

Robin Carnahan

Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

Administrative Rules Stamp

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JAN 14 2005
SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet **MUST** be used for EACH individual rulemaking.

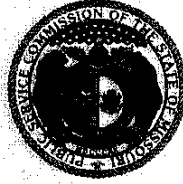
- A. Rule Number 4 CSR 240-125.040
Diskette File Name Proposed 125.040
Name of person to call with questions about this rule:
Content Mary Weston Phone 573-751-6726 FAX 573-751-9285
E-mail address mary.weston@psc.mo.gov
Data entry Lesli Belt Phone 573-751-7499 FAX 573-751-9285
E-mail address lesli.belt@psc.mo.gov
Interagency mailing address GOB, 200 Madison Street, 8th Floor, Jefferson City
Statutory Authority 700.692 Current RSMo date 2004
Date filed with the Joint Committee on Administrative Rules Exempt per Sections
536.024 and 536.037, RSMo's Executive Order No. 97-97 (June 27, 1997)
- B. CHECKLIST guide for rule packets:
- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Forms, number of pages _____ |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority section with history of the rule |
| <input checked="" type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost statement |
| <input type="checkbox"/> Small business impact statement | <input type="checkbox"/> Private cost statement |
| <input checked="" type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing date _____ |
- C. RULEMAKING ACTION TO BE TAKEN
- ☐ Emergency rulemaking (choose one) ☐ rule, ☐ amendment, ☐ rescission, or ☐ termination
- MUST** include effective date _____
- ☒ Proposed Rulemaking (choose one) ☒ rule, ☐ amendment, or ☐ rescission
- ☐ Order of Rulemaking (choose one) ☐ rule, ☐ amendment, ☐ rescission, or ☐ termination
- MUST** complete page 2 of this transmittal
- ☐ Withdrawal (choose one) ☐ rule, ☐ amendment, ☐ rescission or ☐ emergency)
- ☐ Rule action notice ☐ In addition ☐ Rule under consideration
- D. SPECIFIC INSTRUCTIONS: Any additional information you may wish to provide to our staff _____

~~Small Business Regulatory~~
~~Fairness Board~~ Stamp

JAN 13 2005

Small Business Regulatory
Fairness Board

JCAR Stamp



Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

STEVE GAW

ROBERT M. CLAYTON III

LINWARD "LIN" APPLING

Missouri Public Service Commission

**POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>**

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 14, 2005

Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Carnahan,

RE: 4 CSR 240-125.040 Manufactured Home Installer License

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission on this 14th day of January 2005.

Statutory Authority: section 700.692, RSMo 2004

If there are any questions regarding the content of this order of rulemaking, please contact:

Mary Weston
200 Madison
Jefferson City, MO 65102
Phone (573) 751-6726
Email: mary.weston@psc.mo.gov

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts", is written over a horizontal line.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 125 - Manufactured Home Installers**

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PROPOSED RULE

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

4 CSR 240-125.040 Manufactured Home Installer License

PURPOSE: This rule establishes the licensing requirements, license fees and responsibilities for manufactured home installers.

(1) Requirements for an installer license

(A) To be licensed as a manufactured home installer, an applicant shall meet all of the requirements of sections 700.650 to 700.692, RSMo, including:

1. Attending a commission-approved manufactured home installation education program;
2. Receiving a passing grade on the commission-approved examination;
3. Submitting an application form and \$150 application fee;
4. Submitting the certificate issued by the educational provider; and
5. Providing proof of liability and workman's compensation insurance coverage as required pursuant to section 700.659, RSMo.

(B) The commission may waive the training and examination requirements for applicants who have obtained an installer license in another state, the District of Columbia, or territories of the United States pursuant to section 700.662, RSMo, if all the documentation is submitted with the license application and the application fee is paid. The certification must be current, must meet or exceed the requirements in sections 700.650 to 700.680, RSMo, and must cover all or a portion of the same time frame as the Missouri renewal period.

(2) Installer responsibilities and limits

(A) Work covered by an installer licensee shall include but not be limited to the following:

1. Installing manufactured home underfloor vapor retarder as required by the manufacturer's installation manual for proper ventilation and access;
2. Installing the support, tie-down, anchoring and the structural connections for manufactured homes;
3. Providing plumbing and electrical utility connections unless they are regulated by local jurisdictions;
4. Providing plumbing, electrical and mechanical cross-over, appliance and fixture connections of and to the manufactured home, as permitted by these requirements;
5. Assuring that all appliance exhaust ducts are roughed in and terminations are complete when required;
6. Closing and securing all access panels and covers on or under the manufactured home;

7. Assuring all doors and windows are adjusted, secured in place, and operational;
8. Assuring all shipped loose flue vents and chimneys are installed, secured in place and capped according to the manufacturer's installation manual;
9. Where the installer also installs the skirting, complying with skirting requirements to ensure proper ventilation;
10. Affixing the installation decal to each manufactured home;
11. Completing all reporting and application forms required by the program;
12. Leaving the manufacturer's installation manual at the installation site;
13. Assuring that all portions of the manufactured home installation are in compliance with the manufacturer's installation manual; and
14. Correcting all applicable nonconformances within thirty (30) days of receipt of a correction notice from the commission.

AUTHORITY: section 700.692, RSMo Supp. 2004. Original rule filed _____, 2005, effective _____, 2005.

PUBLIC ENTITY COST: This proposed rule will cost state agencies or political subdivisions approximately \$30,000.00 during FY 2006.

PRIVATE ENTITY COST: This proposed rule will cost private entities approximately \$30,000.00 during FY 2006.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Rule Number and Name	4 CSR 240-125.040 Manufactured Home Installer License
Type of Rulemaking	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which could be affected by the adoption of the proposed rule:	Classifications by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities
200	Manufactured Home Installers	\$30,000 in FY 2006.

III. WORKSHEET

1. The estimated number of installer licensees for Fiscal Year 2006 will be 200.
2. 200 licensees costing \$150 per license = \$30,000.00

IV. ASSUMPTIONS

The Missouri Public Service Commission has determined through the Missouri Manufactured Housing Association and "town meetings" that the number of installers that will file applications is 200.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name	4 CSR 240-125.040 Manufactured Home Installer License
Type of Rulemaking	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Economic Development - Missouri Public Service Commission	PSC - \$30,000.00 – Total Cost for FY 2006

III. WORKSHEET

Cost – Public Service Commission – Manufactured Housing Fund

Personnel	\$14,823.00
Expenses & Equipment	\$ 9,354.00
Fringe Benefits	\$ 5,823.00
Total Cost – PSC	\$30,000.00

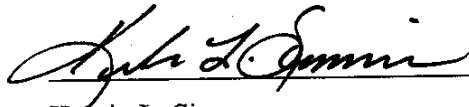
IV. ASSUMPTIONS

1. The Missouri Public Service Commission, Manufactured Housing and Modular Units Program will set licensing fees to cover the cost of the new program.
2. All receipts from licensing fees will be deposited into the manufactured housing fund.
3. It is estimated that 200 installers will require licensing during FY 2006.

AFFIDAVIT

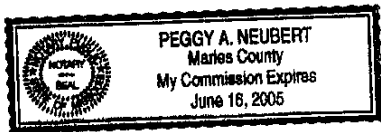
STATE OF MISSOURI)
)
COUNTY OF COLE)

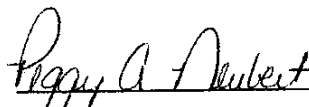
I, Kelvin L. Simmons, Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion the attached fiscal note for the proposed rule of 4 CSR 240-125.040 is a reasonably accurate estimate.



Kelvin L. Simmons
Director
Department of Economic Development

Subscribed and sworn to before me this 7th day of January, 2005.
I am commissioned as a notary public within the County of Marion,
State of Missouri, and my commission expires on June 16, 2005.





NOTARY PUBLIC

Peggy A. Neubert



Robin Carnahan
Secretary of State

Administrative Rules Division
Rulemaking Transmittal Receipt

Rule ID: 2464
Date Printed: 1/14/2005
Rule Number: 4 CSR 240-125.040
Rulemaking Type: Proposed Rule
Date Submitted to Administrative Rules Division: 1/14/2005
Date Submitted to Joint Committee on Administrative Rules:

Name of Person to Contact with questions concerning this rule:

Content: Mary Weston	Phone: 751-6726	Email: mary.weston@psc.mo.gov	Fax: 751-9285
RuleDataEntry: Lesli Belt	Phone: 751-7499	Email: lesli.belt@psc.mo.gov	Fax: 751-9285

Included with Rulemaking:

Cover Letter	1/14/2005
Public Fiscal Note	1/14/2005
Private Fiscal Note	1/14/2005
Affidavit for public cost	1/14/2005

