

2018 Manufactured Home Installation Standard

Summary of Significant Changes

Chapter 1 - General

- § 100 - Clarified scope and application of Manufactured Home Installation Standards to new and used manufactured & mobile homes, as well as applicability of all other related laws
- § 106 - Removed reference to service license - which is now obsolete as this license was removed from the statute in 2013.

Chapter 2 – Permits and Inspections

- § 201 - Removed obsolete language related to alterations and permitting which was unnecessarily restrictive
- §§ 203-204 – Clarifies the authority of the inspection entity (local or state) to permit, and the inspection criteria
- Revised installation checklist to meet new standards

Chapter 3 - General Installation Standards

- § 301 & 306 - Corrects references to the applicable edition of the building and residential code as adopted by the Building Code Board (and approved by the legislature)
- § 301 - Updated requirements to match new processes currently being used related to ensuring homes are sold in regions of the State with the proper snow load.
- § 301 - Eliminated a requirement that a certain percentage of the Home must be at least 18 inches above the ground
- § 303 - Updated provision to match current materials in use – allows for the field treatment of the cut ends of approved pressured treated wood products

Chapter 4 - Standard Set Installation Standards

- § 402 - Updated provisions to allow for recognized new technologies currently in use – recognizes and allows certain products that may be listed and labeled (approved) by a nationally recognized testing organization, or designed by an Idaho-licensed professional engineer. These products include prefabricated pads, block pier caps, or other piers, as well as alternate anchoring systems (§404).
- § 403 - Clarifies home perimeter support requirements for home sections over 12 feet, and allows for parallel perimeter blocking. Also indicates that certain support methods shall be in accordance with the manufacturer's recommended standards.
- § 403 - Eliminates the requirement of a foundation on all homes with a roof load of over 80 pounds psf.
- § 404 – allows for the use of used anchoring systems if they meet certain requirements

Chapter 5 – Permanent Foundation

- §§ 501 & 504 - Clarifies that permanent foundations shall meet the requirement of the Idaho Residential Code or be designed by an Idaho-licensed professional engineer.
- § 504 – Eliminates an inappropriate legal determination regarding the “real property” character of homes placed on a foundation.

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- § 505 – Modifies the spacing of anchoring equipment to the footings from a prescribed method to that of the standards recommended by the manufacturer of the anchoring equipment.
- § 505 – Allows for alternate anchoring systems if approved by an Idaho-licensed professional engineer.

Chapter 6 – Electrical Connections

- No significant changes

Chapter 7 – Plumbing Connections

- § 701 (and throughout) - Correctly updated references to the Idaho State Plumbing Code

Chapter 8 – Mechanical Connections

- § 803 -Clarifies that crossover ducts (between home sections) installed on site shall be done so in accordance with the current edition of the Idaho Residential Code adopted by the Idaho Building Code Board (and approved by the legislature).

Chapter 9 – Underfloors/Access and Egress

- No changes

Chapter 10 - Accessory Buildings and Structures

- No changes

Note – chapters 9 and 10 were previously combined in a single chapter in the previous (2004) edition of the Manufactured Home Installation Standards. While the provisions are now broken out into separate chapters, no changes were made to the language in those provisions.

Chapter removed – Heat Producing Appliances

- Previously designated chapter 10 related to Heat Producing Appliances was deleted because such installations are now already permitted under a different provision of the law, and not needed here. These items relate to ranges and dryers, furnace, gas stoves and fireplaces, water heaters, solid fuel burning fireplaces, and pellet-fired appliances. These are HVAC or building installations, which may be added to the homes at the site, and are permitted by the AHJ as a matter of course without regard to the fact that the structure is a manufactured home.

Definitions –

The following definitions taken from Idaho Code were added:

- Manufactured home
- Modular building
- Mobile home

The following definitions were added for clarity at the request of industry:

- New home
- RME (Responsible managing employee)
- Used

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Idaho Land Title Association
372 S. Eagle Rd., Suite 387
Eagle, ID 83616

January 25, 2018

Dear Committee Members,

The Idaho Land Title Association (ILTA) would like to take this opportunity to voice its support for rule dockets 18-0125-1701 and 18-0156-1701 proposed by the Idaho Department of Insurance (DOI). The ILTA is a trade association for the title insurance industry comprised of approximately 95% of the licensed title agents and title insurance underwriters in Idaho. The ILTA meets regularly with state and local officials to discuss title insurance issues. The ILTA appreciates the willingness of the DOI to work through these rules during the 2017 legislative interim.

Changes to Rule 25 and Rule 56 cut unnecessary regulations and aligns the DOI rules with current business practice. These rules will still allow title companies the discretion to address cancellation fees with customers. The rule changes will help the title industry to work more smoothly with their realtor and lender affiliates in the market.

Please approve rule dockets 18-0125-1701 and 18-0156-1701. Thank you for your consideration.

Sincerely,

Daryl Olsen
ILTA President

*4/30/18
docket no.
18-0125-1701
attachment 2*

State of Idaho
DEPARTMENT OF INSURANCE

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Governor

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DEAN L. CAMERON
Director

To: Chairman Patrick, Senate Commerce & Human Resources Committee
c/o Linda Kambeitz
From: Pamela Murray, Assistant to Director Cameron
Date: January 25, 2018
Re: Docket 18-0175-1701 Credit for Reinsurance – Incorporation by Reference

This rulemaking tracks NAIC model regulation (#786) and is a supplement to accreditation-related legislation (HO101) enacted last year. The pending rule's incorporation by reference provisions incorporate three documents at page 173 of the Sen. Commerce & Human Resources Pending Rule Book and are as follows quoted in red:

004. INCORPORATION BY REFERENCE.

Consistent with National Association of Insurance Commissioners (NAIC) model regulation 786, the following documents applicable to letters of credit as referenced in subsections 061.02, 081.05 and 081.06 of this rule, are incorporated by reference. ()

01. Documents. Copies of the following documents may be obtained by contacting our office. ()

- a. The Purposes and Procedures Manual of the NAIC Investment Analysis Office, NAIC Securities Valuation Office and NAIC Structured Securities Group, December 31, 2016, edition, as referenced in subsection 061.02. ()
- b. The Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce (Publication 600 (UCP 600), July 1, 2007, edition, as referenced in subsection 081.05. ()
- c. The International Standby Practices of the International Chamber of Commerce Publication 590 (ISP98), 1998 edition, as referenced in subsection 081.06. ()

1. Purposes and Procedures Manual of the NAIC Investment Analysis Office, NAIC Securities Valuation Office and NAIC Structured Securities Group,

This document generally provides guidance for filing and evaluation of types of securities which qualify as assets in meeting the requirements for insurers and reinsurers and assist state regulators in evaluating the financial statements and solvency of companies.

Section 061 of the rule starting on page 187 of the Pending Rule Book identifies when credit for reinsurance is allowed where the reinsurer holds specific assets for the domestic ceding insurance company. The specific document is referenced on page 188 of the Pending Rule Book at section 061.02 as follows:

02. Securities. Securities listed by the Securities Valuation Office of the National Association of Insurance Commissioners, including those deemed exempt from filing as defined by the Purposes and Procedures Manual of the NAIC Investment Analysis

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docket no.

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18-0175-1701*

Office NAIC Securities Valuation Office and NAIC Structured Securities Group, and
qualifying as admitted assets; (7-1-96)()

The amendment simply highlights the method and document by which the NAIC Securities Valuation Office identifies securities that satisfy the requirement. Securities exempt from filing are generally those that are otherwise deemed as secure, typically through a third party rating organization.

2. The Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce (ICC) Publication 600 (UCP 600) and the International Standby Practices of the International Chamber of Commerce Publication 590 (ISP98)

Both of these documents codify international practices providing guidance on the issuance and use of letters of credit. The letters of credit referenced in the pending rule are not used as a primary means of financing. Rather they are used as a backstop and are standby letters of credit, akin to a surety bond in the event a reinsurer does not pay a claim. However they are generally demand instruments and independent of the underlying reinsurance agreement. These techniques and methods for handling letters of credit represent best practices and have been standardized by the ICC through these publications.

The other standardized method for handling letters of credit is pursuant to the Uniform Commercial Code or UCC. Idaho's version is codified at Idaho Code § 28-5-101 et seq.

Section 081.05 and .06 reference these two documents as follows at page 194 of the Pending Rule Book:

05. Disclosure Statement. The letter of credit shall state whether it is subject to and governed by the laws of this state or the Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce (Publication 5600) (UCP 600) or International Standby Practices of the International Chamber of Commerce Publication 590 (ISP98), and all drafts drawn thereunder shall be presentable at an office in the United States of a qualified United States financial institution. (7-1-96)()

06. Letter Subject to Uniform Customs and Practice. If the letter of credit is made subject to the Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce (Publication 5600) (UCP 600) or International Standby Practices of the International Chamber of Commerce Publication 590 (ISP98), then the letter of credit shall specifically address and ~~make provision~~ provide for an extension of time to draw against the letter of credit in the event that one or more of the occurrences specified in Article 1936 of Publication 5600 occur. (7-1-96)()

The updates are not particularly substantive and do not change prior practices significantly. The reference in 081.06 changing Article 19 to Article 36 of Publication USP 500 to 600 is an update to the new reference where a bank cannot honor a presentment of a draw on a line of credit due to a force majeure (acts such as war, civil strife, floods etc.) and adds acts of terrorism to the category of a force majeure.

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State of Idaho
DEPARTMENT OF INSURANCE

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DEAN L. CAMERON
Director

To: Chairman Patrick, Senate Commerce & Human Resources Committee
c/o Linda Kambeitz
From: Pamela Murray, Assistant to Director Cameron
Date: January 25, 2018
Re: Docket 18-0181-1701 Corporate Governance Annual Disclosure – Incorporation by Reference

This rulemaking tracks NAIC model regulation (#306) and is a supplement to accreditation-related legislation (HO102) enacted last year. The pending rule's incorporation by reference provision incorporates one document at page 210 of the Sen. Commerce & Human Resources Pending Rule Book and is quoted as follows:

004. INCORPORATION BY REFERENCE. The most recent National Association of Insurance Commissioners (NAIC) Financial Analysis Handbook (2016 Annual / 2017 Quarterly edition) is hereby incorporated by reference into IDAPA 18.01.81. Copies of this handbook, may be viewed at: ()

1. National Association of Insurance Commissioners (NAIC) Financial Analysis Handbook

The National Association of Insurance Commissioners (NAIC) Financial Analysis Handbook (FAH) sets forth established standards and best practices to conduct peer review and coordinate regulatory oversight for examining insurance companies. The FAH provides guidance on the framework for financial analysis, procedures for analysis, an analyst reference guide, procedures for group-wide supervision and guidance for notes to financial statements.

If the Corporate Governance Annual Disclosure (CGAD) is completed at the group level, it must be filed with the lead state and may be filed with other states with group affiliate insurers.

Section 011.05 of the rule starting on page 211 of the Pending Rule Book references the FAH as follows:

011. FILING PROCEDURES.

05. Completion on Insurance Group Level. Notwithstanding Subsection 011.01, and as outlined in Section 41-6403, Idaho Code, if the CGAD is completed at the insurance group level, then it must be filed with the lead state of the group as determined by the procedures outlined in the most recent financial analysis handbook adopted by the NAIC. In these instances, a copy of the CGAD must also be provided to the chief regulatory official of any state in which the insurance group has a domestic insurer, upon request. ()

Factors to determine the lead state include: the state with the largest direct written premium; the domiciliary state of the top-tiered insurance company; the physical location of the main corporate or largest operational offices, etc.