

Robin Carnahan

Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

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SECRETARY OF STATE
ADMINISTRATIVE RULES

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

A. Rule Number 4 CSR 240-125.010

Diskette File Name Proposed 125.010

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 2000, & Executive Order No. 97-97 (June 27, 1997)

B. CHECKLIST guide for rule packets:

☒ This transmittal completed

☒ Cover letter

☒ Affidavit

☐ Small business impact statement

☐ Fiscal notes

☐ Forms, number of pages _____

☐ Authority section with history of the rule

☐ Public cost statement

☐ Private cost statement

☐ 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
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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 240-125.010 Definitions

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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SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED RULE

4 CSR 240-125.010 Definitions

PURPOSE: This rule defines various terms as used in this chapter.

- (1) Act means the Federal Manufactured Housing Improvement Act of 2000;
- (2) Applicant is a person who applies to the commission for a license or limited use license to install manufactured homes;
- (3) Application means a manufactured housing installer license application or renewal application as provided by the commission;
- (4) Certificate means a document issued by a commission-approved educational provider reflecting the applicant for licensure has taken an approved manufactured housing installer training class or program and has received a passing grade;
- (5) Code means the federal standards set out in 24 CFR §3280 of the Manufactured Home Construction and Safety Standards, 24 CFR §3282 of the Manufactured Home Procedural and Enforcement Regulations, and 24 CFR §3284 of the Federal Manufactured Housing Installation Standards constitute the codes to be applied to new manufactured homes which entered the first stage of production after November 22, 1976 which are rented, leased or sold or offered for rent;
- (6) Commission is the Missouri Public Service Commission;
- (7) Continuing education means that installers will be required to attend certification classes every three (3) years or as otherwise required by the Commission;
- (8) Dealer is any person, other than a manufacturer, who sells or offers for sale four or more manufactured homes in any consecutive twelve-month period or as otherwise defined in 700.010 RSMo;
- (9) Director means the director of the Manufactured Housing and Modular Units Program of the Public Service Commission and persons working under his/her supervision;
- (10) Educational program means a manufactured housing training program approved by the commission;
- (11) Educational provider is any person or legal entity approved by the commission to provide manufactured housing installation training, instruction, and certification pursuant to a training program approved by the commission;

(12) Installation is any work undertaken at the place of occupancy of a manufactured home to ensure the proper initial setup of the home, which shall include the joining of all sections of the home, installation of stabilization, support, and leveling systems, assembly of multiple or expanded units, and installation of applicable utility hookups and anchoring systems that render the home fit for habitation;

(13) Installer is an individual who is licensed by the commission to install manufactured homes, pursuant to sections 700.650 to 700.680, RSMo;

(14) Installation decals are decals issued by the commission to be attached to each new manufactured home installed or set-up by a licensed Installer;

(15) Installer license is a manufactured housing installer license or renewal license issued by the commission, issued for one (1) year period;

(16) Installation standards are reasonable specifications for the installation of a manufactured home, includes standards consistent with Chapter 700 RSMo., the act or the code and as required by the manufacturer's installation manual;

(17) License renewals means that manufactured housing installer licenses are due annually beginning with July 1, 2005;

(18) Limited use installer license is a manufactured housing limited use installer license issued by the commission which is valid for a period of 180 days and is limited to one renewal;

(19) Manufacturer is any person who manufactures manufactured homes, including persons who engage in importing manufactured homes for resale;

(20) Manufactured home is a manufactured home as that term is defined in subsection (5) of 700.010 RSMo;

(21) Manufacturer's installation manual, shall be the installation manual and any changes or addendums as provided by the home manufacturer for the model home being installed;

(22) New means being sold or offered for sale to the first purchaser for purposes other than resale;

(23) Person is an individual, partnership, corporation, or other legal entity;

(24) Program means Title VI of P.L. 106-569 and any federal regulations promulgated thereunder and as may be amended;

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

PUBLIC ENTITY COST: PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than \$500.00 in the aggregate.

PRIVATE ENTITY COST: This proposed rule will not cost private entities more than \$500.00 in the aggregate.

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.

AFFIDAVIT

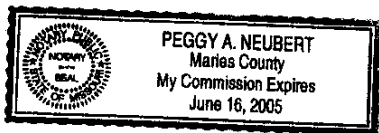
STATE OF MISSOURI)
)
COUNTY OF COLE)

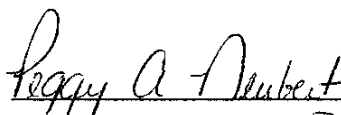
I, Kelvin L. Simmons, Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the cost of proposed rule 4 CSR 240-125.010 is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



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: 2461
Date Printed: 1/14/2005
Rule Number: 4 CSR 240-125.010
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
Affidavit for public cost	1/14/2005

