

Rule 5.02.9-8: Temporary Installer/Transporter License

A temporary license may be issued to persons or companies who are non-residents of this State and who are otherwise licensed transporters or installers in other states. Such temporary license shall remain in force for a period not to exceed thirty (30) days, unless extended for an additional period of sixty (60) days by the Commissioner or until a contract to transport or install entered into during the period of the temporary license has been completed. Within five (5) days of any applicant delivery or beginning work as a transporter or installer under this section, the employer or person contracting with such person shall provide a copy of their installer/transporter license from out-of-state, proof of insurance and surety bond, a list of all employees of the company that will be operating under the temporary license and certify to the Commissioner such application without being deemed in violation of this act.

Source: *Miss. Code Ann.* §§ 75-49-5; 75-49-11 (Supp. 2015).

Rule 5.03: Inspection Procedures

Rule 5.03.1: Authorized Inspections of Manufacturing Plants, Retail Locations, and Installer/Transporter

A. Factory-Built Home Plants located in the State of Mississippi, Factory-Built Home Retail Sales Lots, Developers, and Installer/Transporter business locations and equipment shall be subject to inspection by the Chief Deputy State Fire Marshal, Deputy State Fire Marshals or Duly Authorized Representative as may be required to insure Compliance with *Miss. Code Ann.* § 75-49-11, as amended, all applicable federal statutes and regulations as well as this Regulation.

B. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each manufacturing location to assist and insure that Factory-Built homes are being constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, (42 U.S.C.S. 5401 et seq.), the Manufactured Housing Improvement Act of 2000 as amended, as well as the governing federal regulations pertaining to Factory-Built housing construction.

C. In the interest of public safety, Deputy State Fire Marshals, who are certified law enforcement officers, are duly authorized to stop and conduct inspections of installer/transporters that are transporting Factory-Built homes to verify compliance with *Miss. Code Ann.* § 75-49-9, 75-49-19 and this Regulation.

D. A duly authorized representative of the Factory-Built Home Division of the State Fire Marshal's Office shall periodically inspect each retailer and developer location to insure that Factory-Built homes offered for sale comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, as Amended, (42 U.S.C.S. 5401, et seq.), and the Manufactured Housing Improvement Act of 2000, pertinent federal regulations, as well as

these rules and regulations.

Source: *Miss. Code Ann. § 75-49-1, et seq.; § 75-49-11(Supp. 2015).*

Rule 5.03.2: Inspection Findings of Non-Compliance

A. Results of the inspection may be made available to manufacturers, retailers or developers upon request. When serious violations are found on HUD certified units or with the temporary storage of the units, the Factory-Built Home Division of the State Fire Marshal's Office shall immediately attach a non-compliance identification tag to the unit in question.

B. It shall be a violation of these Rules and Regulations for any Factory-Built home to be sold or offered for sale which has a non-compliance identification tag attached. The wording on such tag shall be as follows:

"This unit, having been found to be in NON-COMPLIANCE with the Uniform Standards Code for Factory-Built Homes Law and having been so identified, shall not be sold or offered for sale in the State of Mississippi. Anyone tampering with or removing this Identification Tag from this unit will be prosecuted as set forth in this Act, and shall be subject to revocation of his license."

C. A non-compliance identification tag attached to a unit may be removed only by the Factory-Built Home Division of the State Fire Marshal's Office. Such tag shall be completed as required thereon.

D. When the State Fire Marshal has reasonable grounds to believe that a unit has been constructed in non-compliance with these standards, he may require, at the manufacturers expense that the walls, floors, decking or other panels be removed for the purpose of inspection.

E. Units having been identified as being in non-compliance with these Rules and Regulations and having a non-compliance tag attached may be transported and relocated only after notice has been given to the Factory-Built Home Division of the State Fire Marshal's Office. Such notice will set forth the purpose for moving such unit, to whom the unit is to be delivered along with complete mailing address and telephone number, serial number, HUD label number and any other information as may be requested.

F. When such violation(s) have been corrected, the unit in question shall be re-inspected by the Factory-Built Home Division of the State Fire Marshal's Office and if found in compliance with the National Manufactured Home Construction and Safety Standards Act, the Manufactured Housing Improvement Act of 2000 and this Regulation, the inspector shall remove the non-compliance identification tag. The unit can then be sold or offered for sale.

Source: *Miss. Code Ann. § 75-49-1, et seq.; § 75-49-11 (Supp. 2015).*