

Notice Number 2024-85

Rule Number Inst 600

<p>1. Agency Name & Address:</p> <p>Installation Standards Board c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 205-D:20, II, III, IV, V, and XII</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
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5. Short Title: **Inspections of Manufactured Housing Installations**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The former Chapter Inst 500 on inspections of manufactured housing installations expired 5/15/2023 and is being renumbered as Chapter Inst 600. The chapter is being moved in order to ensure that Chapters Inst 500, Inst 600, Inst, 700, and Inst 800 comply with Chapter 4, Part 1, 1.8 of the *Drafting and Procedure Manual for Administrative Rules*. The Installation Standards Board (Board) is adopting the chapter again, but containing only various expired rules from the former Chapter Inst 500, with and without changes from the expired rules as described below:

- **Inst 601.01, previously Inst 501.01, provides the definition of “inspector” for this chapter. There have been no changes from the expired rule;**
- **Inst 602.01, previously Inst 502.01, describes the inspections of installations, and the proposed rule is being modified from the expired rule to add who will conduct inspections if no local official is appointed by a city or town to complete an inspection;**
- **Inst 602.02, previously Inst 502.02, describes inspectors, and the proposed rule is being modified from the expired rule to change a rule citation;**
- **Inst 602.03, previously Inst 502.03, describes when inspections shall be completed and is not being modified from the expired rule;**
- **Inst 602.04, previously Inst 502.04, describes deficiencies and the correction of violations and the ability of the person to request a hearing on any violation and is being modified from the expired rule to correct the citation from Inst 209 to Plc 200 of the Office of Professional Licensure and Certification (OPLC) of where to find information on hearing rules; and**
- **The former Inst 502.05, which expired 5-15-13, described fees for inspections and is not being adopted in this set of rules.**

Other proposed changes are intended to improve program integrity, efficiency, and to align with current practices.

6. (b) Brief description of the groups affected:

The groups affected by the rules are licensees, the public, and the Board.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

RULE	STATUTE
Inst 601.01	RSA 541-A:7
Inst 601.01(b)	RSA 205-D:17; RSA 205-D:20, II
Inst 602.01	RSA 205-D:5, I
Inst 602.02	RSA 205-D:5, I(b)
Inst 602.03	RSA 205-D:5, I
Inst 602.04(a)	RSA 205-D:5, II
Inst 602.04(b)-(f)	RSA 205-D:5, IV & RSA 541-A:30
Inst 602.05	RSA 205-D:12, I; RSA 205-D:20, V

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley** Title: **Program Specialist IV**
Mailing Address: **Office of Professional Licensure & Certification** Phone #: **(603) 271-5247**
7 Eagle Square Fax#: **None**
Concord, NH 03301 E-mail: **OPLC-Rules@oplcnh.gov**
TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Monday, June 24, 2024 at 4:00 p.m.**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, June 13, 2024 at 9:30 a.m.**
Physical Location: **Office of Professional Licensure and Certification**
7 Eagle Square
Concord, NH 03301
Electronic Access (if applicable): **N/A**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 24:067, dated 5/14/2024

- Comparison of the costs of the proposed rule(s) to the existing rule(s):**
Not applicable as Inst 501.01, Inst 502.01, and Inst 502.05 expired May 15, 2023, and Inst 502.02 through Inst 502.04 expired April 14, 2022.
- Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

When compared to the expired rules the proposed rules may have a small impact to the Office of Professional Licensure and Certification (OPLC) Fund, State citizens and independently owned business. The proposed rules do not adopt expired rule Inst 502.05, which required a \$250 inspection fee. However, OPLC expects the removal to be de minimis (under \$1,000) while they put in place a new rule under PLC 1002, which will include the \$250 inspection fee.

A. To State general or State special funds:

State general funds would not be impacted, however, the OPLC could see a de minimis reduction of revenue up to \$1,000.

B. To State citizens and political subdivisions:

State citizens may see a slight savings to the extent they would be required to pay the inspection fee under the previous rule but are now in the window of time where no inspection fee would be charged.

C. To independently owned businesses:

Independently owned businesses may see a slight saving to the extent they would be required to pay the inspection fee under the previous rule but are now in the window of time where no inspection fee would be charged.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.