

Notice  
Of  
Rulemaking Hearing

Department of Commerce and Insurance  
Division of Fire Prevention

There will be a hearing before the Commissioner of Commerce and Insurance or her designee to consider the promulgation of amendments of rules pursuant to T. C. A. §§ 62-32-202, 68-102-113 and 68-120-101. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T. C. A. § 4-5-204, and will take place in Room 160 on the first floor of the Davy Crockett Tower, located at 500 James Robertson Parkway in Nashville, Tennessee at 9:00 a.m. (Central Time) on the 28<sup>th</sup> day of February, 2007.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Commerce and Insurance to discuss any auxiliary aids of services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Department of Commerce and Insurance to determine how it may reasonably provide such aid or service. Initial contact may be made with Don Coleman, the Department's ADA Coordinator, at 500 James Robertson Parkway, 5<sup>th</sup> Floor, Nashville, Tennessee 37243 at (615) 741-0481.

For a copy of this notice of rulemaking hearing, contact Emmett Turner, Assistant Commissioner for the Division of Fire Prevention at 500 James Robertson Parkway, Davy Crockett Tower, 3<sup>rd</sup> Floor, Nashville, Tennessee 37243, telephone (615) 741-2981.

Substance of Proposed Rules

Chapter 0780-2-13  
Modular Building Units  
Amendments

Paragraph (1) of rule 0780-2-13-.02 Standards is amended by deleting the text of the paragraph in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (1) Unless otherwise provided by applicable law or the provisions of this chapter, the standards for the construction and installation of modular building units in the State of Tennessee shall be those prescribed in:
  - (a) The National Electrical Code, 2005 edition, published by the National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, Massachusetts, 02269-9109;
  - (b) The International Building Code, 2006 edition, published by the International Code Council, Incorporated (ICC), Birmingham Regional Office, 900 Montclair Road, Birmingham, Alabama 35213-1206;
  - (c) The International Mechanical Code, 2006 edition, published by the ICC;
  - (d) The International Fuel Gas Code, 2006 edition, published by the ICC;
  - (e) The International Plumbing Code, 2006 edition, published by the ICC;
  - (f) The International Energy Conservation Code, 2006 edition, published by the ICC;

- (g) The Tennessee Public Buildings Accessibility Act, Tenn. Code Ann., Title 68, Chapter 120, Part 2 (Tenn. Code Ann. §68-120-201, et seq.), where applicable, and;
- (h) Safety Glazing Materials, Tenn. Code Ann., Title 68, Chapter 120, Part 3 (Tenn. Code Ann. §68-120-301 et seq.); where applicable.
- (i) In the event of a conflict or inconsistency among the codes here in adopted by reference, the most stringent code provision shall prevail.

Paragraph (2) of rule 0780-2-13-.02 Standards is amended by deleting the text of the paragraph in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (2) In lieu of the codes listed in subparagraphs (1)(b) through (1)(e) and (1)(i) above, the 2006 edition of the International Residential Code for One and Two Family Dwellings, published by the ICC, may be used for any "dwelling" (as defined therein) covered by such code.

Authority: T. C. A. §§68-102-113(a) and 68-126-305(a)(2).

The notice of rulemaking hearing set out herein was properly filed in the Department of State on this the 1st day of December, 2006. (12-05-06)