

ICC/ANSI 2.0-1998, Manufactured Housing Construction and Safety Standards

ICC Background

In 1995, in response to the recommendations of the National Manufactured Housing Commission, ICC, formerly CABO, voluntarily began updating the Federal Manufactured Home Construction and Safety Standards (FMHCSS). This standard, published as ICC/ANSI 2.0, was presented to the U.S. Department of Housing and Urban Development (HUD) for reference by federal law.

History of Manufactured Housing Construction and Safety Standards

More than 20 years ago, Congress enacted the National Mobile Home Construction and Safety Standards Act of 1974. This bill directed HUD to develop a preemptive code to regulate the construction of manufactured housing, resulting in the promulgation of the Federal Manufactured Housing Construction and Safety Standards (FMHCSS). With HUD currently charged with the responsibility of both updating and enforcing these standards, manufactured housing is the only type of housing construction in the United States regulated at the federal level.

The original intent of the federal preemptive code was to provide consumers with a safe, low-cost alternative to conventional housing. At the same time, by preempting state and local jurisdictions from enacting additional requirements, producers could take advantage of the benefits of assembly line construction.

It has become evident that several problems impacting housing affordability are inherent in the system. Most notably, it is extremely difficult for HUD to maintain the technical requirements of the FMHCSS. Conventional housing construction is typically regulated at the state or local level through the adoption of one of three model building codes. These documents are maintained by private code development organizations, who update these codes every three years. This process ensures that new housing technologies are considered for inclusion in the codes on a regular basis.

On the other hand, the FMHCSS are maintained by HUD. The Administrative Procedures Act sets forth a lengthy rulemaking process, which discourages the

consideration of technical modifications on a regular basis. Because of this, the Standards contain out-of-date requirements, including references to materials, products, and design standards that are no longer available.

ICC hopes that the federal code will be updated to contain administrative provisions with reference to a consensus-based standard with the technical requirements. In 1995, CABO assembled a consensus committee to update the current FMHCSS under ANSI process (ICC 2.0). The final ANSI-approved document will be presented to HUD for inclusion in the federal law.

This proposed process has several advantages. First, according to ANSI procedures, the new standard must be updated on a periodic basis, typically every five years. This will ensure that new and innovative technologies will be regularly considered for inclusion in the Standards. Also, since the maintenance of the Standards will effectively be deferred to the private sector, HUD will be able to transfer resources to other aspects of the program.

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