

NHTSA Complaint: Submitted By Janet Thome

Overview: Omission and Redefinition of Federal Motor Vehicle Safety Requirements in ICC 1215 Standard For Modular Transport Of Tiny Houses , Modular Units And Small Residential Units: Denying NHTSA/DOT/FMVSS/FMCSA And VIN Numbers

The ICC/THIA 1215 Standard, *“Design, Construction and Regulation of Small Residential Units and Tiny Houses for Permanent Occupancy,”* attempts to redefine and override existing federal and state laws governing motor vehicles, including trailers. By omitting all reference to the federal framework that regulates the design, manufacture, labeling, and certification of trailers under the **National Traffic and Motor Vehicle Safety Act (49 U.S.C. 30101 et seq.)**, the standard creates a dangerous and unlawful regulatory gap.

Under federal law, any trailer capable of being towed on public roads is defined as a **motor vehicle** subject to the jurisdiction of the **National Highway Traffic Safety Administration (NHTSA)**. Manufacturers must comply with the **Federal Motor Vehicle Safety Standards (FMVSS)**, obtain a **World Manufacturer Identifier (WMI)** through SAE International, assign a **Vehicle Identification Number (VIN)**, and affix a permanent **certification label** verifying compliance. None of these mandatory safety and identification requirements are acknowledged or referenced in the ICC 1215 draft.

Instead, the standard reclassifies a “movable tiny house” or “unit with a chassis” as a type of **building**, effectively erasing its federal transportation status. This redefinition not only conflicts with federal law but invites state and local building officials—many of whom sit on the ICC 1215 voting committee—to adopt and enforce a standard that directly contradicts NHTSA’s authority. This dual role presents a structural conflict of interest: building officials who help write the standard will also be responsible for approving units built under it within their jurisdictions.

Such a framework does a profound **disservice to manufacturers, consumers, and building officials** alike.

- **Manufacturers** are misled into believing they can build towable units without VINs, FMVSS certification, or NHTSA registration.
- **Consumers** are exposed to unsafe, untraceable trailers that cannot be legally titled, insured, or registered for highway use.
- **Building officials** are placed in legal jeopardy by approving transportable structures that violate federal motor vehicle law.

In short, ICC 1215 disregards the Motor Vehicle Safety Act's purpose—to ensure the safety, identification, and lawful operation of motor vehicles in interstate commerce—and replaces it with a privately created standard that nullifies federal oversight. This omission undermines decades of established motor vehicle regulation and threatens both public safety and regulatory integrity.

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

Notice of Public Comment Period

The **first draft of the [ICC/THIA 1215 Standard — Design, Construction and Regulation of Small Residential Units and Tiny Houses for Permanent Occupancy](#)** has now been released for public comment.

The deadline to submit comments is November 24, 2025.

Because this draft directly conflicts with federal transportation and motor-vehicle safety laws, every building official, owner builder, manufacturer, third party agency, consumers, architects, engineers, and AHJ must review these issues carefully before any adoption or endorsement in the future and submit your own comments.

[Form To Submit A Comment](#)

[Modular Transport Incidents](#)

REQUIREMENTS FOR TRAILER MANUFACTURERS

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

*The regulatory path for trailer manufacturers already exists through **SAE, NHTSA, DOT, FMVSS, FMCSA, and the Motor Carrier Safety Improvement Act of 1999.** The diagram above are the basic steps, but it is not completely inclusive of all requirements.*

Additional Requirements

Every vehicle manufactured in one stage must have a VIN assigned by the manufacturer.

Vehicles manufactured in multiple stages must have a VIN assigned by the incomplete vehicle manufacturer.

Any entities altering vehicles (specified in 49 CFR 567.7) should use the VIN assigned by the original vehicle manufacturer

CFR Part 568 VEHICLES MANUFACTURED IN TWO OR MORE STAGES—ALL INCOMPLETE, INTERMEDIATE AND FINAL-STAGE MANUFACTURERS OF VEHICLES MANUFACTURED IN TWO OR MORE STAGES

Motor Carrier Safety Improvement Act of 1999 (Public Law 106-159)

This Act established the FMCSA and requires **states** to align commercial-vehicle safety programs—including VIN enforcement—with federal law.

ICC 1215's transport provisions are therefore legally incompatible and unenforceable at the state level.

How To Get Tiny Houses On Wheels Moving On The Road

As Vina Lustado stated at the [second ICC CAH hearing](#) "Movable Tiny Homes sit at the intersection of building code and transportation code, yet they are NOT manufactured housing, HUD has clarified that Movable Tiny Homes are not under their purview and RV rules fail to address full time occupancy and fire life safety. "

To move tiny houses on wheels on the road past the intersection of ICC, HUD, RVs, and to integrate transportation requirements, is to acknowledge the path that is already in existence for each stage of compliance and to know where one's authority begins and ends, from federal to state, so there is no overlap and no one is taking on a liability that they should not take on. ICC 1215 could have done this, but have chosen not to .

ICC 1215 is now ignoring that entire framework, attempting to override federal and state law by redefining the chassis as something other than motor vehicles, which include trailers.

A trailer or chassis is really no different from any component that is approved that goes into a house as far as the certification process. A building official or AHJ approves the components based on the certification marks and labels of the component.

By purposeful omission, ICC 1215 is denying this federal process with required registration with SAE, NHTSA, the need for VIN numbers, complying with FMVSS, FMCSA, and certification labels that would assure the AHJ that all the requirements for the trailer have been met by the manufacturer.

ICC 1215 Committee Is Denying The Need For Trailer Compliance With NHTSA,



VIN Numbers, Certification Labels And Is Promoting A 'Ghost Trailer'

[See ICC 1215 Is Promoting A 'Ghost Trailer' For Tiny Houses](#)

Federal Law Supremacy Over Private Standards

Under the **National Traffic and Motor Vehicle Safety Act (49 U.S.C. Chapter 301)**, Congress reserves exclusive authority to regulate manufacturers and certification of all **motor vehicles**, including **trailers** used to carry property or persons on public highways.

No private standard, including ICC 1215, may create an exemption or “alternative compliance path” that overrides federal statute.

Illegal “Independent Carrier System” Exception and the “Ghost Trailer”

CHAPTER 7 TRANSPORTATION

SECTION 701 GENERAL

701.1 General. Units with an integral chassis which have been manufactured or constructed off-site shall comply with the provisions of this chapter. An SRU constructed off-site and its chassis shall be built to withstand the effects of highway movement such that the SRU is transported and installed as a habitable dwelling.

Exception: A chassis used as an independent carrier system to transport the SRU where no portion of that system is a permanent component of the building.

701.2 Chassis. SRUs are permitted to be built with or without an integral chassis.

SECTION 702 CHASSIS

702.1 Chassis. All chassis shall be built in compliance with DOT requirements and have verification by documentation indicating the chassis complies with DOT requirements for the loads and weights shown on the data plate.

SECTION 703 STRUCTURAL SUPPORT DURING TRANSPORTATION

703.1 Connection to an integral chassis. Connection of the SRU to the chassis for in-transit conditions shall be in accordance with acceptable engineering practice.

Chapter 7, Section 701.1 of ICC 1215 introduces an ***“independent carrier system”*** for transporting Small Residential Units (SRUs) and tiny houses, exempting those chassis from NHTSA oversight.

This institutionalizes a **“Ghost Trailer”** — a carrier chassis operating outside the DOT system:

- No **VIN** issued through **SAE International (49 CFR 565)**
- No **manufacturer certification label or Data Plate (49 CFR 567)**
- No **FMVSS compliance (49 CFR 571)**

Such omission violates federal preemption and shifts liability to builders, carriers, and state agencies that allow movement on public highways.

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.

[Modular Transport Incidents](#)

Trailers Are Motor Vehicles

Whether the chassis is **temporary** (detachable carrier) or **integrated** into the dwelling, the chassis remains a **motor-vehicle, a trailer** under federal law:

Definitions In Federal Law

- **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.
- **49 CFR 393.5-Chassis.** The load-supporting frame of a commercial motor vehicle, exclusive of any appurtenances which might be added to accommodate cargo.

ICC 1215 is avoiding the motor vehicle definition and using a definition for the chassis primarily from the HUD code, which is not appropriate because the standard is beyond the scope of manufactured homes and they cannot override federal definitions.

From ICC 1215

CHASSIS. The entire transportation system comprising of the drawbar and coupling mechanism, running gear assembly (wheels, tires, axles, brakes and suspension) and may include running and lights and/or an integral frame.

An integrated chassis is subject to all VIN, labeling, and certification requirements.

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 Letter](#)

How Has The ‘Ghost Trailer’ Been Used Without Detection For 50 Years?

The ‘Ghost Trailer’ has fallen in between the cracks because of a disconnect where one authority begins and ends, and at transport, they are using the serial number of the modular structure and not the required VIN Data Plate that is affixed by the manufacturer to the trailer as required by NHTSA.

The lack of VIN makes the temporary chassis untraceable.

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.

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.*

Mandatory VIN, Certification, and Labeling Path

Federal law requires every chassis or carrier to be traceable and certified:

1. **Obtain WMI Code** – via **SAE International**.
2. **Register with NHTSA** as a manufacturer.

3. **Comply with FMVSS (49 CFR 571)** – lighting, tires, brakes, coupling, chains, breakaway, conspicuity.
4. **Affix Certification Label / Data Plate (49 CFR 567)** – permanently riveted or welded, listing VIN, GVWR, manufacturer, and certification statement.
5. **Maintain Records (49 CFR Parts 566 & 573).**

Non-compliance triggers **civil penalties up to \$27,168 per vehicle per violation (49 U.S.C. § 30165)** and possible criminal penalties for willful acts.

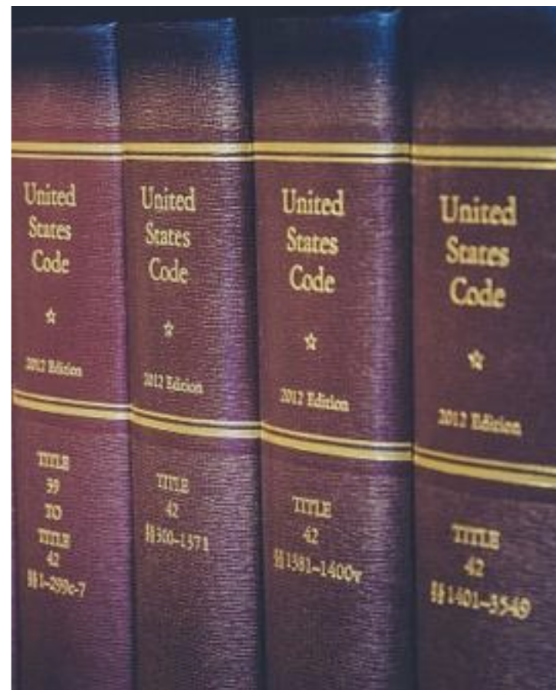
Statutory Prohibitions Under the Motor Vehicle Safety Act

49 U.S.C. § 30112(a)(1):

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.



“A person may not manufacture for sale, sell, offer for sale, introduce, or deliver for introduction in interstate commerce any motor vehicle or

motor-vehicle equipment unless it complies with applicable safety standards and is covered by a certification issued under § 30115.”

The ICC 1215 draft’s omission of these requirements invites conduct that violates federal law.

ICC 1215 Is Setting Up Builders And Manufacturers To Pay Hefty Fines With Inaccurate Guidance And Omission Of Federal And State Requirements

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



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

Example Of A NHTSA Required Certification Label That Is Affixed To The Trailer

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. :	xxxxxxxxxxxxxxxxxx		
Vehicle Type:	Trailer		

Required Statement: THIS VEHICLE CONFORMS TO ALL APPLICABLE MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.

ICC 1215 creates a “data plate” unrelated to the legally required **Certification Label (49 CFR 567.4–567.5)**.

This misleads purchasers into believing trailers are federally certified when they are not — a **fraudulent misrepresentation** under **15 U.S.C. § 45 (FTC Act)** and state consumer-protection laws.

NHTSA permits self-certification only if VIN, label, and FMVSS compliance are present.

Building Officials Acting Under Color of Law

Officials who develop or enforce ICC 1215 while acting in state capacity operate **under color of law**, risking violation of:

- **18 U.S.C. § 242 – Deprivation of Rights Under Color of Law**
- **42 U.S.C. § 1983 – Civil Action for Deprivation of Rights**

Using state authority to enforce a private, for-profit standard benefiting specific entities (ICC, THIA, affiliates) constitutes conflict of interest and potential deprivation of due-process and equal-protection rights.

Administrative And Constitutional Violations

- Non-Delegation Doctrine: States cannot outsource legislative power to private corporations.
 - Administrative Procedure Act (5 U.S.C. §§ 551–559): Binding rules require public notice and comment; ICC circumvents these through shadow regulation.
 - ANSI Essential Requirements: The committee lacked balance, excluded dissent, and violated open-process obligations.
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Fiscal and Tax Compliance

- IRS Form 637 (Activity M): Manufacturers of taxable trailers/chassis must register; unregistered “Ghost Trailer” builders evade excise-tax reporting.
 - FHWA Reporting (23 U.S.C. § 307): VIN-based counts determine federal highway allocations; missing VINs yield false data and funding risk.
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Penalties and Exposure

Adopting or enforcing ICC 1215 as written would:

- Violate the **Motor Vehicle Safety Act** and related CFRs;
 - Expose states and officials to enforcement outside of NHTSA trailer requirements.
 - Risk **loss of federal highway funds** for inaccurate VIN reporting;
 - Invite **§ 1983 civil actions** for deprivation of rights under color of law.
-

The Disservice to Manufacturers And Builders

This scheme profoundly harms honest manufacturers and 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 manufacturers and builders in legal jeopardy but also undermines their credibility and liability protections, exposing them to lawsuits, recalls, and loss of consumer trust.

ICC’s approach robs manufacturers and 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 and state law and misrepresents authority.

Their dual role as regulators and ICC participants is 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 under the guise of standardization.

Antitrust Violations, Vote Stacking, and WTO Coherence

The coordinated actions between ICC and THIA — including their joint venture, committee manipulation, and exclusion of competing standards — raise serious concerns under both **U.S. antitrust law** and international trade obligations governed by the **World Trade Organization (WTO)**.

Antitrust Violations

ICC and THIA's behavior implicates:

- **Sherman Antitrust Act (15 U.S.C. §§ 1–2)** – prohibits conspiracies and monopolistic conduct restraining trade.
- **Clayton Act (15 U.S.C. §§ 12–27)** – bans exclusive arrangements and practices that lessen competition.
- **Federal Trade Commission Act (15 U.S.C. § 45)** – forbids unfair or deceptive acts affecting commerce.

By jointly controlling the ICC/THIA 1215 process and using ICC's infrastructure to certify and sell "compliance" services, ICC and THIA have effectively created a **private monopoly** over the regulatory pathway for tiny houses.

“ 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.***

Evidence of Concealment and Coordinated Cover-Up

Through extensive correspondence with the leadership of the **ICC-NTA division** — the entity responsible for certifying manufacturers of modular homes that use the “Ghost Trailer” — it became clear that there was an intentional effort to suppress federal NHTSA and VIN compliance.

Over multiple emails, it was revealed that the certification body has long supported a “**ghost trailer system**”, a 50-year-old practice to bypass federal identification, manufacturing, and safety requirements.

When compliance issues were raised, ICC-NTA attempted to avoid or silence the conversation, diverting attention from NHTSA’s jurisdiction. This concealment undermines transparency and misleads both manufacturers, building officials and consumers into believing ICC or ICC-NTA certification equals lawful compliance — **when it does not.**

This cover-up also extends to **voting manipulation**. ICC stacked its committees with building officials aligned with its commercial agenda, ensuring predetermined results that protect their interests, not public safety or federal law.

The Broader Consequences

Through ICC/THIA 1215, ICC is:

- Usurping regulatory authority reserved for **NHTSA** and **DOT** under Title 49;
- Creating a monopoly where compliance requires buying ICC standards;
- Compromising safety by eliminating VINs and Data Plates;
- Allowing conflicted officials to legislate through committees for profit.

This is not 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 builder rights and public trust.

ICC 1215 Data Plate and Certification Misrepresentation

This misleads manufacturers, builders, building officials, AHJ, and purchasers into believing trailers are federally certified when they are not — a **fraudulent misrepresentation** under **15 U.S.C. § 45 (FTC Act)** and state consumer-protection laws.

NHTSA permits self-certification only if VIN, label, and FMVSS compliance are present.

Appendix B SMALL RESIDENTIAL UNIT DATA PLATE

Small Residential Data Plates shall display information pertinent to the structures constructed for use by AHJ's. Data required shall include but not be limited to:

- BUILDER NAME (MANUFACTURER)
- BUILDER CONTACT INFORMATION (MAN. SITE)
- WIND LOAD
- ROOF LIVE/DEAD LOAD

- SNOW LOAD
- FLOOR LIVE LOAD
- SEISMIC/RICHTER CATEGORY
- HEATING/COOLING THERMAL DESIGN ZONE
- GROSS WEIGHT OF STRUCTURE
- BUILD DATE
- SERIAL NUMBER
- LIST OF CODES/OCCUPANCY CLASSIFICATION
- ELECTRICAL PANEL BOX RATING

Location. Small Residential Unit Data Plate shall be placed on the interior of the structure, near the distribution panel on a closet wall or in a cabinet under the kitchen sink in the unit.

Material. Small Residential Unit Data Plate shall be constructed of material durable to water.

Small Residential Unit Data Plate	
Builder/Manufacturer Contact Info: (Name, address, Email, Phone, Web)	Additional Documents with DataPlate: ResCheck
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	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.

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

- The 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 with 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, which has denied most federal requirements that states are mandated to follow **including VINS, registration To SAE, NHTSA, complying to the FMVSS and affixing certification labels on the trailer?**

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 standard 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 SAE, NHTSA, FMCSA, including, but not limited to the VIN system, lighting, axle, and braking requirements that ensure public safety and traceability.

A Manufactured Home Is A Vehicular Unit Before It Becomes Real Property

Even a manufactured home has a VIN or serial number, an MSCO/MCO, it is registered and titled, and the third party agencies administer a road test. Before the manufactured home becomes real property, the axles, hitch and tongue are removed, it is sited on a permanent foundation, and the VIN and title is purged.

Recommended Immediate Actions

1. **Reject or suspend** any endorsement of ICC 1215 until it complies with all federal motor-vehicle requirements.
2. **Require** all chassis — temporary or integrated — to have VINs, certification labels, and FMVSS, FMCSA compliance before permitting movement or occupancy.
3. **Verify** manufacturer registration with **SAE, NHTSA, labeling, etc.....and IRS Form 637.**

4. **Audit** public-official participation in private standards to prevent conflicts of interest.
5. **Report** any “Ghost Trailer” use to **NHTSA**, **FMCSA**, **IRS**, and state attorneys general.
6. **Educate** and **follow** all applicable federal and state laws governing trailers with a clear division of one authority begins and ends.
7. **Take the time to comment** on this crucial subject by November 24, 2025.

Federal law governs the chassis; no private standard can nullify those obligations.

Compliance with **VIN identification**, **certification labeling**, and **FMVSS** is mandatory, not optional.

States and building officials must act now — before **November 24, 2025**, when public comment on ICC 1215 closes — to protect builders, consumers, and the integrity of federal law.

ICC/MBI 1200 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly

The ICC/MBI 1200 standard is also promoting both an integrated system for modular transport and a separate trailer without SAE, NHTSA, FMVSS, FMCSA, cargo securement laws, and DOT requirements by purposeful omission.

There are many incidents of modular structures that have blown off the separate trailers and it is contributing to unsafe conditions on the road and putting all the liability on the driver.

703.1 Methods of transport.



Modules, panelized systems or modular components that have been manufactured or constructed off-site shall be transported using one or more of the following methods:

1. An integrated chassis with axels and wheels suitable to support the weight and size of the object being transported.
2. A separate trailer suitable to support the weight and size of the object being transported.
3. Other transportation systems that are accepted by the applicable jurisdictions and are suitable to support the weight and size of the object being transported.

Summary

Building officials, third party agencies, and an AHJ do not have the responsibility of issuing VIN numbers, MSC/MCOs, tiles, etc.... and they do not certify trailers, there is a strategic system in place that flows from the federal to the state level, however they have a duty to know the process and the manufacturer must be given the path.

ICC 1215 completely lacks the proper guidance for trailer manufacturers that will be purchasing a prefabricated trailer to build a tiny house/SRU on or the steps if they build their own trailer and tiny house/SRU and are a completed manufacturer and for a building official to approve a tiny house on wheels (movable tiny house) in their jurisdiction. The manufacturers have also been misled to believe they can utilize a temporary carrier system that does NOT meet federal or state requirements adding more unsafe trailers on the road.

At the recent second CAH hearing, a few opponents that were building officials of the code proposal voiced their concerns about approving a tiny house on wheels in their jurisdiction because they mistakenly classified them as an RV. They also felt too much of the liability was on the building official.

Federal law governs the chassis; no private standard can nullify those obligations.
Compliance with **VIN identification**, **certification labeling**, and **FMVSS** is mandatory, not optional.

States and building officials must act now — before **November 24, 2025**, when public comment on ICC 1215 closes — to protect builders, consumers, and the integrity of federal law.

I have filed a complaint with the ICC CEO John Belcik and reported to him that ICC 1215 is trying to override federal laws for the chassis which is against [ICC CP#49-21 – Conforming Codes and Standards to United States Federal Law and International Law](#).

Sincerely,

Janet Thome

President, *Tiny House Alliance USA*

janet@tinyhouseallianceusa.org

Author's Statement and Disclaimer

I was a **proponent who spearheaded the tiny-house effort within ASTM**, working collaboratively to establish the **E06.26 Tiny Houses Subcommittee** under the Committee on Performance of Buildings. I currently serve as **Membership Secretary** for the subcommittee.

Disclaimer: *I do not represent ASTM International, and the views, findings, and conclusions expressed in this document are my own, based on my own experience, experience, public information and independent research. This submission is made in my individual capacity as President of Tiny House Alliance USA, in support of transparency, lawful compliance, and open participation in standards development.*