

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

24 CFR Part 3280

[Docket No. FR-4276-F-01]

**Snow Load Map for Manufactured
Homes; Technical Correction**

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Final rule.

SUMMARY: This rule corrects the omission of a snow load map from the codified regulations establishing standards for the construction and safety of manufactured houses. The design requirements and designations applicable to the snow loads to which a manufactured home must be designed have not changed, even though other unrelated revisions have been made to the applicable section of the regulations. These other revisions have been included in the Code of Federal Regulations (CFR), however, a map that illustrated the designated snow load zones was inadvertently omitted from the CFR. This final rule corrects the omission by recodifying the snow load map.

EFFECTIVE DATE: November 19, 1997.

FOR FURTHER INFORMATION CONTACT: David R. Williamson, Director, Office of Consumer and Regulatory Affairs, Room 9158, (202) 708-6401; or Marion Connell, Director, Manufactured Housing and Standards Division, Room 9152, (202) 708-6409 (these are not toll-free numbers). For hearing-and speech-impaired persons, these numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1-800-877-8339. The address for both of these persons is: Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410-8000.

SUPPLEMENTARY INFORMATION: On January 14, 1994, at 59 FR 2456, HUD published a final rule that, in part, revised several provisions in 24 CFR 3280.305(c), to improve the resistance of manufactured homes in high wind zones to wind damage. Because of the scattered nature of the revisions made at that time and because the maps in the then-existing codification were full-page graphics that were referenced in the regulations only as being included in § 3280.305 and were not clearly referenced as being included in a particular paragraph of that section, there was confusion about the amendatory instructions which resulted in the omission of the graphic for the

snow load requirements in subsequent editions of the CFR.

This final rule clarifies that the snow load map that had been included as a graphic in earlier editions of the CFR has not been changed as a result of the January 1994 or any subsequent rulemaking. In addition to this explanation in the preamble of this rule, this rule amends the regulations at § 3280.305(c) to reinsert the omitted snow load map and to reference clearly that the snow and wind load maps are codified as part of paragraph (c)(4) of § 3280.305. Appropriate references have, therefore, been added to the heading of the table in paragraph (c)(3)(i) and to paragraph (c)(4) of § 3280.305.

The Roof Snow Load Zone Map that is recodified by this rule is the same map that manufacturers have been continuing to include on the Data Plate, as required by § 3280.305(c)(4), since the requirement for the map was first made effective by a final rule published on December 15, 1975 (40 FR 58752, 58762).

Over the years, the Department has received inquiries from communities subject to large snow accumulations that express concern that HUD's snow load standards do not adequately protect the public in these areas. As indicated in § 3280.305(c)(3)(ii), HUD has authority to establish more stringent requirements for manufactured homes in areas where records or experience indicate significant differences from the snow load requirements established by the chart and map in § 3280.305(c). Any person or community interested in strengthening the snow load requirement for manufactured homes in a specific area or jurisdiction may contact HUD, at the address stated above, to request reconsideration of the applicable requirement.

In addition, the Department invites observations from interested parties, which might include suggestions for updating the snow load map and standards. The existing boundaries are often unclear, and there may be significant variations of snow fall within a particular snow load area. HUD is particularly interested in suggestions on how to protect persons living in manufactured homes in areas subject to high snow loads, without unduly increasing consumer costs or burdening retailers and manufacturers. These suggestions may include specific alternate protections for consumers in high snow load areas. HUD also invites suggestions on methods that could be used in the future to determine snow load requirements in areas where standard methods of data collection or

periods of evaluation are not adequate, for example where substantial local variations result from differences in elevation.

Justification for Final Rulemaking

In general, in accordance with the Department's regulations on rulemaking (24 CFR part 10), the Department publishes a rule for public comment before issuing a rule for effect. Part 10 does provide, however, for exceptions from that general rule where the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is "impracticable, unnecessary, or contrary to the public interest" (24 CFR 10.1). The Department finds that good cause exists to publish this rule for effect without first soliciting public comment. Public procedure is unnecessary because this action does not affect any of the requirements that have been, or currently are, in effect with respect to the required design loads for roofs in the designated snow load areas. The recodification of the snow load map should merely make it easier to identify and understand the application of the current requirements regarding the design requirements for manufactured homes in the various snow load areas.

Findings and Certifications

Environmental Impact

This amendment is excluded from the environmental review requirements of the National Environmental Policy Act (42 U.S.C. 4321-4347) and the other related Federal environmental laws and authorities, as set forth in 24 CFR part 50. In keeping with the exclusion provided for in 24 CFR 50.19(c)(1), this amendment does not "direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate property acquisition, disposition, lease, rehabilitation, alteration, demolition, or new construction, or set out or provide for standards for construction or construction materials, manufactured housing, or occupancy." Accordingly, under 24 CFR 50.19(c)(2), this amendment is categorically excluded because it amends a previous document where the underlying document as a whole would not fall within the exclusion set forth in 24 CFR 50.19(c)(1), but the amendment by itself does.

Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule before

publication and by approving it certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely makes a technical correction and does not change any of the requirements of the program.

Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this rule does not have "federalism implications" because it does not have substantial direct effects on the States (including their political subdivisions), or on the distribution of power and responsibilities among the various levels of government.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4; approved March 22, 1995) (UMRA) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments, and on the private sector. This rule would not impose any Federal mandates on any State, local, or

tribal governments, or on the private sector, within the meaning of the UMRA.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance number is 14.171.

List of Subjects in 24 CFR Part 3280

Fire prevention, Housing standards, Incorporation by reference, Manufactured homes, Reporting and recordkeeping requirements.

Accordingly, for the reasons set forth in the preamble, part 3280 of title 24 of the Code of Federal Regulations is amended as follows:

PART 3280—MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

1. The authority citation for part 3280 continues to read as follows:

Authority: 42 U.S.C. 3535(d), 5403, and 5424.

2. Section 3280.305 is amended as follows:

a. Paragraph (c)(3)(i) is amended by adding the following heading in the first column of the first row of the table:

"Zone (see Map in § 3280.305(c)(4))"; and

b. Paragraph (c)(4) is amended by revising the second sentence and by adding after the graphic "Basic Wind Zone Map for Manufactured Housing" a graphic entitled "Roof Snow Load Zone Map", as follows:

§ 3280.305 Structural design requirements.

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(c) * * *

(3) * * *

(i) * * *

Zone (see Map in § 3280.305(c)(4))	Pounds per square foot
North Zone	40
Middle Zone	30
South Zone	20

* * * * *

(4) * * * The Data Plate shall include reproductions of the Load Zone Maps shown in this paragraph (c)(4), with any related information. * * *

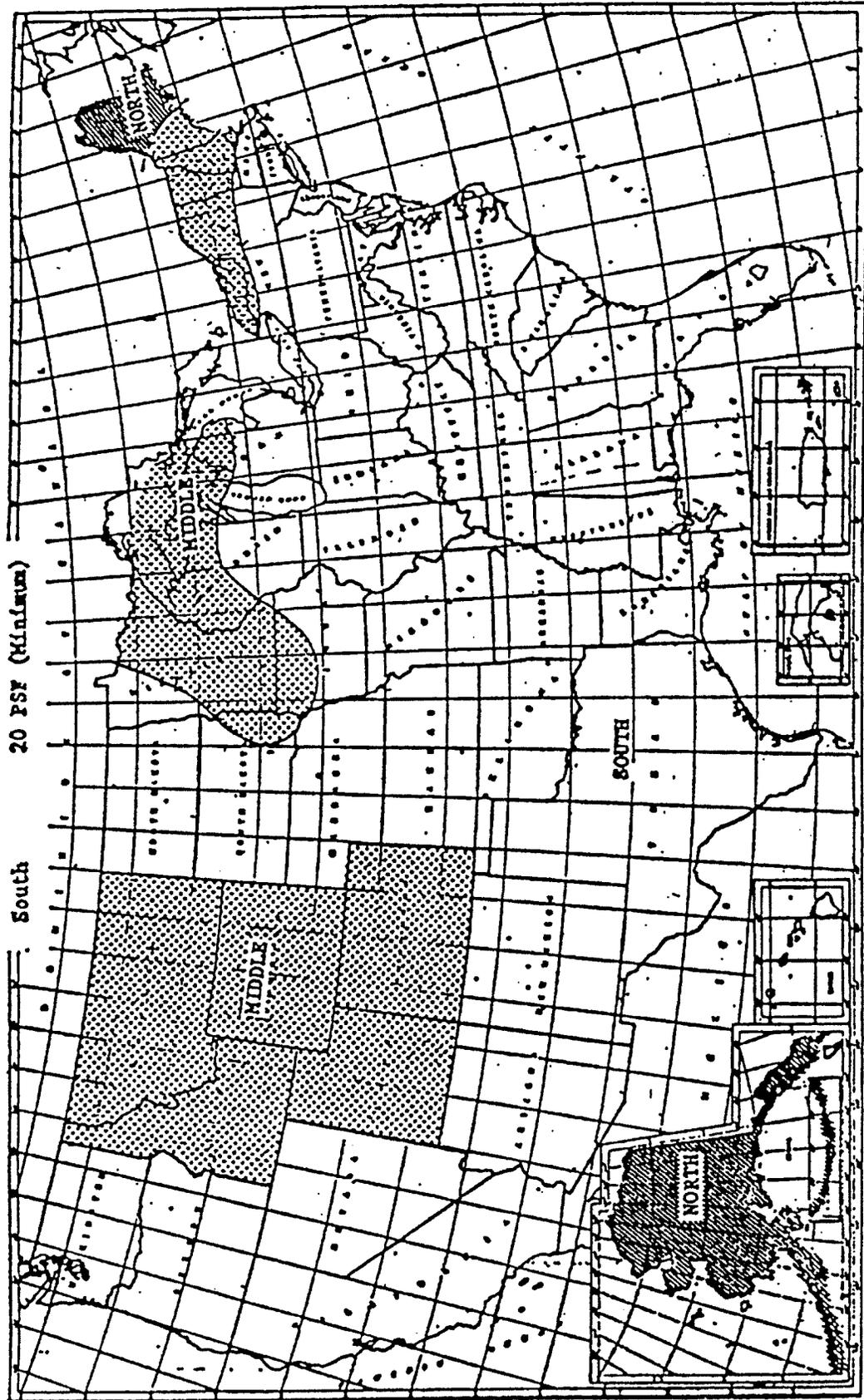
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BILLING CODE 4210-27-P

ROOF LOAD ZONE MAP

North
Middle
South

40 PSF (Snow)
30 PSF (Snow)
20 PSF (Minimum)



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Dated: October 4, 1997.

Nicolas P. Retsinas,

*Assistant Secretary for Housing, Federal
Housing Commissioner.*

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