

Nov. 7, 2025

International Code Council
CEO John Belcik
200 Massachusetts Ave NW
Washington, DC 20001

Amendment Regarding: ICC 1215 Is Violating CP#49-21 – Conforming Codes and Standards to United States Federal Law And International Law: ICC 1215 And Is Promoting An Illegal Transport System For Tiny Houses And Overriding Federal Laws On The Chassis And The Chassis That Is The Carrier System.

Adding supportive documents and more violations to my October 13, 2025 complaint regarding the purposeful omission of federal requirements for trailers (chassis) both used as a temporary carrier system for a modular home and an integrated chassis in the ICC 1215 standard and the overreach and influence with inaccurate information of David Tompos's Jr with the complicity of the building officials.

[Folder Emails From Janet Thome and David Tompos Jr.](#)

I. Overview

The International Code Council (ICC) and the Tiny Home Industry Association (THIA) are jointly developing **ICC/THIA 1215 – Design, Construction, and Regulation of Small Residential Units and Tiny Houses for Permanent Occupancy.**

This proposed standard seeks to create a new category of "movable dwellings" but **omits all reference to controlling federal transportation law, certification procedures, and taxation requirements.**

These omissions constitute **purposeful deception** and would, if adopted, cause builders and local officials to engage in conduct that violates federal statutes, including the **Motor Vehicle Safety Act, Internal Revenue Code, and Federal Trade Commission Act.**

II. Supremacy Clause and Federal Preemption

U.S. Constitution, Article VI, Clause 2 – The Supremacy Clause:

"This Constitution, and the Laws of the United States ... shall be the supreme Law of the Land."

Federal law preempts any conflicting or incomplete private or local standard.

Because ICC/THIA 1215 regulates trailers, chassis, and movable dwellings—areas governed by federal transportation statutes—it cannot legally supersede or omit those requirements.



” My motivation in **Avoiding A Motor Vehicle Classification**

is to keep SRU requirements practical and cost effective.
Janet, can you help us understand your motivation for classifying
the SRU as a motor vehicle at the federal level?

What’s the benefit, and does it outweigh the regulatory and financial
burden it creates for builders, inspectors, and consumers? “

-ICCNTA

My answer- federal laws trump codes and standards, it is NOT that I want an SRU to be classified as a motor vehicle, it is the path to compliance for trailers. I have simply pointed out the laws-which they want to ignore.

*I am objecting to the **exception in Chapter 7, Section 701.1 of the ICC/THIA 1215 standard**, which allows an “**independent carrier system**” to transport Small Residential Units (SRUs) without compliance with federal motor-vehicle safety requirements. This provision effectively removes this type of chassis from the **NHTSA and DOT safety and registration system**, creating what I call a ‘**Ghost Trailer-**’ a carrier system that acts as a temporary chassis with no VIN, no certification labels, and no FMVSS compliance. For more than fifty years this loophole has enabled untraceable, untaxed, not properly insured trailers to operate on public highways outside of federal oversight with all the liability on the transporter. By institutionalizing this exception, ICC 1215 legitimizes an illegal practice, undermines federal safety law, invites tax evasion, and poses a direct risk to public safety.*

Key Federal Definitions That ICC Is Ignoring

49 U.S.C. § 30102(a)(7):

“Motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways.

49 CFR 565.2:

Defines “trailer” as a motor vehicle designed for carrying property or persons and for being drawn by another motor vehicle.

The Modular structure itself (Tiny House Or SRU) would not be classified as a motor vehicle, however the chassis would be whether it is a temporary chassis acting as a carrier system or integrated with the structure, and must follow all federal laws for trailers.

[NHTSA Interpretation](#)

Building Officials On ICC 1215 are Violating The Color Of Law

Building officials serving on the ICC/THIA 1215 committee act under color of state law when they use their governmental positions to influence, vote on, or later adopt private standards that shape housing regulations. When those actions advance private or monopolistic interests, suppress lawful market participation, or deprive citizens of fair and equal access to housing, they may constitute violations of 18 U.S.C. § 242 and 42 U.S.C. § 1983. This is especially egregious where the same officials later enforce those privately-written rules at the state level, effectively converting private corporate policy into public law without democratic process.

[The Color Of Law](#)

Public Law Concerns

When the same building officials who serve on ICC boards adopt and enforce ICC codes as state law, they are effectively delegating public power to a private corporation, raising issues under the Non-Delegation Doctrine, Color of Law (18 U.S.C. § 242), and Equal Protection principles.

Specific Acts Potentially Violating Color-of-Law Protections Conflict of Interest / Self-Dealing

- Public officials are leveraging their state authority to legitimize and enforce a privately developed standard that benefits a small group of corporate interests (ICC, THIA, affiliated code consultants).
- This violates federal and state ethics rules and may constitute deprivation of public rights under § 242.

Deprivation of Economic Rights and Equal Protection

By redefining “tiny houses” into the “Small Residential Unit (SRU)” and excluding chassis-based dwellings from legitimacy, these officials deprive small builders and homeowners of equal access to housing markets — a potential equal protection violation when done under color of authority.

Suppression of Due Process Violating The ANSI Essential Requirements

The **vote-stacked committee** of ICC 1215 standard, enforced by the states, denies citizens the **public due-process safeguards** normally afforded in standards development.

Misuse of State Positions in Private Governance

When a building official acts within ICC as both a **voting regulator and a market participant**, they blur the line between **government and private enterprise** — functioning as a regulator for personal or institutional gain, which is precisely what “color of law” was intended to prevent

H.R.3419 - Motor Carrier Safety Improvement Act of 1999

The Motor Carrier Safety Improvement Act of 1999 is a *federal law* (Public Law 106-159) that created the FMCSA and requires states to align their commercial motor vehicle safety programs — including VIN enforcement for trailers — with federal standards under Title 49 U.S.C. States must enforce federal VIN and FMVSS rules under the Motor Carrier Safety Improvement Act of 1999, making ICC’s proposed transportation provisions legally incompatible and unenforceable at the state level.

Public Law 106-159, 49 U.S.C. § 31100 et seq.
(Created the Federal Motor Carrier Safety Administration – FMCSA)

Violation of the “Non-Delegation Doctrine”

- States and local governments cannot delegate legislative authority to a private, for-profit entity without oversight.
- By adopting ICC 1215 standards wholesale, officials are outsourcing lawmaking to a private corporation—unconstitutional delegation under state and federal separation-of-powers principles.

Fraudulent Misrepresentation / Consumer Deception

- Marketing this carrier system that is a temporary chassis as “compliant” or “approved” while exempting them from FMVSS, VIN, and insurance frameworks constitutes false representation under 15 U.S.C. § 45 (FTC Act) and state consumer-protection statutes.
- Homeowners purchasing modular homes delivered on the “Ghost Trailer ” would be misled into believing they’re federally compliant when they’re not—grounds for consumer fraud or product liability claims.

Financial And Tax Angles

a. IRS Form 637 Manufacturer Registration

Manufacturers producing taxable trailers or chassis must register with IRS under Form 637, Activity M to qualify for excise-tax exemption or reporting.

“Ghost Trailer” builders bypass both the WMI registration and IRS manufacturer registration, creating a tax-evasion pattern across multiple agencies.

b. Highway-Use Reporting to FHWA

- States must report vehicle registrations by VIN and class to FHWA for **federal highway-fund allocation**.
- Missing VINs = under-reporting = **false data submissions** under **23 U.S.C. § 307**, jeopardizing state funding accuracy.

1. Federal Legal and Oversight Angles

- The ICC and its public-member participants (state officials) are functioning like *de facto regulators*—creating rules that later have the force of law.
- Under the APA (**5 U.S.C. §§ 551–559**), any rule with binding effect must go through **notice-and-comment rulemaking, economic impact analysis, and public review**.

- ICC bypasses all of this, turning **private rulemaking** into **public law** via adoption—thus **circumventing due process** and violating fundamental administrative law principles.

The ICC/THIA 1215 standard acts as “shadow regulation,” unlawfully avoiding APA transparency and federal oversight with the chassis requirements.

Federal Laws Potentially Violated By The 'Ghost Trailer' Exception And Omission Of Federal Requirements

1) 49 U.S.C. § 30112(a) – Prohibition on manufacturing or selling non-compliant motor vehicles

“A person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States any motor vehicle or motor vehicle equipment manufactured on or after the date an applicable motor vehicle safety standard takes effect unless the vehicle complies with the standard.”

✔ Violation:

By declaring the transport chassis exempt, ICC 1215 would allow the manufacture and use of **motor vehicles (trailers)** that do **not comply with Federal Motor Vehicle Safety Standards (FMVSS)**—specifically braking systems, couplings, lighting, and structural integrity requirements under **49 CFR Part 571**.

2. 49 U.S.C. § 30115 – Certification of Compliance

Manufacturers must certify that each motor vehicle complies with all applicable FMVSS and affix a permanent label.

✔ Violation:

The “ghost trailer” would **lack a manufacturer certification label**, meaning there is **no legal attestation of compliance** with any safety standard.

3. 49 CFR Part 565 – Vehicle Identification Number (VIN) requirements

Every motor vehicle, including trailers and semitrailers, must have a unique VIN assigned by a registered manufacturer with an SAE-issued WMI (World Manufacturer Identifier).

4. 49 CFR Part 567 – Certification labeling requirements

The label must display the VIN, manufacturer, GVWR/GAWR, and FMVSS compliance statement.

✔ **Violation:**

No VIN → no label → **violation of both Part 565 and 567**. This makes it impossible for NHTSA, DOT, or state DMV to verify legality or safety of the chassis.

5. 49 CFR Part 571 (FMVSS) – Federal Motor Vehicle Safety Standards

Covers essential safety systems for trailers:

- Lighting (108)
- Brakes (121)
- Tires (119)
- Couplings (223/224 underride protection)
- Structural performance

✔ **Violation:**

By classifying the transport chassis as outside NHTSA's jurisdiction, ICC 1215 effectively authorizes production of trailers **without FMVSS compliance**, a direct federal safety violation.

6. 49 U.S.C. § 30117 & § 30118 – Recordkeeping, recall, and defect reporting

Manufacturers must maintain records and notify owners of safety defects.

✔ Violation:

Because “ghost trailers” have **no VINs or manufacturer identification, defects cannot be tracked or recalled**, violating NHTSA’s defect-reporting provisions.

7. 49 U.S.C. § 30122(b) – Making safety devices inoperative

No person may knowingly make inoperative any part of a motor vehicle compliance system.

✔ Violation:

By design, the ICC clause **renders FMVSS enforcement inoperative** for these chassis — effectively nullifying federal oversight.

8. 49 U.S.C. § 31102(c)(1) (Motor Carrier Safety Improvement Act of 1999)

“A State may not adopt or enforce a law or regulation on commercial motor vehicle safety that is incompatible with a regulation prescribed by the Secretary.”

✔ Violation:

If states adopt the ICC 1215 exception, they would be **enforcing a rule incompatible with federal law**, placing them in **non-compliance with H.R. 3419 / FMCSA requirements** and risking federal funding.

Why This Poses A Problem?

Section 701.1 effectively tries to **create a new, non-federal transportation category** — letting ICC and THIA set standards for **chassis-based dwellings** without following **federal VIN or FMVSS requirements**.

That violates:

- **49 U.S.C. § 30112(a)**: prohibiting the sale or introduction of a non-compliant motor vehicle into interstate commerce.

If a state adopts this ICC 1215 exception clause, it would be **out of alignment with federal law**, because:

- States cannot register or permit highway transport of a unit that lacks a **federally assigned VIN**.
- ICC has **no federal authority** to define or regulate a **'transport chassis.'**

Tax Related Violations

Federal Excise Tax (26 U.S.C. § 4051 & § 4221)

Imposes a 12% excise tax on the first retail sale of trailers and truck chassis.

Violation:

Unregistered "ghost trailers" evade this excise tax because they **do not exist in federal or state databases** as taxable equipment.

State Motor Vehicle Registration and Use Taxes

Each state levies:

- **Title/registration fees**
- **Ad valorem or property taxes** on trailers
- **Fuel and highway-use taxes**

Violation:

Since the chassis is not titled or VIN-registered, states **cannot collect taxes or fees**, constituting **state-level tax evasion** and **interstate commerce fraud** if the units cross s

Federal Heavy Highway Vehicle Use Tax (HVUT)

The **Federal Heavy Highway Vehicle Use Tax (HVUT)** — a separate federal **road tax** administered by the **IRS**.

This tax applies to **any highway motor vehicle with a gross weight of 55,000 pounds or more** that is **registered for highway use** (including **trailers, semitrailers, and chassis** designed to carry loads).

How HVUT Connects To The ' Ghost Trailer'

Federal Heavy Highway Vehicle Use Tax (HVUT)

Statutory Authority:

- 26 U.S.C. § 4481–4483
- IRS Form 2290 (Heavy Highway Vehicle Use Tax Return)

Requirements

*Every person who registers a highway motor vehicle with a taxable gross weight of **55,000 pounds or more** must pay an **annual federal use tax** to the IRS.*

- The vehicle must have a **VIN** to file [Form 2290](#).
- Proof of payment is required before **a state can renew or issue registration** (per **26 U.S.C. § 4481(c)** and 23 CFR 669.21).

The 'Ghost Trailer' Violation

If ICC 1215 classifies the chassis as “*NOT a motor vehicle*” and excludes it from VIN or registration requirements, then:

- ✓ **No VIN → No Form 2290 filing**
- ✓ **No registration → No HVUT payment**
- ✓ **No reporting → IRS revenue loss**

This means every chassis built and used under this “exception” avoids the **federal highway-use tax**, even though it physically **uses public roads and contributes to highway wear**.

That's **federal tax evasion** under:

- **26 U.S.C. § 7201 (Tax Evasion)**
- **26 U.S.C. § 7203 (Willful Failure to File)**
- **18 U.S.C. § 371 (Conspiracy to Defraud the United States)**

Enforcement Connection

The HVUT is jointly enforced by:

- The **IRS** (for tax collection),
- The **Federal Highway Administration (FHWA)** (for compliance), and
- **State DMVs** (who must verify IRS Form 2290 payment before registration).

Because the “ghost trailer” lacks a VIN and is not titled or registered, it completely **bypasses the enforcement system**, preventing both **tax assessment and highway safety verification**.

In Summary

Element	Federal Requirement	How the “Ghost Trailer” Violates
Heavy Highway Vehicle Use Tax	26 U.S.C. §§ 4481–4483	Fails to file IRS Form 2290
VIN requirement for IRS tracking	49 CFR Part 565	No VIN → No tax record
State verification before registration	23 CFR 669.21	No registration → No cross-check
Federal tax reporting and payment	26 U.S.C. § 7201	Willful evasion of federal tax obligation

The ICC 1215 “independent carrier system” exemption facilitates evasion of the Federal Heavy Highway Vehicle Use Tax (26 U.S.C. § 4481), which applies to all highway vehicles exceeding 55,000 pounds. Since the chassis are unregistered and lack VINs, they cannot be reported on IRS Form 2290, resulting in systematic tax evasion and violation of federal highway-use and registration laws.

Potential Criminal and Civil Implications

- **18 U.S.C. § 1001** – False statements to a federal agency (if documentation claims compliance).
- **18 U.S.C. § 1343 / 1341** – Wire or mail fraud (marketing or transporting unregistered chassis).
- **18 U.S.C. § 371** – Conspiracy to defraud the United States (if done knowingly to avoid FMVSS and tax obligations).

Title 49 U.S.C. (Motor Vehicle Safety, Motor Carrier, and Highway Safety Acts) and Title 26 U.S.C

The independent carrier system that is acting like a temporary chassis is a ‘Ghost Trailer’ concept promoted through the ICC/THIA 1215 exception constitutes an unlawful circumvention of federal motor-vehicle safety, certification, and tax laws. By exempting an “independent carrier chassis” from VIN, labeling, FMVSS, and registration, it violates multiple sections of Title 49 U.S.C. (Motor Vehicle Safety, Motor Carrier, and Highway Safety Acts) and Title 26 U.S.C. (federal excise taxes), resulting in untraceable, untaxed, and unsafe highway equipment operating outside the bounds of federal jurisdiction.

Manufacturer Identification and VIN Issuance Requirements

Federal Authority

Under **49 U.S.C. § 30115** and **49 CFR Part 565**, every motor-vehicle manufacturer — including those that build **trailers, semitrailers, and chassis** — must:

1. Register as a manufacturer with **NHTSA** before producing any motor vehicles; and
2. Obtain a **World Manufacturer Identifier (WMI)** code from the **Society of Automotive Engineers (SAE International)**, the private standards body **contracted by NHTSA** to administer that system worldwide.

This WMI becomes the first three characters of every **Vehicle Identification Number (VIN)**.

Legal Chain of Authority

◆ Legal Chain of Authority

Step	Requirement	Source
1	Manufacturer must be registered with NHTSA	49 CFR Part 566 – Manufacturer Identification
2	Manufacturer obtains WMI code from SAE	SAE J1044 / SAE J272 protocols, administered under contract with NHTSA
3	VIN structure and content must follow Part 565	49 CFR Part 565.15 – Vehicle Identification Number Requirements
4	Certification label must display VIN and compliance statement	49 CFR Part 567 – Certification
5	Manufacturer must maintain records and notify NHTSA of changes	49 CFR § 566.6

What ICC 1215 Is Attempting to Bypass With The Exception And Ignoring Federal Laws By Omission

The “**independent carrier chassis**” **exception** in Chapter 7 claims that such chassis:

- Need **no VIN**,
- Need **no NHTSA registration**,
- Need **no certification label**, and
- Are **not motor vehicles**.

That position directly undermines the federal identification chain, because:

- Without WMI registration, the builder is **not a recognized manufacturer** under federal law.
- Without a WMI, a **VIN cannot legally exist**.
- Without a VIN, **no certification label** or safety tracking is possible.
- Without certification, **sale, transport, or introduction into commerce** violates **49 U.S.C. § 30112(a)**.

Resulting Violations

1. **49 CFR Part 566** – Failure to register manufacturer information with NHTSA.
2. **49 CFR Part 565** – Failure to obtain an SAE-issued WMI and assign legal VINs.
3. **49 CFR Part 567** – Failure to affix certification labels referencing those VINs.
4. **49 U.S.C. § 30112(a)** – Introduction of non-compliant vehicles into interstate commerce.
5. **49 U.S.C. § 30115** – Failure to certify compliance with applicable FMVSS.

Each violation can trigger **civil penalties under 49 U.S.C. § 30165**, reaching tens of thousands of dollars per vehicle.

*The ICC 1215 “independent carrier chassis” exemption unlawfully bypasses the federal manufacturer-identification and VIN-issuance system established under 49 CFR Parts 565–566 and 567. Because SAE International administers the World Manufacturer Identifier (WMI) system under contract with NHTSA, any chassis builder operating without an SAE-issued WMI and VIN is manufacturing and selling **unregistered, untraceable motor vehicles**. This eliminates federal oversight, recall accountability, and tax tracking—effectively creating a class of “ghost trailers” invisible to both NHTSA and IRS.*

The Functional and Legal Importance of a VIN Number

Federal Purpose of the VIN

The **Vehicle Identification Number (VIN)** is not merely a serial code; it is the federally mandated *identity* of a motor vehicle.

- It enables **registration, taxation, titling, insurance, and recall tracking**.
- It is the foundation of **interstate commerce, ownership, and safety accountability** for all vehicles — including **trailers, semitrailers, and chassis**.

Legal Basis

- **49 CFR Part 565** – Requires a unique VIN for every motor vehicle, including trailers.
- **49 CFR Part 566** – Requires manufacturer registration with NHTSA and recordkeeping.
- **49 CFR Part 567** – Certification label must display VIN, weight ratings, and FMVSS compliance.
- **49 U.S.C. § 30112(a)** – Prohibits sale, introduction, or use of any motor vehicle without compliance with these standards.

Why The VIN Number Is Legally And Financially Critical

◆ Why the VIN Is Legally and Financially Critical

Function	Why the VIN Is Required	Result if Absent (Ghost Trailer)
Titling & Registration	States require a valid VIN to issue a certificate of title or registration for a trailer or chassis.	The chassis cannot be legally titled or registered — effectively has no legal existence.
Insurance Coverage	Insurers require a VIN to issue policies and track claims through national databases.	No VIN → No insurable asset → No liability coverage for transport or damage.
Financing & Loans	Banks and lenders use VINs to secure liens, verify collateral, and report to credit bureaus.	No VIN → No legal collateral → Financing, leasing, and resale markets are impossible.
Initial Sale by Manufacturer	A manufacturer cannot lawfully sell a vehicle without a VIN and certification label per 49 U.S.C. § 30112.	Sale is unlawful interstate commerce in a non-compliant vehicle.
Future Resale	States require VINs to transfer titles and collect sales/use taxes upon resale.	The trailer cannot be resold legally; no title, no proof of ownership, no tax collection.
Theft Prevention & Recovery	VINs are logged in national databases (NMVTIS, NICB) for tracking and theft recovery.	Untraceable if stolen or involved in a crash — poses enforcement and liability risks.

Broader Impact of Removing the VIN

By promoting a chassis that “does not need a VIN, registration, or certification,” ICC 1215 framework would:

- **Erase legal ownership chains** between manufacturer, dealer, and consumer.
- **Nullify consumer protections** under federal and state vehicle codes.
- **Block states from collecting title, sales, excise, and use taxes.**
- **Prevent insurance underwriting**, shifting all risk to buyers and transporters.
- **Undermine financial markets**, as no legitimate lender can finance or repossess an unregistered asset.
- **Create untraceable units** operating on public highways, posing safety and liability risks to the public.

The VIN system is the legal backbone of the U.S. motor vehicle economy. It connects NHTSA manufacturing compliance to every downstream requirement — titling, taxation, insurance, financing, and resale. By eliminating VINs for a so-called “independent carrier chassis,” ICC 1215 standard facilitates a shadow fleet of unregistered, untaxed, not properly insured, and unfinanceable motor vehicles. These ‘Ghost Trailers’ undermine federal safety law, consumer protection, and the fiscal integrity of both state and federal tax systems.

Highlighting The Role Of NHTSA'S Role And States Regarding VIN Numbers/ MSOs And Titles

National Highway Traffic Safety Administration (NHTSA) does not have jurisdiction over vehicle titles and Manufacturer Statements of Origin (MSOs/MCOs)

- **NHTSA's Role:** NHTSA is a federal agency responsible for vehicle safety standards (Federal Motor Vehicle Safety Standards – FMVSS), investigating safety defects, and enforcing recalls. Its authority generally relates to the manufacture and performance of vehicles and equipment to meet safety standards.
- **State's Role:** The titling and registration of motor vehicles for operation on public roads is the responsibility of individual states, typically through their Departments of Motor Vehicles (DMVs) or equivalent agencies. States are the entities that require an MSO/MCO (Manufacturer's Certificate/Statement of Origin) to issue the initial vehicle title when a new vehicle is first sold and registered.
- **MSOs/MCOs:** These documents are not federally required, but are original ownership documents provided by the manufacturer or dealer that are surrendered to the state to obtain a title. NHTSA does not offer guidance on obtaining these documents; consumers and manufacturers with questions are directed to their State's DMV or the American Association of Motor Vehicle Administrators (AAMVA).

A MSO/MCO Must Have A VIN Number Associated With The Trailer To Obtain A Title

A Manufacturer's Certificate/Statement of Origin (MCO/MSO) is required to get a title for a new vehicle, including trailers because it proves the manufacturer's ownership and contains all the necessary information, including the [Vehicle Identification Number \(VIN\)](#). The MCO/MSO is surrendered to the state to issue the vehicle's first title, and it must include the VIN, year, make, model, and other details

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What Is A MSO?

There is a lot of confusion surrounding the terms **MSO** and **MCO** related to new vehicles, but there is no need to wonder any longer about these vague abbreviations. These terms simply refer to the vehicle's Certificate of Origin and aren't that complicated once you understand what they do.

MSO stands for the **Manufacturer's Statement of Origin**. MCO is the **Manufacturer's Certificate of Origin**. Both phrases refer to the same document, one which carries information about the automobile's production like its country of origin. An MSO/MCO is usually similar in appearance to a Certificate of Title and includes the manufacturer, vehicle identification number and the year of manufacture. You will find an MSO is included with many things, not just vehicles. For example, aircraft, motorboats and trailers come with them as well.

[Learn More: Dirt Legal](#)

Incident Examples

- In one case, a portion of a modular home was blown off its trailer on the Marc Basnight Bridge in North Carolina during transport, when 65-70 mph winds detached the home from the trailer. [News 3 WTKR Norfolk](#)
- In another instance a modular home being transported on Highway 97 in Canada ended up "on the road" after coming off its carrier system. [Global News](#)
- Also, a trucking company shared a video of a modular home dropping from its transport load on Highway 97 after a hard brake application caused the load's brackets to fail and the dolly to slide out.

Why The Incident Matters?

- These events demonstrate that **units with integral chassis or large modular units mounted on carrier systems** are **subject to transport hazards** and thus those chassis/systems must meet **transport safety and registration standards**.
- If a chassis is unregistered, lacks a VIN, is uncertified and is permitted to travel on highways without meeting safety standards (as would be the case under the “ghost trailer” exception), then:
 - It's **unable to be traced** if something goes wrong.
 - It's more likely to **fail or separate** (as illustrated) because it may not meet the rigorous standards of axle, drawbar, hitching, braking, and structural integrity required for road transport.
 - Victims of accidents will have limited recourse because the trailer may be **unidentified, uninsured, untitled**.
 - Repair, recall and manufacturer-liability processes break down when there's no VIN and no certified manufacturer registration.
 - The liability falls mainly on the transporter.

*Recent incidents in which modular homes or transport structures have detached from carrier/trailer systems during highway travel further underscore the critical need for chassis/trailer systems to be **fully subject to federal motor vehicle safety regulations, manufacturer registration, VIN issuance, titling, registration and insurance**. The proposed exception in Chapter 7, Section 701.1 of the ICC/THIA draft would permit transport systems that are inherently hazardous to travel public highways unsafely and without accountability.*

The VIN Number Is On The Trailer Data Plate

The **Vehicle Identification Number (VIN)** serves as the **official Data Plate** of a trailer—it is the federally mandated identifier that links the chassis to its manufacturer, certification, and safety compliance record. Under **49 CFR Part 565** and **49 CFR Part 567**, every trailer must have a **VIN and certification label permanently affixed** to the trailer frame by the original manufacturer. The label must be **riveted, welded, or otherwise permanently attached** to a non-removable portion of the chassis, typically **on the left-front side of the frame near the tongue or drawbar**, where it is visible for inspection. This plate must display the manufacturer's name, date of manufacture, VIN, Gross Vehicle Weight Rating (GVWR), and a statement of compliance with all applicable **Federal Motor Vehicle Safety Standards (FMVSS)**. Any trailer lacking this permanent Data Plate cannot be legally identified, titled, insured, or certified for road use under federal law.

SAE And The World Manufacturer Identifier (WMI) System

Under **49 CFR Part 565** and **Part 566**, every manufacturer of a motor vehicle—including trailer and semitrailer manufacturers—must register with the **National Highway Traffic Safety Administration (NHTSA)** before beginning production.

As part of that process, the manufacturer must obtain a **World Manufacturer Identifier (WMI)**, which forms the first three characters of the **Vehicle Identification Number (VIN)**.

The **Society of Automotive Engineers (SAE International)** administers the WMI system **under contract with NHTSA**, maintaining the global database of assigned manufacturer identifiers.

To comply:

1. **Application:** The manufacturer submits a WMI request to SAE, identifying the company name, address, and vehicle type (trailer, semitrailer, motorhome, etc.).
2. **Assignment:** SAE issues a three-character WMI unique to that company.
3. **Registration:** The manufacturer then files **NHTSA Manufacturer Identification Form (49 CFR § 566.5)** citing its WMI, production type, and contact information.
4. **Use in VIN:** The WMI becomes the first section of the 17-character VIN required by **Part 565.15**, allowing traceability of every chassis built.

Legal Note:

Only manufacturers with an active WMI issued by SAE and registered with NHTSA may lawfully assign VINs to vehicles. Any entity producing chassis or trailers without a valid WMI and corresponding NHTSA registration is manufacturing **unregistered motor vehicles** in violation of **49 U.S.C. §§ 30112 and 30115** and **49 CFR Parts 565 and 566**.

Statement Regarding Movable Tiny Homes On Data Plate

The statement is on the bottom right of the DATA Plate

The builder certifies to the best of their knowledge and belief that this Movable Tiny House has been inspected in accordance with the requirements of the AHJ (Authority having jurisdiction) and is in compliance with the IRC and ICC/THIA Standard 1215.

This statement is not appropriate to the standard. No where in the standard is the term Movable Tiny House is defined or found in text anywhere else in the standard. They are obviously referring to a tiny house on wheels with an integrated trailer. The tiny house that is delivered on the temporary carrier system or the 'Ghost Trailer' does not have a permanent chassis.

My Questions

- They statement is basically giving the builder the ability to self -certify that the Movable Tiny House Is Inspected, but **What Agency Inspects Them?**
- How could a Movable Tiny House comply to the IRC, if Movable Tiny Houses **are not in the code?**
- How can a Movable Tiny House be inspected by the requirements of an AHJ, if they are only guided by ICC 1215, that has denied most federal requirements that **states are mandated to follow?**

Small Residential Unit Data Plate

Builder/Manufacturer Contact Info:
(Name, address, Email, Phone, Web)

Date of Build:
Serial Number:
Weight (LL/DL)
Wind Load (Zone)
Roof Load (LL/DL)
Floor (LL)
Snow Load
Seismic Risk Category (Zone/g)
Heating/Wiring (AMP)
Thermal Resistance Values:
(Roof/Walls/Floor)
List of Codes/Occupancy Classification

Additional Documents with DataPlate:
ResCheck

Special Installation/Handling Instructions Y/N



The builder certifies to the best of their knowledge and belief that this Movable Tiny House has been inspected in accordance with the requirements of the AHJ (Authority having jurisdiction) and is in compliance with the IRC and ICC/THIA Standard 1215.

What I See Wrong With This Statement

ICC's Attempt to Override Federal Law for Movable Tiny Houses

The International Code Council (ICC) — through its ICC/THIA 1215 “Small Residential Unit” standard — is attempting to override long-established federal laws governing vehicles and trailers, including mandatory **VIN (Vehicle Identification Number)** and **NHTSA (National Highway Traffic Safety Administration)** compliance requirements. By inserting a **self-certifying statement** that claims a Movable Tiny House (a house built on wheels) is inspected under the **IRC** and “in accordance with the AHJ,” ICC is asserting authority it does not have. This is a **direct conflict with federal jurisdiction**, as any structure built on a chassis with wheels is legally classified as a **vehicle or trailer**, not a building under state or local building codes.

In essence, ICC is trying to **reclassify a federally regulated vehicle as a dwelling** under its proprietary code system — effectively creating its own regulatory regime outside federal oversight. This Data Plate language allows builders to “certify” compliance to ICC/THIA 1215 without any federal recognition, bypassing **DOT, FMVSS, and NHTSA safety standards**, including the VIN system, lighting, axle, and braking requirements that ensure public safety and traceability.

By Doing This, ICC Is

- **Usurping federal regulatory authority** reserved for NHTSA and DOT under Title 49 of the U.S. Code;
- **Creating a private monopoly** where compliance equals purchase of ICC standards and services;
- **Deceiving consumers and AHJs** into believing these homes meet lawful federal trailer standards; and
- **Compromising public safety and consumer protection**, since units built under ICC/THIA 1215 are not registered, traceable, or federally certified.

This is not just regulatory confusion — it's a **systematic attempt to rewrite federal definitions and controls** to consolidate ICC's power over the tiny-house market, using a misleading label to replace the **federally mandated Data Plate and VIN** that define legitimate compliance under U.S. law.

The Disservice to Builders

This scheme profoundly harms honest builders who are being **misled and deprived of critical education** about the legitimate path to federal compliance. Instead of being instructed to obtain proper VINs, certification labels, and FMVSS compliance, they are funneled into ICC's pay-to-play system, where their work is labeled as "compliant" without ever meeting federal law. This not only places the builder in potential legal jeopardy but also **undermines their credibility and liability protections**, exposing them to lawsuits, recalls, and loss of consumer trust. ICC's approach robs builders of their right to accurate information and transparent guidance — effectively **weaponizing confusion for profit**.

Conflict of Interest and Corruption of Process

Equally disturbing is that **the very building officials who approved this misleading language are voting members of the ICC 1215 committee**. These officials are sworn to uphold lawful standards and public safety — yet they have **endorsed a document that circumvents federal law** and misrepresents authority. Their dual role as both regulators and ICC participants constitutes a **clear conflict of interest**, violating the principles of fair, open, and balanced standard development. This is not a neutral technical standard — it is a political and commercial power grab cloaked in procedural legitimacy.

The Broader Consequences

Through ICC/THIA 1215, the ICC is:

- **Usurping federal regulatory authority** reserved for NHTSA and DOT under Title 49;
- **Misleading builders and consumers** into believing they are compliant under law;
- **Creating a private monopoly** where compliance is contingent on purchasing ICC standards;
- **Compromising safety and traceability** by eliminating federally mandated VINs and Data Plates; and
- **Allowing conflicted officials to legislate through committees**, blurring the line between enforcement and profit.

Screenshot

This is not a matter of interpretation — it is a direct **violation of federal jurisdiction, due process, and ethical governance**. ICC's actions attempt to rewrite federal law through private certification, eroding both builder rights and public trust in the regulatory system that protects all road-going vehicles and consumers.

NHTSA already has federal laws for certification labels for trailers with required statements and provisions that ICC is choosing to override and ignore.

The statement: "This vehicle conforms to all applicable Federal Motor Vehicle Safety Standards in effect on the date of manufacture shown above"

EXAMPLE CERTIFICATION LABEL			
MANUFACTURED BY: XXXXXX TRAILERS, INC. IN U.S.A.			
DATE: XX/XX/XX			
GVWR	5761 KG (12,700 LB)		
GAWR FRONT	2304 KG (5,080 LB)	GAWR REAR	2304 KG (5,080 LB)
TIRES	ST225/75R15(D)	TIRES	ST225/75R15(D)
RIMS	15X6J	RIMS	15X6J
COLD INF. PRESSURE	447 KPA (65 PSI) SINGLE	COLD INF. PRESSURE	447 KPA (65 PSI) SINGLE
THIS VEHICLE CONFORMS TO ALL APPLICABLE US FEDERAL MOTOR VEHICLE-SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.			
Vehicle Identification No. :	xxxxxxxxxxxxxxxxxxx		
Vehicle Type:	Trailer		

Photo Courtesy NATM

The label shall contain the following statements, in the English language, lettered in block capitals and numerals not less than three thirty-seconds of an inch high, in the order shown:

1. Name of manufacturer
2. Month and year of manufacture
3. Gross Vehicle Weight Rating or "GVWR"
4. Gross Axle Weight Rating or "GAWR"
5. The Type of Tires
6. The Type of Rims
7. Inflation Pressure – KPA (PSI)
8. The statement: "This vehicle conforms to all applicable Federal Motor Vehicle Safety Standards in effect on the date of manufacture shown above"
9. Vehicle identification number
10. The type of classification of the vehicle (e.g., truck, MPV, bus, trailer)

Source NATM: NATM offers a voluntary compliance program for trailer manufacturers to guide them to be in compliance to all federal and state laws for trailers.

Evidence of Concealment and Coordinated Cover-Up

Through extensive correspondence with the leadership of the ICC-NTA division — the very entity responsible for certifying manufacturers of modular homes that use the ‘Ghost Trailer’ — it became clear that there was an intentional effort to **suppress discussion and referencing of federal compliance obligations under NHTSA and VIN regulations**. Over the course of multiple email exchanges, it was revealed that the certification body has long supported a *“ghost trailer system”*—a 50 year old practice used to bypass federal vehicle identification, manufacturing, and safety requirements.

When federal compliance issues were raised, instead of addressing the legal conflict, the response was a deliberate attempt to **avoid, silence, or divert attention** from NHTSA’s jurisdiction. This concealment directly undermines transparency in the standards process and misleads both builders and consumers into believing that ICC or ICC-NTA certification constitutes lawful compliance, when it does not.

Moreover, this cover-up extends to **voting manipulation within ICC’s standards development process**. By **stacking the voting membership with building officials aligned with ICC’s agenda**, they ensure predetermined outcomes that protect their commercial interests rather than public safety or federal alignment. This conduct reflects a systemic effort to preserve a monopoly over the compliance pathway — even at the expense of federal law, fair competition, and the educational duty owed to builders who are seeking legitimate compliance.

NHTSA Cautions Buyers that Trailers Must Meet Federal Safety Regulations

NHTSA Cautions Buyers that Trailers Must Meet Federal Safety Regulations

The National Highway Traffic Safety Administration today warned that noncompliant trailers that may pose a safety risk are increasingly marketed and sold to small businesses throughout the United States. These trailers are often marketed as food trucks or vending stations.

These trailers are only permitted under U.S. law if they are certified as meeting Federal Motor Vehicle Safety Standards. In addition to the potential safety risk posed by noncompliant trailers, people attempting to import them into the country or title and register them with local authorities can incur significant expenses, only to face potential forfeiture of the noncompliant trailers.

NHTSA warns anyone purchasing a trailer to avoid falling victim to sellers of illegal trailers. Trailers that do not comply with Federal regulations may not be safe and are not allowed to enter the United States.

Please be aware that trailers must comply with Federal standards to ensure that they are equipped with appropriate critical safety components, such as lighting, tires and wheels. Only companies registered with NHTSA may manufacture trailers compliant with these standards.

Please use caution when shopping for these trailers, especially if you are considering online listings for trailers that must be imported into the United States. A compliant trailer will have an affixed label indicating it meets all applicable Federal Motor Vehicle Safety Standards.

In addition, potential trailer buyers should consult the Vehicle Product Information Catalog and Vehicle Listing [Manufacturer Portal](#) to determine whether the manufacturer is listed with NHTSA before purchasing a trailer.

NHTSA: The Importation Of Trailers And Motor Vehicles



The Importation of Trailers (or Motor Vehicles and Motor Vehicle Equipment) into the U.S

2022 International Trade Week
May 20, 2022

[Webinar](#)

NHTSA REQUIREMENTS FOR TRAILERS

SAE –
OBTAIN WMID CODE TO ISSUE VINUMERS

REGISTER
WITH NHTSA

COMPLY
WITH FMVSS

AFFIX LABELS
FOR CERTIFICATION

COMPLY
WITH FMCSA

RECORD
KEEPING
GUIDELINES

SAFETY
CABLE/CHAIN
STANDARDS

BREAKAWAY
SYSTEM
STANDARDS

LIGHTING
SAFETY

CONSPICUITY
TAPE
STANDARDS

STATE
REGULATIONS

MSO/MCO

BILL
OF SALE

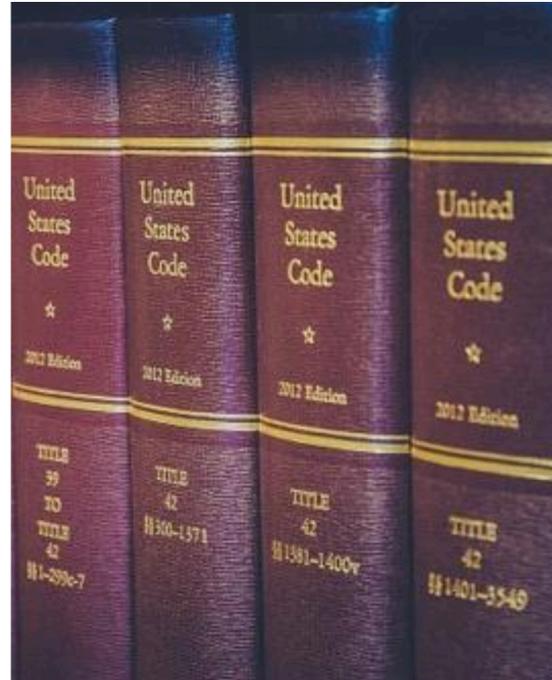
Certification

- Performed by the manufacturer and not NHTSA (no type approval)
 - Manifested by a label permanently affixed to the vehicle in a prescribed location
 - Identifies the manufacturer, the date of manufacture, the vehicle type
 - States that the vehicle complies with all applicable FMVSS in effect on the date of manufacture
-

Statutory Prohibition

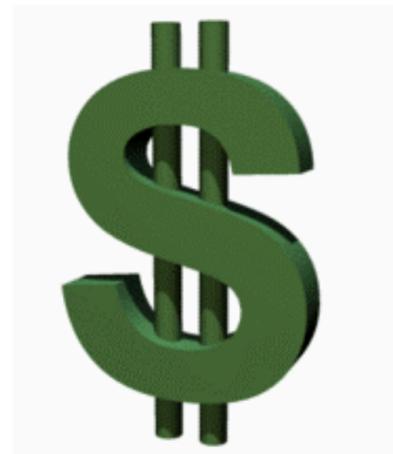
49 U.S.C. § 30112 (a) (1)

provides that no person shall manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States any motor vehicle or motor vehicle equipment manufactured on or after the date an applicable FMVSS takes effect unless the vehicle or equipment complies with the standard and is so certified by its manufacturer.



Certification Requirements (Cont'd)

- If the manufacturer fails to demonstrate that it exercised “reasonable care” in certifying the vehicle or equipment item to the standard in question, it is subject to civil penalties
- Penalties are currently set at just over \$22,992 per violation, up to a maximum penalty of just over \$114,954,525 for a related series of violations
- A separate violation exists with respect to each vehicle or equipment item that does not comply



The integrated chassis section does not give the accurate steps for a trailer manufacturer and is setting manufacturers up for failure and the potential of hefty fines for non compliance.

The Key To Regulating Tiny Houses On Wheels Will Be To Start With The Legitimate Requirements For Trailers That Include Labels Affixed By The Manufacturer



At the CAH hearing, there were a few building officials that were very concerned about their burden of liability and did not even feel that the IRC was the appropriate location to regulate vehicles and the ICC 1215 standard will give the building officials even less assurance toward tiny houses on wheels because of the purposeful omission of the steps for compliance.

The Standard Should Be Withdrawn

The ICC 1215 standard should be withdrawn and everyone should work on a new public comment with the proponents of RB42-25- 1 at the next ICC hearing and bring the industry together as a united front. The best work of the standard could be added to the public comment and there is potential that it could be approved for the inclusion in the **2027 IRC**.

The Small Residential Unit will only bring confusion to the tiny houses industry and interrupt the progress of Appendix Q Tiny Houses.

Thank you for looking into this matter.

Janet Thome President
Tiny House Alliance USA
janet@tinyhouseallianceusa.org

October 13, 2025

Dear John,

I was in many meetings and a few work group sessions that discussed the chassis that is integrated with the house and also used as a carrier system.

I have a 27 email exchange with David Tompos Jr. regarding this subject. He has argued that the carrier of a tiny house would NOT need a VIN number, or registration with SAE or follow the FMVSS, hence why they added an exception in the standard for the carrier system. This is under the transportation section.

He is not correct and the standard is still not acknowledging VIN numbers, registration with SAE, NHTSA, and federal laws for labeling and certification of trailers which are considered a motor vehicle with the integrated chassis.

The standard will put building officials, manufacturers, and consumers in jeopardy because applicable laws already codified are being ignored. This will also cause tax evasion, and illegal trailers on the road that are never in the DOT system.

The committee has created a Data Plate that does not follow federal laws. NHTSA allows self certification of the trailer, but that includes labeling which the committee has ignored the need for.

ICC Is Promoting The Violation Of 49 CFR Part 565—VEHICLE IDENTIFICATION NUMBER (VIN) REQUIREMENTS

[49 CFR 565](#)

ICC Is Promoting The Violation Of 49 CFR Part 571 Which Codifies The FMVSS.

[49 CFR Part 571](#)

ICC Is Promoting The Violation Of 49 U.S.C. § 30112 (a) (1)

49 U.S.C. § 30112 (a) (1)

(a) General.—

(1)

Except as provided in this section, sections [30113](#) and [30114](#) of this title, and subchapter III of this chapter, a person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in [interstate commerce](#), or import into the United [States](#), any [motor vehicle](#) or [motor vehicle equipment](#) manufactured on or after the date an applicable [motor vehicle safety standard](#) prescribed under this chapter takes effect unless the vehicle or equipment complies with the standard and is covered by a certification issued under [section 30115 of this title](#).

[Entire Law](#)

[NHTSA Regulations](#)

Jeffrey Munstertieger with NAHB and I gave the committee the accurate information regarding NHTSA, labeling and certification, and it was ignored.

Thank you for looking into this matter.

Janet Thome President
Tiny House Alliance USA
janet@tinyhouseallianceusa.org