

ICC/THIA 1215 Transportation Conflict With Transportation Section, DATA Plate, Disregarding Preemption

The 'Silence' Strategy Exposed By The 'Gross Weight' Of Their Own Text

1. Purpose and Scope

This document consolidates and clarifies the legal, technical, and regulatory distinctions between federal motor-vehicle certification labels (including VIN certification labels and tire placards) and the "data plate" required under ICC/THIA 1215. It explains why these instruments are not interchangeable, how ICC/THIA 1215 internally contradicts itself in Chapter 7 (Transportation), and why the standard cannot credibly claim to be silent on transportation regulation once DOT concepts are invoked.

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		

2. What the VIN Certification Label Is

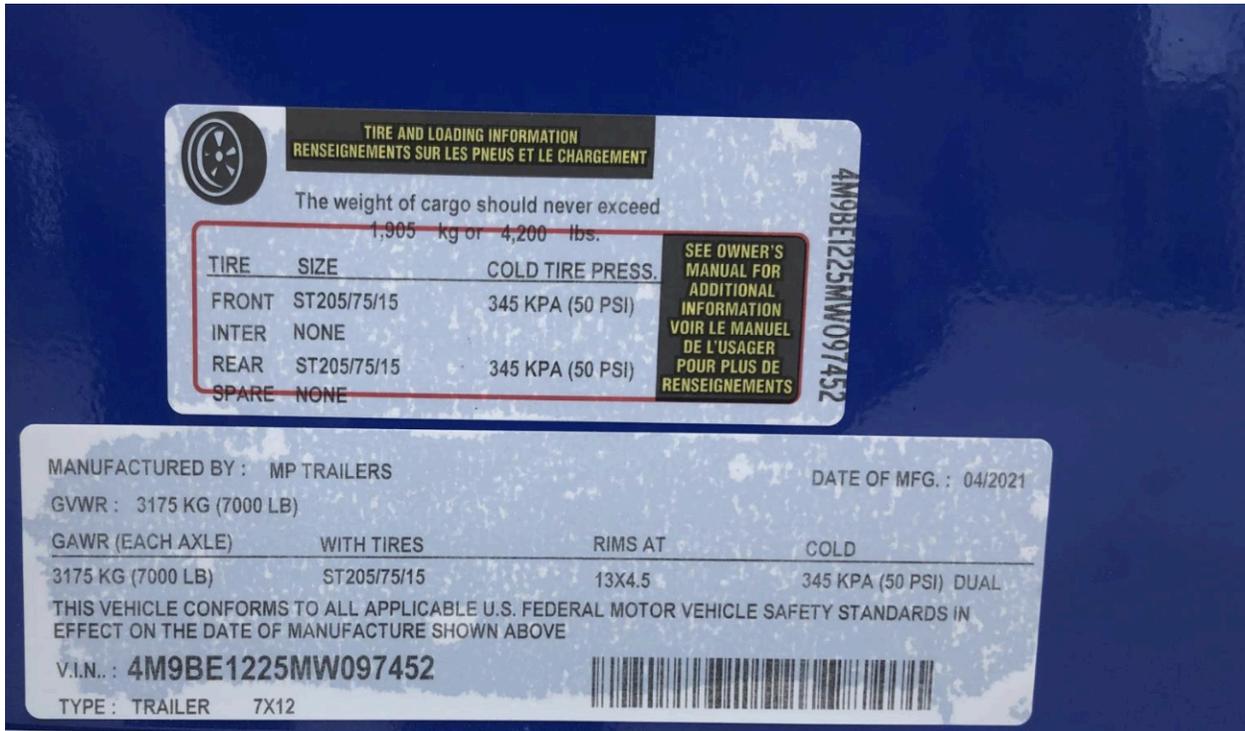
The first label referenced in this analysis is properly called the VIN certification label (also known as the FMVSS certification label). This is a federally required motor-vehicle label affixed by the manufacturer.

Key characteristics:

- Affixed by the manufacturer, not approved or issued by NHTSA
- Permanently attached to the vehicle in a prescribed location
- Identifies the manufacturer, date of manufacture, vehicle type, and VIN

- States that the vehicle complies with all applicable Federal Motor Vehicle Safety Standards (FMVSS) in effect on the date of manufacture
- Establishes federal liability and enforcement authority

This label exists only because the unit is a motor vehicle.



3. What the Tire and Loading Information Placard Is

The tire and loading information placard is a companion federal placard required under FMVSS 110/120. It provides operational safety information tied directly to the vehicle's certified ratings.

It displays:

- GVWR (Gross Vehicle Weight Rating)
- GAWR (Gross Axle Weight Rating)
- Tire size and rim specifications
- Cold tire inflation pressure

These values are not estimates or disclosures. They are certified ratings tied to the VIN and to the manufacturer's self-certification obligations

NHTSA Source

4. What GVWR and GAWR Represent

GVWR and GAWR represent the maximum loaded weight of the completed vehicle as manufactured.

They include:

- The trailer chassis or frame
- The permanently installed tiny house structure
- All built-in systems and components (walls, roof, plumbing, electrical, appliances, finishes)
- Any cargo allowance designated by the manufacturer

Under 49 CFR Part 567 and FMVSS 110/120, a manufacturer may not certify a trailer based on a bare or incomplete chassis if the unit is sold or delivered with a structure installed.



5. Why the Tiny House Must Be Included in the Placard Weights

Accordingly, the VIN certification label and tire placard must reflect the combined weight of the trailer and the house together. Certifying only the trailer would constitute mis-certification under federal motor-vehicle law.

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 <div style="text-align: center;">  </div> <p>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.</p>

6. What the ICC/THIA 1215 “Data Plate” Is

ICC/THIA 1215 defines a data plate as:

“**DATA PLATE.** A plate attached by the manufacturer or builder to a Small Residential Unit or component that contains identifying information allowing code officials or end users to determine if the structure is suitable for installation in their jurisdiction, location, project, or special conditions.”

Key characteristics:

- Not a federal certification
- Not tied to VIN issuance
- Not tied to FMVSS
- Not recognized by DOT or NHTSA
- Intended for building-code and installation decisions only

This is a building information plate, not a transportation certification instrument.

7. The Fatal Conflict in ICC/THIA 1215

ICC/THIA 1215 simultaneously:

- Denies that motor-vehicle certification labels and VIN plates are required
- Denies that FMVSS applies
- Yet regulates chassis-based, transportable units
- Requires weights, loads, and transport performance criteria
- Introduces a full “Transportation” chapter

This creates an impossible regulatory condition: a chassis-based unit expected to move on public roads without a vehicle identity, VIN, FMVSS certification, or federally recognized weight ratings.

8. Section 702.1 and the Documentation Fallacy

Text of Section 702.1 (emphasis added):

“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.”

This sentence is the fulcrum of the entire transportation defect. It expressly invokes **DOT requirements** while refusing to require the only federally recognized method by which DOT compliance is established: a VIN-linked FMVSS certification label. Section 702.1 states:

“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.”

This language assumes that DOT load and weight compliance can be proven through unspecified “documentation” tied to a **structure data plate**. Federal law does not recognize any such pathway.

DOT compliance for loads and weights can only be established through:

- Manufacturer self-certification
- A VIN
- An A self-certification label affixed to the chassis, as required by the National Highway Traffic Safety Administration (NHTSA), by which the manufacturer—through self-certification—declares that the completed vehicle complies with all applicable Federal Motor Vehicle Safety Standards (FMVSS) in effect on the date of manufacture. The label identifies the manufacturer, date of manufacture, vehicle type, vehicle identification number (VIN), and certified vehicle weight ratings (including GVWR and GAWR), and constitutes the sole federally recognized mechanism for establishing DOT compliance and assigning federal enforcement and liability responsibility.

There is no documentation-only substitute.

9. Why the Cross-Reference Fails

The conflict becomes unavoidable when Section 702.1 is read together with **Appendix B – Small Residential Unit Data Plate**.

Appendix B requires that the SRU data plate include, among other building parameters:

- **Gross weight of structure**
- Wind, roof, floor, snow, and seismic loads
- Thermal design zone
- Electrical panel rating
- Codes and occupancy classification

The location of this data plate is explicitly **inside the structure**, near the electrical distribution panel or kitchen cabinet. It is a building-code instrument intended for AHJ installation review.

By directing that DOT-regulated “loads and weights” be shown on this **interior building data plate**, Section 702.1 attempts to import federal transportation authority into a plate that is:

- Not affixed to a vehicle
- Not tied to a VIN
- Not visible to law enforcement
- Not recognized by DOT or NHTSA

This is a categorical mismatch.

10. The Unanswered Question: What “Documentation”?

Section 702.1 requires “verification by documentation” but never defines or enumerates what documents are acceptable. This omission is not harmless.

Under federal motor-vehicle law, DOT compliance for loads and weights can be demonstrated only through:

- Manufacturer self-certification
- A VIN
- An A self-certification label affixed to the chassis, as required by the National Highway Traffic Safety Administration (NHTSA), by which the manufacturer—through self-certification—declares that the completed vehicle complies with all applicable Federal Motor Vehicle Safety Standards (FMVSS) in effect on the date of manufacture. The label identifies the manufacturer, date of manufacture, vehicle type, vehicle identification number (VIN), and certified vehicle weight ratings (including GVWR and

GAWR), and constitutes the sole federally recognized mechanism for establishing DOT compliance and assigning federal enforcement and liability responsibility.

There is **no alternative documentation pathway** recognized by NHTSA. Engineering letters, spec sheets, affidavits, or building data plates do not establish DOT compliance.

The standard's silence on this point leaves builders and AHJs guessing whether the drafters intended:

- Axle or component rating sheets (which do not certify a vehicle)
- Internal engineering calculations (which have no enforcement standing)
- The “gross weight of structure” listed on the SRU data plate (which is not a transportation rating)

None of these satisfy DOT requirements.

11. Gross Weight of Structure vs. Vehicle Weight Ratings

Appendix B's requirement to list “**gross weight of structure**” further exposes the defect. That value is a **building metric**, useful for foundations and installation, but it is not equivalent to:

- GVWR (Gross Vehicle Weight Rating)
- GAWR (Gross Axle Weight Rating)

DOT regulates **vehicle weight ratings**, not standalone structural weights. Listing the gross weight of the structure does not establish that the chassis, axles, tires, or brakes are certified to safely carry and transport that weight on public highways.

If the intent of Section 702.1 was to require that the chassis be capable of carrying the structure's gross weight, that intent still cannot be lawfully executed without VIN-based FMVSS certification.

12. Why the Defect Is Structural, Not Editorial

The problem is not missing clarification; it is mutual exclusivity. ICC/THIA 1215 attempts to:

- Invoke DOT requirements
- Regulate a chassis and highway movement
- Require load and weight compliance

while simultaneously denying the applicability of VIN certification labels and FMVSS.

Federal law does not allow DOT compliance to exist without certification labels. A standard cannot both rely on DOT authority and disclaim its enforcement mechanisms.

13. Construction Documents vs. DOT Certification — The Internal Contradiction

The standard's own definition of **Construction Documents** completes the loop and eliminates any remaining ambiguity:

CONSTRUCTION DOCUMENTS. Designs, plans, and specifications, including written, graphic, and pictorial documents, prepared or assembled to describe the design, location, and physical characteristics of Small Residential Units (SRUs) or their components, as necessary to demonstrate compliance with applicable building codes.

This definition is decisive. It confines “documentation” to **building-code materials only**—plans, drawings, specifications, and installation details reviewed by AHJs to determine structural and occupancy compliance. Construction documents do not establish transportation safety, do not certify loads and weights for highway movement, and are not recognized by DOT or NHTSA as a mechanism for motor-vehicle compliance.

When this definition is read together with Section 702.1, the contradiction is complete. Section 702.1 demands “verification by documentation” that a chassis complies with DOT requirements for loads and weights, yet the only documentation the standard defines or authorizes consists of building-code construction documents. Those documents cannot lawfully verify DOT compliance, cannot substitute for VIN-linked self-certification labels, and cannot assign federal liability.

In other words, the standard requires DOT compliance to be proven by materials that, by its own definitions, are incapable of proving DOT compliance.

14. Undefined Structures, Mandatory Compliance — The Inspection Paradox

The contradiction deepens when the standard requires compliance with the **International Residential Code (IRC)** for structures that the IRC does not define, classify, or recognize.

Neither “**Small Residential Unit (SRU)**” nor “**Movable Tiny House**” exists as a defined structure, use, or occupancy category in the IRC. The IRC regulates buildings that are land-based, permanently sited, and affixed to foundations. It provides no inspection pathway, scope, or checklist for chassis-based or movable residential units.

Yet ICC/THIA 1215 simultaneously asserts that these undefined structures must comply with the IRC.

This creates an inspection paradox:

- The structure is **not in the IRC**
- The structure is nevertheless required to **comply with the IRC**
- The AHJ is expected to **verify compliance**
- But the AHJ has **no legal reference point** in the adopted code by which to inspect or approve it

An AHJ cannot lawfully verify compliance with a structure that has no definition, classification, or scope in the adopted code. Voluntary standards cannot cure that defect, because enforcement authority flows only from adopted law.

When combined with the data plate scheme, the result is circular enforcement: the builder asserts compliance, the data plate memorializes the assertion, and the AHJ is left without any codified baseline against which to confirm it. This is not inspection; it is reliance on self-attestation.

16. The Easter-Egg Compliance Scheme — How the Standard Hides Its Transportation Intent

This is not sloppy drafting. It is **intentional fragmentation**.

ICC/THIA 1215 does not state its transportation theory in one place because doing so would force the standard to confront the federal consequences (VIN, NHTSA manufacturer status, self-certification labels, GVWR/GAWR, FMVSS, enforcement). Instead, it spreads the operative pieces across disconnected sections—like an easter egg hunt—so the reader never sees the full machine assembled.

Below is the proof, using **their own text**.

A. IRC Manufacturer’s Data Plate (Notice There Is Not A Section That Says Gross Weight)

IRC 701.4 Manufacturer’s data plate.

“A manufacturer’s data plate shall be provided for each dwelling unit or building. The following information shall be placed on a permanent manufacturer’s data plate as identified on the cover sheet of the plans and in a location that is readily accessible for inspection. The compliance assurance agency shall approve the form and location of the data plate and shall verify that the data plate is complete with the following information:”

1. Manufacturer’s name and address.
2. Compliance assurance agency certification number.
3. Serial number of each module of the building.
4. Serial number of the state registration seal.
5. Date of manufacture of the building.

6. List of codes and standards under which the building was evaluated and constructed and the type of construction and occupancy classification under those codes and standards.
7. Design live roof load; design floor live load; design wind speed; design ground snow load; and seismic design and risk category.
8. Thermal resistance (“R”) values.
9. Special conditions or limitations concerning the use of the building under the codes and standards applicable to the building. A list of such conditions or limitations that is furnished separately with the building shall comply with this requirement.
10. Special instructions for handling, installation and erection of the building. A list of such instructions that is furnished separately with the building shall comply with this requirement.
11. Designation of electrical service ratings, directions for water and drain connections and, where applicable, identification of permissible type of gas for appliances.

What you should notice: this IRC data plate is a building-code plate. It discloses **structural design loads and installation information**, not vehicle ratings. It contains **no weight**, no axle ratings, no transport metrics, and no DOT language—because the IRC is not a transportation code.

B. ICC/THIA 1215 SRU Data Plate (Adds “Gross Weight of Structure” — The Tell)

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.”

What you should notice: the SRU plate quietly imports a transportation concept—**gross weight**—into an interior building plate.

- “Gross weight” is a **vehicle** concept (fully loaded weight for transportation and safety).
- The SRU plate does not say **GVWR** or **GAWR**.
- It does not tie weight to a VIN.
- It is placed inside the structure of NHTSA/DOT requirements.

That is not a neutral disclosure. It is a workaround.

C. The Transportation Hook Hidden Elsewhere (DOT Without the Consequences)

Section 702.1 (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.”

This sentence is the bridge—and the contradiction.

- It invokes **DOT requirements**.
- It demands compliance for **loads and weights**.
- It routes those DOT-relevant weights to the SRU **data plate** (a building plate).
- It substitutes undefined “documentation” for the one lawful mechanism DOT recognizes: VIN-linked self-certification labels.

17. Assemble the Pieces — What They Are Doing Without Saying It

When you combine Appendix B with Section 702.1, the standard’s unstated theory becomes clear:

1. The SRU is a building (so they want IRC-style data plate content).
2. The SRU is movable on a chassis (so transportation loads and weights matter).
3. The chassis must meet DOT requirements (so federal transportation law is being invoked).
4. The weights that matter to DOT will be “shown on the data plate” (but the data plate is an interior building plate).
5. The standard avoids VIN/FM VSS self-certification labels (so the federal consequences are avoided).

That is the easter-egg scheme:

- They import transportation concepts (DOT, loads, weights) without importing transportation compliance mechanisms (VIN, self-certification labels, GVWR/GAWR).

- They import “gross weight” into a building plate while avoiding vehicle ratings that would require federal certification.
- They split the concept across sections so no single reader sees the combined regulatory claim.

18. Why the “Gross Weight of Structure” Insert Is the Smoking Gun

The IRC data plate does not list weight because building codes regulate design loads (wind/snow/seismic/live/dead loads), not highway safety.

The SRU data plate adds “gross weight of structure” because the drafters know weight becomes legally decisive once you put a dwelling on a chassis and move it on public roads.

But by calling it “gross weight of structure” instead of using DOT terms like GVWR/GAWR, they attempt to keep the concept in a code-only frame while still capturing the transportation implications.

That is not a technical nuance. It is legal evasion.

49 CFR § 658.17 Weight

49 CFR § 658.17 defines gross vehicle weight as a highway-regulated, axle-based enforcement concept. It is not descriptive, optional, or informational.

Under this regulation:

- Gross vehicle weight is capped (generally 80,000 lbs)
- Single axle, tandem axle, and axle groups are independently regulated
- All gross weight limits are enforced through axle configuration and spacing
- The Federal Bridge Formula governs the maximum allowable weight
- Violations trigger citations, fines, unloading requirements, and enforcement actions
- States may not redefine or undercut these rules on the Interstate System

Every reference to “gross weight” in federal law is inseparable from:

- axles

- axle spacing
- enforcement
- penalties
- highway operation

There is no version of “gross weight” in federal law that exists without this framework.

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

[49 CFR § 658.17 Weight](#)

Preemption Violation

By extending a building data plate framework to chassis-based units while adding a federally defined transportation metric (“gross weight”) and omitting the federal regulatory system that governs it, ICC/THIA 1215 creates a direct conflict with federal motor vehicle and highway law that is displaced under the Supremacy Clause.

19. The Mic Drop

You cannot invoke “DOT requirements” and “loads and weights” and then deny the only federally recognized method of proving DOT compliance: VIN-linked self-certification labels with certified vehicle weight ratings (GVWR/GAWR).

The IRC’s manufacturer data plate correctly excludes weight; ICC/THIA 1215 adds “gross weight of structure” precisely because transportation is the real issue—then hides that intent by scattering the operative components across unrelated sections.

This is not silence. It is a compliance scheme built out of omissions.

This is the Silence Strategy — and it fails on its own text.

Summary

The Easter-Egg Compliance Scheme: Addressed To ICC And Committee

You did not place these requirements in separate sections by accident.

You distributed them across the standard so that no single reader would be forced to confront the combined regulatory effect.

When the provisions are read together, the intent becomes clear — and untenable.

1. You Know Exactly What a Manufacturer's Data Plate Is Under the IRC

The International Residential Code already contains a manufacturer's data plate provision.

You are aware of it. You mirror it. You rely on its credibility.

IRC §701.4 requires a data plate that lists:

- manufacturer identity
- codes and standards used
- structural design loads (roof, floor, wind, snow, seismic)
- thermal values
- installation and utility instructions

Notably — and deliberately — it does not list weight.

That omission is not an oversight.

It is jurisdictional.

The IRC does not regulate transportation.

It does not regulate vehicles.

It does not regulate highway safety.

Accordingly, the IRC data plate discloses design loads, not gross weight.

You know this.

2. You Then Insert “Gross Weight” — But Only in the SRU Data Plate

In Appendix B, you introduce a new requirement:

“Gross weight of structure.”

You do not explain why weight suddenly matters.

You do not define what “gross” means in this context.

You do not reconcile this term with DOT or FMVSS definitions.

You do not state whether this weight includes the chassis, excludes it, or substitutes for vehicle ratings.

You simply insert it.

You place it on an interior building data plate, located in a closet or under a sink — not on a vehicle, outside of NHTSA/DOT requirements and not tied to a VIN.

You know that “gross weight” is a transportation term, not a building term.

You know that once weight becomes relevant, transportation law is implicated.

The IRC uses specific technical terminology to define structural weight:

- **Dead Load:** This is the primary term used for the weight of the structure itself, including all permanent materials, construction components, walls, floors, roofs, and fixed service equipment (HVAC).
- **Actual Weights of Materials:** The code requires the use of the actual weight of materials and construction to determine the dead load, or specific allowable dead loads based on square footage (e.g., 10-15 psf for floors/roofs).
- **Live Load:** Used for transient, non-permanent loads such as occupants, furniture, and storage.

The term "gross weight" is typically found in vehicle regulations.

“Gross Weight” Is a Transportation Term — Federal Law Makes That Unavoidable

Statute Cited

- **26 CFR § 41.4482(b)-1** — Definition of Taxable Gross Weight
 - Governs highway motor vehicles for federal transportation taxation and regulation
 - Defines gross weight exclusively in the context of vehicles, trailers, and cargo traveling on public highways

Statement

Federal law defines “gross weight” only as a transportation metric applicable to highway motor vehicles. Under 26 CFR § 41.4482(b)-1, taxable gross weight is calculated by combining the unloaded (tare) weight of a vehicle and any trailers with the maximum load customarily carried. This definition presumes highway use, vehicle registration, declared operating weight, and enforcement through state and federal transportation systems. There is no legal framework in which “gross weight” applies to a building, dwelling, or structure independent of vehicle operation.

Key Findings

- “Gross weight” is defined exclusively in federal transportation law
 - The term presumes a **vehicle–trailer–cargo relationship**
 - Gross weight is inseparable from **highway operation and registration**
 - Federal law recognizes **no building-based or structural form** of gross weight
 - Use of “gross weight” necessarily means something is being **carried as a load**
 - Where gross weight applies:
 - the chassis is the vehicle
 - the house is the cargo
 - transportation law governs
-

[26 CFR § 41.4482\(b\)-1 - Definition of taxable gross weight.](#)

Conclusion

The introduction of “gross weight” into a data plate invokes federal transportation law by definition. Gross weight cannot exist without a vehicle, a load, and highway operation. Any claim that the standard is silent on transportation is therefore contradicted by the statute itself.

By inserting “gross weight” into a data plate, the standard invokes federal transportation law by definition. Gross weight cannot exist without a vehicle, a load, and highway operation. Any attempt to regulate or redefine that term outside the federal transportation framework is displaced as a matter of law.

The placement of that term is itself disqualifying. Gross weight, where lawfully used, belongs on a vehicle self-certification label affixed to the chassis and tied to a VIN—not hidden on an interior structure data plate placed in a closet or under a sink. That placement is not incidental; it is part of a carefully crafted strategy to invoke transportation authority while concealing transportation consequences.

Weight, chassis, DOT language, and data plates were deliberately fragmented across sections to obscure the combined regulatory effect. Once the text is read as a whole, that strategy is exposed and collapses under its own weight. This is federal preemption.

A transportation metric placed on an interior building Data plate is not compliance—it is concealment, and federal law does not permit it.

3. You Invoke DOT Requirements — But Only Elsewhere

In Section 702.1, you state:

“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.”

This sentence does three critical things:

1. It invokes DOT jurisdiction
2. It makes loads and weights legally relevant
3. It directs those DOT-relevant weights to the SRU data plate

But you do not require:

- a VIN
- manufacturer registration with NHTSA
- a self-certification label
- GVWR or GAWR
- FMVSS compliance statements

You instead rely on undefined “documentation” — a mechanism DOT does not recognize.

You know that DOT compliance is established only through manufacturer self-certification via a VIN-linked label.

You know that no amount of paperwork can substitute for that.

4. You Split the Concept to Avoid the Consequences

Taken together, your structure is clear:

- Weight is avoided in the IRC plate (where DOT would not tolerate it)
- Weight is reintroduced in the SRU plate (where FMVSS triggers are obscured)
- DOT is named in the chassis section (to borrow authority)
- DOT certification mechanisms are omitted (to avoid obligation)

You have combined:

- a building
- a chassis
- a transportable load

- and vehicle-level weight relevance

...without acknowledging the legal consequences of that combination.

This is not silence.

This is fragmentation by design.

5. You Cannot Require IRC Compliance for Structures the IRC Does Not Recognize

Neither “Small Residential Unit” nor “Movable Tiny House” exists in the IRC.

Yet you repeatedly assert that these structures must:

- comply with the IRC, and
- be verified by AHJs.

You provide no:

- IRC classification
- occupancy category
- inspection scope
- enforcement baseline

You place AHJs in the position of being asked to verify compliance with a code that does not contain the regulated object.

That is not inspection.

That is reliance on builder assertion.

6. The Result Is an Unlawful Hybrid

You have created a structure that:

- behaves like a vehicle for weight and transport purposes
- behaves like a building for data-plate and installation purposes
- avoids vehicle certification
- avoids building-code classification
- shifts risk to builders, inspectors, and owners

Federal law does not allow this hybrid to exist without choosing a regulatory pathway.

You cannot:

- invoke DOT requirements, and
 - deny DOT certification mechanisms, and
 - route vehicle weight through a building plate, and
 - claim neutrality.
-

Statement of Record: Silence as Strategy, Unlawful Exception as Instrument

This record reflects not omission, but **affirmative action**.

An **exception was created, granted, and relied upon**—an exception to federal transportation law that does not exist in statute, regulation, or case law.

A so-called “**independent carrier system**” was carved out and treated as exempt from the requirements that govern every other conveyance traveling on public highways. That exception has **no basis anywhere in the NHTSA or DOT regulatory framework**, yet it was nevertheless advanced, relied upon, and operationalized as though it were lawful.

This exception permitted highway travel **without a VIN, without FMVSS self-certification, without motor-vehicle classification, and without HUD applicability**. It was not merely unsupported by federal law—it was **in direct conflict** with it.

The illegality of this construct was expressly identified. Despite that, the exception was **affirmatively recommended by David Tompos Jr., through ICCNTA**, as a means to **avoid FMVSS, avoid HUD, and avoid motor-vehicle classification altogether**. That recommendation did not occur in isolation. It proceeded **with the full approval of ICC**, despite the known and articulated conflicts with federal law.

This was not silence.

This was **authorization**.

By granting this exception, a conveyance was created that is not treated as a vehicle, a carrier that is not regulated as a carrier, a structure that is not regulated as a building, and a dwelling that is not lawfully classified under any adopted code or federal program. The purpose was to allow it to move through regulatory systems **undetected**, insulated by ambiguity.

That exception was the mechanism used to force a **regulatory reset of the tiny house industry**.

The reset was not authorized by Congress, not adopted by states through enabling legislation, and not achieved through the public code-development process. It was imposed through the **arbitrary and unconstitutional invention of the “Small Residential Unit”**—a term absent from the IRC, absent from federal law, and absent from any legitimate regulatory taxonomy.

The SRU is not a technical advancement.

It is a **rebranding construct**, deployed by ICC as a matter of discretion, not law, for **market control**.

By eliminating established federal and state classifications and substituting a proprietary category supported by a fabricated exception:

- lawful compliance pathways relied upon by small artisan tiny house manufacturers were erased;
- regulatory cost, uncertainty, and risk were imposed selectively;
- compliance became achievable only for **large industry players** with institutional access and capital;

- and a decentralized artisan industry was intentionally destabilized in favor of consolidation.

This outcome was foreseeable.

That was the point.

The standard disperses DOT terminology, chassis regulation, gross weight requirements, data-plate disclosures, and undefined “documentation” across separate sections to obscure the existence of the exception and prevent any single reviewer from seeing its full effect. That fragmentation is deliberate. It allows federal authority to be invoked while federal accountability is disclaimed.

It must be stated plainly:

You cannot create a glaring exception to federal transportation law by inventing a carrier system that federal law does not recognize.

You cannot authorize highway travel without VINs after that illegality has been identified.

You cannot avoid FMVSS, HUD, and motor-vehicle classification by renaming the regulated object.

And you cannot reset an industry through an arbitrary classification change while claiming the protections of a voluntary standard.

Silence was not an oversight.

Silence was the mechanism by which the exception was hidden.

But once the text is read as a whole—once the data plates are read in full, once IRC load logic is understood, once “gross weight” is recognized for what it is, once DOT is invoked without its certification framework, and once the so-called independent carrier system is measured against actual federal law—the exception is exposed.

The record now reflects that an unlawful exception was created, approved, and used to bypass federal law, restructure a market, and eliminate small manufacturers through regulatory manipulation.

That conclusion follows directly from the text itself.

Janet Thome

Founder and President

Tiny House Alliance USA

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.