installation, including
22.16 installer obligations under applicable state and HUD manufactured housing dispute
22.17 resolution programs;
- 22.18 F. inspection requirements and procedures;
- 22.19 G. problem reporting mechanisms;
- 22.20 H. operational checks and adjustments; and
- 22.21 I. penalties for any person's failure to comply with Code of Federal Regulations,
22.22 title 24, parts 3285, 3286, and 3288, and applicable Minnesota laws and rules.
- 23.1 The remaining eight classroom hours of continuing education training must relate to
23.2 any aspect of manufactured home installation or construction. All continuing education
23.3 courses must be approved in advance by the commissioner pursuant to subpart 3.
- 23.4 Subp. 2. **Approval for instructors.**
- 23.5 A. HUD-certified trainers must also be approved by the commissioner to be
23.6 considered an approved instructor for manufactured home installer continuing education.
- 23.7 B. Each continuing education course shall have an instructor who is qualified
23.8 by education, training, or experience to ensure competent instruction. Failure to have
23.9 a qualified instructor teach an approved course offering will result in withdrawal of

23.10 the course approval. Qualified instructors shall have at least one of the following
23.11 qualifications:

23.12 (1) a four-year degree in any subject area, plus two years of experience
23.13 in the subject area being taught;

23.14 (2) five years of experience in the subject area being taught; or

23.15 (3) certification by HUD as a trainer for manufactured home installation.

23.16 The applicant shall submit to the commissioner an application for approval as an instructor
23.17 on a form provided by the commissioner and submit appropriate evidence to verify that
23.18 the required qualifications have been met. Following the commissioner's review of the
23.19 application and evidence of qualifications, the commissioner shall provide the applicant
23.20 with a final determination regarding approval as an instructor. A HUD-certified trainer
23.21 must also be approved by the commissioner in order to be considered an instructor for
23.22 manufactured home installer continuing education.

23.23 C. Instructors shall:

24.1 (1) adequately address the continuing education technical area or areas to
24.2 be covered for the assigned classroom hours of continuing education credit, as approved
24.3 by the commissioner, identified in subpart 1;

24.4 (2) maintain attendance records including times, locations, names of
24.5 attendees at each session, and content of all courses offered. These records shall be made
24.6 available to the commissioner upon request;

24.7 (3) provide certificates of completion to course attendees, within ten days
24.8 following completion of the course that indicates the attendee's name, course title and
24.9 number, course content (including any technical areas), and assigned classroom hours of
24.10 continuing education credit earned, which have been signed and dated by the instructor;

24.11 (4) maintain course records related to the content of the course, which
24.12 shall include any tests administered as a part of the course. These records shall be made
24.13 available to the commissioner upon request; and

24.14 (5) notify the commissioner, in writing, within ten days of any change to
24.15 the information on an application for course approval or on the materials submitted with
24.16 the application, that are on file with the commissioner.

24.17 D. Prohibited practices for instructors, in connection with an approved course,
24.18 include:

24.19 (1) recommending or promoting the services, products, or practices of a
24.20 particular business;

24.21 (2) requiring students to participate in other programs or services offered
24.22 by the instructor;

24.23 (3) misrepresenting any information submitted to the commissioner;

24.24 (4) failing to cover all points, issues, and concepts contained in the course
24.25 outline or materials approved by the commissioner during the approved instruction; and

25.1 (5) issuing inaccurate course certificates of completion.

25.2 Subp. 3. **Course approval.**

25.3 A. Courses for manufactured home installer continuing education must be
25.4 approved in advance by the commissioner, pursuant to this subpart, and will be approved
25.5 on the basis of the applicant's compliance with this subpart. The commissioner shall
25.6 provide the final approval regarding the course offering. The commissioner reserves the
25.7 right to audit course offerings with or without notice to the instructor. The burden of
25.8 demonstrating that courses impart appropriate and related knowledge falls on the person
25.9 seeking the approval or credit. The commissioner shall deny future course offerings if
25.10 they are found not to comply with this part.

25.11 B. To obtain course approval, the following procedure must be followed.

25.12 (1) An approved instructor must complete an application for course
25.13 approval on a form provided by the commissioner and submit all pertinent course
25.14 materials. The instructor shall also provide on the application the number of classroom
25.15 hours of continuing education credit requested. Application for course approval must be
25.16 submitted at least 30 days prior to the course offering. The instructor shall specify whether
25.17 a test will be required for the course and, if required, provide the minimum passing score
25.18 to obtain course credit.

25.19 (2) The commissioner shall review the application and pertinent course
25.20 material for appropriate technical content and program length. Courses must be a
25.21 minimum of one classroom hour in length. Course content must adequately cover the
25.22 technical area being taught for the classroom hours of continuing education credit being
25.23 requested.

25.24 (3) Following the commissioner's review of the application and course
25.25 materials, the commissioner shall provide the instructor with a final determination
26.1 regarding course approval and the number of approved continuing education classroom
26.2 hours assigned to the course.

26.3 C. Course examinations are not required for approved manufactured home
26.4 continuing education courses, unless they are required by the instructor.

26.5 D. Approved courses shall be resubmitted by the instructor to the commissioner
26.6 for review of course content every three years from the date of the original approval.

26.7 Subp. 4. Fees. Fees for an approved course of study and related materials must be
26.8 clearly identified to students. In the event that an instructor cancels a course for any
26.9 reason, all fees must be returned within 15 days of the date of cancellation. If a student is
26.10 unable to attend a course or cancels the registration for a course, the instructor's policies
26.11 regarding refunds shall apply.

26.12 Subp. 5. **Facilities and supplementary materials.** Each continuing education
26.13 course must be held in a classroom or other facility that is adequate to accommodate the
26.14 instructors and the number of students enrolled. The instructor may limit the number
26.15 of students enrolled in a course. An adequate supply of supplementary materials to be
26.16 used or distributed in connection with an approved course must be available at the time
26.17 and place of the course offering to ensure that each student receives all of the necessary
26.18 materials. Outlines and any other materials that are reproduced must be legible.

26.19 Subp. 6. **Advertising courses.** Advertising for courses must be truthful and not
26.20 deceptive or misleading. No advertisement, pamphlet, circular, or other similar material
26.21 pertaining to an approved offering can be circulated or distributed in this state, unless the
26.22 following statement is prominently displayed: "This course has been approved by the
26.23 Minnesota Department of Labor and Industry for (approved number of classroom
26.24 hours) classroom hours for Manufactured Home Licensed Installer continuing education."
26.25 Advertising for approved courses must be clearly distinguishable from the advertisement
26.26 for other nonapproved courses. A continuing education course may not be advertised
27.1 before it has been approved, unless the course is described in the advertising as "approval
27.2 pending" and the application for approval has been timely submitted to the commissioner
27.3 and a denial has not been received. The number of classroom hours for which the course
27.4 has been approved and any testing required for credit must be prominently displayed on
27.5 the advertisement for the course.

27.6 Subp. 7. **Withdrawal of approval.** Failure to comply with the requirements of
27.7 subparts 2 to 6 may result in the commissioner's withdrawal of the approval for the
27.8 continuing education credit and hours for the three-year renewal period, qualifications
27.9 as an approved instructor, or approval for a course offering. Nothing in this part limits
27.10 the authority of the commissioner from withdrawing an approval pursuant to this part for
27.11 actions not specifically described in this part.

27.12 **1350.6800 OTHER FEES.**

27.13 For all other work performed by the Department of Labor and Industry including, but
27.14 not limited to, the review of plans, specifications, ~~and~~ independent agency reports, ~~and~~
27.15 quality control ~~evaluation~~ evaluations, and on-site inspections, a fee as specified ~~under~~ in
27.16 part 1302.0600, subpart 1, item B, shall be charged.

27.17 **1350.7200 LICENSE APPLICATION.**

27.18 [For text of subp 1, see M.R.]

27.19 Subp. 2. **Required information.** The kinds of information listed in items A and B
27.20 satisfy the related requirements in Minnesota Statutes, section 327B.04, subdivisions
27.21 3 and 4.

27.22 A. An application for a dealer's license must contain the information in
27.23 subitems (1) to (9):

27.24 [For text of subitems (1) to (4), see M.R.]

28.1 (5) The signature of the ~~applicant's~~ applicant as the owner, general partner,
28.2 or corporate president verified under oath.

28.3 [For text of subitems (6) to (9), see M.R.]

28.4 [For text of item B, see M.R.]

28.5 [For text of subps 3 and 4, see M.R.]

28.6 **REPEALER.** Minnesota Rules, parts 1350.3800, subpart 6; and 1350.6500, are repealed.

28.7 **INSTRUCTION TO REVISOR.** References to Minnesota Rules, part 1350.6500, are
28.8 changed to Minnesota Statutes, section 327.33.

28.9 **EFFECTIVE DATE.** These amendments are effective five days after publication, except
28.10 for part 1350.6710, which is effective April 1, 2009.