

ICC Board Of Directors  
John Belcik  
Karl Aittaniemi  
ICC 1215 Committee  
ANSI  
International Code Council  
200 Massachusetts Ave NW  
Washington, DC 20001  
Dec.17, 2025

**Regarding: Rebuttal To Dec. 9, 2025 ICC Reply To Janet Thome ICC 1215 ICC #49  
And Editing Of My Public Comments Under The Reason Statement On The First Draft Of  
ICC 1215 That Supported My Public Comments.**

**ICC Stated**

ICC Council Policy 49 gives the ICC Board of Directors the authority to strike any provision of a code or standard when the Board, acting on the advice of counsel, determines that it is more likely than not that federal law preempts the provision. After considering the issues you raised in connection with the draft ICC 1215 standard, the ICC Board of Directors has concluded, based on the advice of counsel, that it is unlikely that federal or international law would preempt the Transportation section of the draft 1215 standard.

**My Response**

*Thank you for citing ICC Council Policy 49. That policy confirms that the ICC Board has an affirmative duty to strike provisions that are more likely than not preempted by federal law when acting on the advice of counsel.*

*Respectfully, the Board's conclusion that federal or international law is "unlikely" to preempt the Transportation section of draft ICC/THIA 1215 does not resolve the legal deficiencies I raised.*

*Federal motor vehicle law preemption is not discretionary and cannot be avoided by characterization, silence, or internal legal conclusions where Congress has occupied the field and imposed mandatory requirements.*

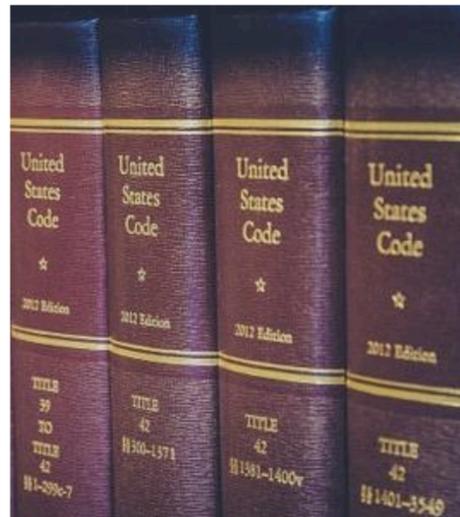
*Accordingly, my objection remains: the Transportation section of ICC/THIA 1215 creates an alternate regulatory pathway for chassis and transport systems that are governed by federal motor vehicle law, and is therefore preempted as a matter of law regardless of the Board's internal determination.*

*The ICC 1215 standard treats the chassis as if it exists in a regulatory vacuum, separating it from federal motor vehicle law—even though a trailer's legal identity is fixed by statute, not fluid, and motor vehicle standards cannot be reclassified by a building code or consensus standard.*

## 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.



## Federal Law Explicitly Forbids The Actions Promoted By ICC 1215

*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.*

*The ICC's claim is refuted by the fact that Federal Motor Vehicle Safety Standards (FMVSS) already occupy the field and include mandatory requirements for axles, tires, weights, and all components of the running gear.*

## ICC Stated

You stated that modular homes with an integrated chassis must comply with federal laws, including with respect to VIN numbers, registration requirements, and federal laws for labeling and certification of trailers which are considered a motor vehicle with the integrated chassis. However, the VIN and label requirements you cite only apply to "motor vehicles." See 49 CFR §§ 565 (defining VIN as a series of Arabic numbers and Roman letters that is assigned to a motor vehicle for identification purposes) and 567 (describing the content and location of the certification label to be affixed to motor vehicles). For the following reasons, a modular home with an integrated chassis is not considered a "motor vehicle," as defined by federal law.

## My Response

*I never stated in my complaint that the 'structure' itself would require labeling or certification. The structure would have a serial number, a Data Plate, and an Insignia from the 3rd party. I have only been referring to the integrated carrier chassis, which is a trailer. The final*

*manufacturer will either purchase a prefabricated trailer or build both the trailer, and in both cases, the structure will become integrated to the trailer.*

*ICC is ignoring that although components or all of the chassis will remain with the dwelling and is integral to the floor assembly, during transit, the chassis is both a frame structure and load supporting for movement on the roads and highways.*

**From NHTSA**– *To be considered “load supporting,” the frame structure has to support a load when the trailer is performing its function. Generally, this means that the structure would have to contribute to supporting the cargo load when the trailer is in transit.*

*To be considered part of the frame structure, a structural member must be either an integral part of the overall frame structure, or be connected with other frame structural members in a way that is necessary to the structural integrity of the trailer. One factor the agency considers in deciding whether a structural member is part of the frame is its size and strength. Frame structural components often are the major structures defining the shape of the trailer. Although frame structure is not limited to the largest frame components (i.e., the frame rails for most trailers), generally frame components are substantial and have strength similar to other frame components.*

*The agency also considers the purpose and function of the structural member in supporting the trailer and its load.*

## **ICC Stated**

**First, modular homes** with an integrated chassis do not fall within the legal definition of “motor vehicle,” which must be manufactured primarily for use on public streets and highways. 49 U.S.C. § 30102(a)(7). The National Highway Transportation Safety Administration (NHTSA), the federal agency tasked with administering the relevant motor vehicle laws, has advised that mobile homes and park model trailers that are towed to a campsite after construction are not “motor vehicles” because any road use is incidental to their residential purpose. See Interpretation from NHTSA Chief Counsel, <https://www.nhtsa.gov/interpretations/aiam5409>. The same logic applies to modular homes with an integrated chassis, which are manufactured primarily for use as homes

## **My Response**

*You cannot lump manufactured homes with park models, because HUD does not regulate park models. That was made clear in the HUD final rule in 2018 when the name park trailer was changed to park model recreational vehicle. NHTSA regulates recreational vehicles. Before HUD regulated manufactured homes, they were classified as mobile homes, they were regulated by NHTSA, and built to either a NFPA or ANSI standard.*

*Manufactured homes are personal property, have a VIN or serial number, and are considered a motor vehicle in many states, the chassis has stringent requirements, and the manufactured home has to submit to a road test.*

*All through your reply you have reframed my complaint to encompass the structure, I am only addressing the chassis.*

## **ICC Stated**

Additionally, for decades the NHTSA has taken the position that modular homes are not “motor vehicles” as defined by federal law. See *Interpretation from NHTSA Chief Counsel*, <https://www.nhtsa.gov/interpretations/nht72-549>.

## **My Response**

*Once again, I have never stated that modular homes ( the structure) is a motor vehicle, I am strictly focusing on the chassis.*

## **NHTSA Interpretation ID: nht72-5.49**

### **Excerpt**

*Your second question is as follows: “. . . we do manufacture some of these **low-bed trailers, they are strictly for our own use in transporting our modular homes, and in this case are we required to submit this report and also label any trailers we would build in the future?**” Trailers are motor vehicles under the National Traffic and Motor Vehicle Safety Act and are required to comply with applicable standards. They are also required to be certified by the manufacturer in accordance with the Certification regulations (Part 567), and as a manufacturer of trailers you are required to submit the information specified in Part 566.*

*A copy of the National Traffic and Motor Vehicle Safety Act, and Parts 566, 567, and 568 are enclosed, as is a notice describing how to obtain a copy of the motor vehicle safety standards.*

### **[Source NHTSA](#)**

## **ICC Stated**

Finally, courts have uniformly held that manufactured homes and other homes that may be transported on public streets or highways are not “motor vehicles” as defined by federal law. In holding that a manufactured home was not a “motor vehicle,” a federal court recently explained that its decision was consistent with all preceding court opinions on similar issues. *Donald v. 21st Mortgage Corp.*, Case No. 24-10535-RMM Doc. 31 (Bankr. M.D. Ga. May 12, 2025) (citing *In re Renee Marie St. Fleur*, No. 20- 50764, Doc. 33 (Bankr. M.D.N.C. Mar. 3, 2021) (discussing mobile home) and *In re Green*, 360 B.R. 34 (Bankr. N.D.N.Y. 2007) (discussing travel trailers)).

## **My Response**

*The court cases are not relevant to my complaint and they do not support your position.*

## ICC Stated

Because a tiny home or small residential unit that is built on an integrated carrier chassis that remains part of the dwelling after it is transported is not a “motor vehicle,” the federal laws regarding labeling or certification requirements you cited do not apply to such structures. As a result, the Board does not believe the current draft standard is likely to be preempted by the federal laws you cited.

## My Response

*I never stated in my complaint that the ‘ **structure** ‘ itself would require labeling or certification. The structure would have a serial number, a Data Plate, and an Insignia from the 3rd party. I have only been referring to the integrated carrier chassis, which is a trailer. The final manufacturer will either purchase a prefabricated trailer or build both the trailer, and in both cases, the structure will become integrated to the trailer.*

*ICC is ignoring that although components or all of the chassis will remain with the dwelling and is integral to the floor assembly, during transit, the chassis is both a frame structure and load supporting for movement on the roads and highways.*

**From NHTSA**– *To be considered “load supporting,” the frame structure has to support a load when the trailer is performing its function. Generally, this means that the structure would have to contribute to supporting the cargo load when the trailer is in transit.*

*To be considered part of the frame structure, a structural member must be either an integral part of the overall frame structure, or be connected with other frame structural members in a way that is necessary to the structural integrity of the trailer. One factor the agency considers in deciding whether a structural member is part of the frame is its size and strength. Frame structural components often are the major structures defining the shape of the trailer. Although frame structure is not limited to the largest frame components (i.e., the frame rails for most trailers), generally frame components are substantial and have strength similar to other frame components.*

*The agency also considers the purpose and function of the structural member in supporting the trailer and its load.*

## ICC Stated

Additionally, you argued that the draft standard is preempted by federal law because modular homes transported by a temporary carrier system must comply with the VIN and certification requirements. The draft standard explicitly states that the provisions of the Transportation section apply only to units with an integrated chassis, not when there is an independent trailer.

The Transportation section is silent as to transportation requirements for modular homes transported by temporary carrier systems and therefore does not impose any requirements that

could be preempted by federal law.

## **My Response**

*ICC 1215 purposely put an exception provision ( To Support Their Silence So It Would Not Trigger Preemption) in the transportation section in ICC 1215 for the temporary carrier system the chassis so this type of chassis does not have to meet DOT or any other requirements of the ICC 1215 standard which shines a very bright light and blows holes in their argument about incidental use.*

*The temporary carrier system ( chassis) is fabricated strictly for the use of transporting modular structures and is the sole purpose of its use. The exception was added after I pointed out to them that it is an illegal 'ghost trailer' never in the NHTSA/DOT system and their silence will help continue this practice and is an intentional coverup.*

*A code or standard cannot lawfully avoid federal preemption through silence or omission. Where federal law occupies the field or establishes mandatory requirements, any subordinate standard that creates an alternate compliance pathway—without acknowledging or reconciling those requirements—is preempted, arbitrary, and procedurally defective as a matter of law.*

*ICC 1215 is addressing transportation in the standard with known federal and state laws in place, this is a **due-process violation**, not a neutral drafting choice to choose silence by omission.*

## **ICC Is Claiming Silence To Avoid Preemption**

*ICC cannot simultaneously claim silence to avoid preemption while actively creating chassis and transportation provisions through committee action in ICC 1215.*

*This is not an absence of regulation —  
it is the construction of a parallel transportation regime by a private standards body that lacks authority to regulate motor vehicles.*

## David Tompos Sr. New Public Comments Under Transportation Section

### IS-OSMTH 07-04-25

#### ICC 1215 New Sections 702.2, 702.2.1, 702.3, 702.4, 702.4.1, 702.5, 702.6

Proponent: David Tompos, Sr., NTA, Inc.

#### Revise as follows:

702.2 Axles. Axles and their connecting hardware must be capable of supporting the static running gear design loads, without exceeding maximum allowable design axles loads as recommended by the axle manufacturer.

702.2.1 Recycled axles. Before reuse, all axles, including component parts, must be reconditioned as required pursuant to a program accepted and labeled by a nationally recognized testing agency.

702.3 Spring assemblies. Spring assemblies(springs, hangers, shackles, and mounting bolts) must be capable of supporting the running gear design loads, without exceeding maximum allowable stresses for design life as recommended by the spring assembly manufacturer.

702.4 Tires. Tires must be selected, sized, and fitted to the rims and axles so the static dead load supported by the running gear does not exceed the load capacity of the tires. Tire must not be loaded beyond the load rating marked on the sidewall of the tire.

702.4.1 Inflation pressure. The load and cold inflation pressure imposed on the rim or wheel must not exceed the rim and wheel manufacturer's instructions even if the tire has been approved for a higher load or inflation.

702.5 Coupling mechanism. The coupler mechanism shall have a certified load rating capable of carrying the actual imposed design loads, when installed in accordance with the manufacturer's instructions. As part of the coupler mechanism there shall be an approved breakaway system.

702.6 Location. Location of the running gear assembly must be determined by documented engineering analysis, taking into account the gross weight (including contents), total length of the unit, and the necessary coupling hitch weight. Weight shall be checked with the home in the level position.

**Reason:** If the home is to be considered to be transported the specific components must be inspected and verified by the manufacturer or builder to ensure a safe transport to the site. Just adding a VIN number or a certified frame does not provide assurance that the home installed on a chassis will be in compliance with DOT requirements.

### Contradiction By ICC's Own Paid Staff And Committee Member

*In its December 9, 2025 response, ICC asserts that the Transportation section of ICC 1215 is not preempted because units with an "integrated chassis" are not "motor vehicles," and because the standard is allegedly "silent" on transportation requirements for temporary carrier systems.*

*That assertion is now directly contradicted by the submission of new transportation provisions*

through public comments by David Tompos Sr., ICC-NTA staff and voting member of the ICC 1215 committee.

*The assertion of "silence" on transportation requirements is directly contradicted by the new public comments from David Tompos Sr. The fact that Mr. Tompos submitted provisions on axles, tires, recycled axles, spring assemblies, coupling mechanism, location of the running gear, and other chassis components under the transportation section proves that the ICC 1215 committee is actively regulating these federally-governed components.*

*David has submitted a new section with provisions on axles, tires, recycled axles, spring assemblies, tires, coupling mechanism, and location of the running gear. and other chassis components under the transportation section. The provisions submitted look like they are loosely based on the HUD code. This section was included with almost the same language in the [initial draft for public comment](#), and then removed in the [draft for public comment](#).*

**And now added back.**

## **Specific Safety Violations**

*The ICC 1215 standard, through its attempts to create alternate or non-existent provisions, is preempted because it fails to mandate compliance with critical Federal Motor Vehicle Safety Standards (FMVSS), which already occupy the field and include mandatory requirements for all chassis components. These include, but are not limited to:*

- *FMVSS No. 108: Lamps, Reflective Devices, and Associated Equipment.*
- *FMVSS No. 119: New Pneumatic Tires for Vehicles Other Than Passenger Cars.*
- *49 CFR § 393.43 (Breakaway and emergency braking): Mandates that every braked trailer must have a system to automatically and immediately apply all brakes upon breakaway from the towing vehicle, and these brakes must remain applied for at least 15 minutes.*

*Interesting timing, that after I objected because the provisions were from the HUD code, that they were removed, and now brought back, coinciding with the ICC reply to my complaint.*

*NHTSA, FMVSS, and FMCSA already have federal laws on every component that David listed, in fact if components, such as an axle tire unit of motor vehicles, which include trailers, if they are sold separately, and not as a completed trailer, it is deemed a trailer and requires its own VIN number and certification requirements as explained in-*

### **NHTSA interpretation letter -ID 12217.DRN**

*This responds to your request for an interpretation of vehicle identification number (VIN) requirements for trailers. You wish to know whether a trailer, consisting of a gooseneck, a deck, a 2-axle (or 3-axle) bogie and two separate sets of an axle unit attached to tires, is one or several trailers.*

*As explained below, the answer depends on whether the bogie and axles are sold as one unit or separately. If sold with the gooseneck, deck, and bogie, the axle-tire unit is part of a trailer*

*and would not have a separate VIN. If sold separately, each axle-tire unit is a trailer. Each trailer must have a distinct VIN and must meet the National Highway Traffic Safety Administration's (NHTSA) certification requirements.*

*Your letter stated that the axles with tires can separate from each other and from the bogies to form different trailer configurations. In a telephone conversation with Dorothy Nakama of my staff, you explained that the customer may first buy the trailer with the bogie only, and later buy one or both axle-tire units. Each axle-tire unit consists of a load bed, an axle, and tires. To lessen confusion, especially when the bogie is sold or used separately from each axle-tire unit, you wish to assign separate VINs to the bogie and each axle-tire unit.*

*Although you ask about VIN requirements (specified at 49 CFR Part 565 Vehicle Identification Number Requirements), please be aware that NHTSA's vehicle certification requirements, at 49 CFR part 567 Certification, also apply. The "VIN Data Plate" you refer to describes information required for the trailer's certification label, including the gross vehicle weight rating (GVWR) and gross axle weight rating (GAWR). In answering your questions, I will describe both your VIN and certification responsibilities.*

[Source](#)

## **Invoking DOT IN ICC 1215 Concedes Motor Vehicle Status**

*By declaring that an integrated trailer must comply with DOT Department of Transportation requirements, the standard concedes the existence of a vehicle subject to federal transportation law. DOT jurisdiction does not arise unless something is being regulated as a vehicle in transportation.*

***"One cannot invoke DOT authority while simultaneously claiming that a tiny house on a trailer is not a motor vehicle. Those positions are legally incompatible."***

## **Silence Does Not Nullify Federal Law**

Omitting NHTSA, SAE, FMVSS, and FMCSA does not avoid their application. Federal motor vehicle law is not optional, and it cannot be displaced by selective terminology or purposeful omission.

***"DOT is the umbrella. Once it is invoked, the full federal transportation framework follows."***

## **The Standard's Own Language In ICC 1215 Defeats ICC's Theory**

*This is not a close question. The standard's reliance on "DOT compliance" extinguishes the argument that a tiny house on a trailer exists outside federal vehicle regulation.*

***DOT does not regulate houses.  
DOT regulates vehicles.  
Invoking DOT ends the debate***

## **U.S. Department of Transportation (DOT) — Umbrella Authority**

*The U.S. Department of Transportation (DOT) is the federal executive department responsible for regulating transportation systems in the United States. DOT's jurisdiction covers vehicles, roadways, transportation safety, carriers, and interstate commerce related to transportation. DOT does not regulate buildings or housing construction. When DOT authority is invoked, it necessarily concerns transportation and vehicles.*

*DOT oversees and delegates authority to modal administrations, including NHTSA and FMCSA.*

## **National Highway Traffic Safety Administration (NHTSA)**

NHTSA is an operating administration within DOT charged with administering and enforcing federal motor vehicle safety laws under the National Traffic and Motor Vehicle Safety Act.

## **Federal Motor Vehicle Safety Standards (FMVSS)**

*FMVSS are the mandatory federal safety standards issued and enforced by NHTSA. They establish minimum safety performance requirements for motor vehicles and motor vehicle equipment.*

## **Federal Motor Carrier Safety Administration (FMCSA)**

*FMCSA is a DOT agency responsible for regulating the safe operation of commercial motor vehicles in interstate commerce.*

## **Work Group 3**

What is disturbing is that public comments were presented that included FMVSS and were considered by Workgroup 3 as stated below and when the draft came out for public comments, the Federal Motor Vehicle Safety Standards reference was omitted.

***CHASSIS.*** *A floor framing and transport system designed to transfer structural loads to the permanent foundation. It is an integral component of the structure and cannot be removed without substantial structural alteration. The chassis includes such transportation and safety features as the drawbar and coupling mechanism, frame, running gear assembly, and complies **with Federal Motor Vehicle Safety Standards.***

*Meeting Notes Attached*

## **ICC 1215 Committee**

*Voting members are reminded that participation in a consensus standard does not confer authority to redefine, reclassify, or disregard federal motor vehicle law. A trailer's legal identity is fixed by statute, not fluid, and motor vehicle safety standards cannot be reclassified through a building or private consensus standard.*

*Any vote cast in reliance on a framework that treats the chassis as existing in a regulatory vacuum risks endorsing provisions that are preempted, unenforceable, and contrary to federal law.*

### **Procedural Violation — Public Comment Handling**

*My recent public comments submitted for ICC 1215 in the Reason section were edited and partially omitted from the public record, in violation of ANSI Essential Requirements for openness, transparency, and due process, and ICC's own stated procedures governing the accurate preservation of public comments.*

### **Summary And Closing Thoughts**

The ICC 1215 standard treats the chassis as if it exists in a regulatory vacuum, separating it from the federal motor vehicle laws that govern trailers, running gear, certification, and accountability in interstate commerce.

### **Exemption, A Circumvention, Not Silence**

*"The inclusion of an exception provision for the temporary carrier system (chassis) is not an instance of the standard being 'silent'; it is an explicit, deliberate act of regulatory carving-out. By creating an exception, the ICC 1215 committee acknowledged the existence and function of the temporary chassis as a transport mechanism, yet intentionally shielded it from the very transportation requirements the standard purports to address, thereby creating an illegal, non-compliant regulatory pathway for a 'ghost trailer'."*

### **The Temporary Chassis's Sole Purpose:**

*"The temporary carrier system is fabricated strictly and solely for the purpose of transporting the modular structure on public roads and highways. To argue that its road use is 'incidental' is refuted by its dedicated design, function, and purpose. The provision exempting it from the ICC 1215 standard's own rules—while simultaneously ignoring federal law—is an intentional effort to license an illegal trailer for interstate commerce."*

### **Omission as a Due-Process Violation (Amplified)**

*"A consensus code or standard cannot lawfully avoid federal preemption through silence or*

*omission regarding a field that Congress has already occupied. The ICC 1215 standard's choice of omission is not a neutral drafting choice; it is a due-process violation that allows the creation of structures that are fundamentally illegal for transport, placing manufacturers and the public at legal and physical risk. Where federal law establishes mandatory requirements, a subordinate standard that creates an alternate compliance pathway—or no pathway at all—is preempted, arbitrary, and procedurally defective as a matter of law.”*

### **Omission Undermines Regulatory Intent**

*“The purposeful omission of Federal Motor Vehicle Safety Standards (FMVSS) is especially disturbing given that the ICC 1215 Workgroup 3 notes confirm that compliance with FMVSS was initially included in the definition of 'CHASSIS' and then later removed. This procedural history reveals not a lack of awareness, but an intentional decision to strike the one provision that would have ensured compliance with federal law, thereby making the FMVSS inoperable in the context of this standard.”*

### **State Of Colorado: Code Of Colorado Regulations DOLA**

*In Colorado, a “tiny home” for state regulation (DOLA) means a dwelling under 400 sq. ft. (excluding lofts) on a permanent chassis.*

*DOLA also defines the chassis as;*

*“**Vehicle Chassis**” means the base frame of a single-family dwelling, designed and constructed for long-term occupancy that supports the home's construction and transportation, and includes **axles, wheels, GVWR a VIN.***

*Samuel W. Albrecht is a voting member of ICC 1215 and the Colorado Director Of Office Of Regulatory Oversight in the Division of Housing and could offer crucial input on this debate.*

*The state of Colorado clearly acknowledges the duo nature that a tiny home on wheels must follow for compliance for both **vehicles** and **structures** and **integrates the path.***

### **A Disservice To Manufacturers**

*The pathway to compliance for tiny houses with a chassis are the exact provisions this standard is ignoring by purposeful silence and omission.*

*There is a strategic flow from federal to the state level already in place for motor vehicle requirements including trailers.*

*“**Integrating both the compliance for the chassis and a structure is the compliance needed, and omitted from the ICC 1215 standard.**”*

*[Motor Vehicle Safety Acts](#) (via NHTSA) harmonize state requirements by mandating a universal 17-character Vehicle Identification Number (VIN) system (49 CFR Part 565), ensuring*

*all manufacturers use a fixed format with a check digit for unique vehicle identification, overriding individual state rules for core VIN structure, and integrating state-level tracking with federal standards for safety and law enforcement, creating consistency across the US.*

*SAE International is the sole entity authorized by NHTSA to issue World Manufacturer ID Codes for manufacturers to legally issue VIN numbers.*

*Invoking DOT Concedes Vehicle Status Identifier (WMI) codes, which enable manufacturers to assign Vehicle Identification Numbers (VINs).*

*This is a profound disservice to the manufacturer and is setting them up for massive fines, ultimately leading to chaos in the industry with parallel, contradictory compliance pathways.*

## **Remedial Actions: Procedural And Due Process Corrections**

### **1. Immediate Procedural and Due Process Corrections**

- **Reinstate Full Public Comments:** Immediately restore the full and unedited text of all my public comments to the official public record, specifically the comments submitted for ICC 1215 where text was edited or partially omitted, to comply with ANSI Essential Requirements for openness, transparency, and due process.
- **Acknowledge and Reconsider Work Group 3 History:** Issue a formal statement acknowledging that the definition of "CHASSIS" initially included a requirement to comply with Federal Motor Vehicle Safety Standards (FMVSS) and provide a clear justification for its subsequent removal. This history must be fully considered during the next committee vote.

### **2. Substantive Corrections to Ensure Legal Compliance**

- **Mandate Federal Compliance:** Amend the ICC 1215 standard to explicitly require that any integrated carrier chassis (temporary or permanent) must meet all applicable Federal Motor Vehicle Safety Standards (FMVSS), including certification and VIN requirements, as a non-negotiable prerequisite for transport in interstate commerce.
- **Strike the Illegal Exemption/Omission:** Immediately strike the provision that creates an exception or remains "silent" regarding transportation requirements for the temporary carrier system. This omission constitutes a due-process violation that makes FMVSS laws inoperable and must be replaced with mandatory federal compliance language.
- **Align with Core FMVSS:** Specifically incorporate mandatory compliance with key federal safety provisions into the standard, including:
  - **49 U.S.C. § 30112 (a) (1)** (Prohibition of non-certified vehicles).
  - **FMVSS No. 108** (Lamps, Reflective Devices, and Associated Equipment).
  - **FMVSS No. 119** (New Pneumatic Tires).
  - **49 CFR § 393.43** (Breakaway and emergency braking systems).

### **3. Committee Accountability and Review**

- Please revisit its conclusion that federal law is "unlikely" to preempt the Transportation section. The review must be based solely on the fixed legal identity of the chassis as a

- trailer under federal law, not on the structure's end-use classification.
- Please provide a public, written legal opinion explaining how a standard that omits and effectively renders **49 U.S.C. § 30112 (a) (1)** and other core FMVSS "inoperable" does not constitute preemption, promoting a non-compliant and illegal pathway for manufacturers.

I urge ICC leadership and committee members to address these issues openly, in good faith, and in alignment with federal law. Silence on chassis compliance is not only indefensible—it is dangerous, adding more illegal trailers on the road and setting up manufacturers for hefty fines for non compliance.

The framing of the “temporary carrier system” and its associated exemption functions as an intentional effort to obscure the existence of a noncompliant “ghost trailer.”

The standard’s reliance on “DOT compliance” as a supposed safe harbor and catch-all phrase extinguishes the argument that a tiny house on a trailer is NOT a motor vehicle.

***“One cannot invoke DOT authority while simultaneously claiming that a tiny house on a trailer is not a motor vehicle. Those positions are legally incompatible. ”***

***DOT does not regulate houses.***

***DOT regulates motor vehicles.***

***Invoking DOT ends the debate.***

Sincerely,

Janet Thome President  
[Tiny House Alliance USA](#)