



MHI Regulatory Update

DOE Selects Energy Efficiency Working Group

On July 10th, DOE announced its selection of members to serve on its Appliance Standards Rulemaking Advisory Committee (ASRAC) working group to develop consensus recommendations to update energy efficiency standards for manufactured housing.

Twenty members representing the industry, energy efficiency advocates, state energy officials, utilities and consumer representatives will serve as voting members. In addition to staff from MHI, MHARR, and the Systems Building Research Alliance (SBRA), seven MHI members will also serve; four manufacturers, two suppliers, and one member of MHI's National Communities Council.

The working group has until September 30, 2014, to develop consensus recommendations, which will also need to be reviewed by the HUD Manufactured Housing Consensus Committee before DOE issues a proposed rule. As the basis for discussion, MHI plans to present to the working group a comprehensive proposal that was developed by the MHI Technical Activities Committee.

[Click here](#) to view a list of the voting members selected. An official notice will be published in the *Federal Register* soon.

MHCC Holds its First Meeting of 2014

The HUD Manufactured Housing Consensus Committee (MHCC) held its first meeting, via teleconference, on June 26, 2014. In just under three hours, the committee:

- Approved updates to the AAMA (American Architectural Manufacturers Association) Reference Standards for windows;
- Sent back to the Systems Subcommittee for further discussion, two proposals requiring tamper resistant receptacles in all electrical outlets;
- Referred to the Structure and Design Committee new design requirements for Southern Pine Lumber;
- Referred to the Systems Subcommittee a new revision to the HUD Code deemed unworkable, regarding supply air ducts. In May, HUD issued a delay in the enforcement of this requirement, pending the development of a more acceptable solution.

- Referred to the Structure and Design Committee recommendations made by the Government Accountability Office (GAO), regarding ventilation systems in manufactured homes.

The Committee plans to meet again in the fall, in the Washington, D.C. area. For more information visit www.hud.gov/mhs.

Preemption Upheld for HUD Code for Blower Door Tests Required in Minnesota

HUD recently determined that the State of Minnesota is preempted from requiring an onsite Blower Door Test for new manufactured homes under The National Manufactured Housing Construction and Safety Standards Act of 1974, section 604(d).

In April, the Minnesota Department of Labor and Industry had determined that the MN State Energy Code, (IECC), requires an onsite Blower Door Test for all new residential construction, including manufactured homes, and modular homes. The IECC is the US Department of Energy's new residential energy code, and was adopted as a part of the Minnesota State Energy Code, effective in 2015. It requires all new homes to meet an air leakage rate not exceeding 3 ACH50, prior to receiving a certificate of occupancy.

According to HUD's General Counsel, preemption does not allow state or local codes to exceed the Federal Construction Standard. The state argued that when federal standards are silent or do not address a specific code or standard, that the state is not superseding the Federal Standard and may enforce state standards. Minnesota's Department of Labor and Industry questioned the issue under CFR 3285 and CFR 3286 installation rules, asserting that the Blower Door Test would be conducted as part of the onsite installation as a test, and thus is not a construction standard.

For more information [click here](#).

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