

Janet Thome And David Tompos Jr. Emails

May 16, 2025

From David

Hi Janet,

I'm not sure if you're asking a question, but it looks like you need clarification on if a chassis needs to be certified under NHTSA. The rules split like this:

Permanent chassis that stays with the dwelling.

- Counts as part of a manufactured home under 24 CFR 3280/3282. (includes park models and modular homes)
- No certification under the NHTSA is required, because this unit isn't a motor vehicle.

Detachable or low-bed trailer user only to haul the house

- Does need NHTSA trailer certification while it's on the road.

If you need additional information please let me know. If this was intended for my father, his email is: dtompos@icc-nta.org.

Best regards,

David A Tompos

Executive Vice President
Conformity Assessment
[International Code Council](http://www.iccneta.org)

o 574-773-7975 | c 574-903-9584 | Nappanee, IN

From Janet

David,

I appreciate your answer. I know the modular structure would need a data plate, and insignia, and the structure is not a motor vehicle, but if a manufacturer purchased a prefabricated trailer, the trailer which is a motor vehicle, it would have to be NHTSA compliant, and if a manufacturer builds the trailer for a modular structure, I feel the trailer would have to be NHTSA complaint.

I included David Tompos Sr. now, because I did want him included.

I think it is important that this information is correct, so I hope we can continue this conversation.

Thanks again, David

From David

Janet,

It's in the reference you originally sent: "Modular homes are not motor vehicles under the National Traffic and Motor Vehicle Safety Act (15 U.S.C @ 1381 et seq.) and accordingly there are no requirements that they be certified or labeled."

I'm happy to research this further if you need more evidence but based on my 27 years in the industry I've not seen on-frame modulars require any NHTVS certification.

Best regards,

David A Tompos

Executive Vice President

Conformity Assessment

[International Code Council](#)

o 574-773-7975 | c 574-903-9584 | Nappanee, IN

From Janet

David,

I would appreciate more research, and I do appreciate your expertise. The manufacturers do not receive NHTSA certification. NHTSA allows trailer manufacturers to self certify and produce their own labels, but the manufacturer of the trailer has to get
A World Manufacturer Identifier Code, so they can issue VIN numbers, and then they have to register with NHTSA.

The modular structure does not require NHTSA requirements, but the trailer does.

Thanks

From Janet

David,

Wa state already has a modular chassis. From their tiny house packet. The state patrol verifies the vin number.

Wa State Tiny Houses

A word of caution; FAS does not review the shipping requirements for your house. You are responsible
for safe and legal transport over the roads and highways. This includes both size and weight restrictions
and the requirements that all loads must be secure. Your house must be structurally sound so it will not
collapse, fall off the chassis or fail during transport. Please consult your licensed design professional to
ensure your configuration is safe for transport. Please consult the Washington State Patrol, and Department of Transportation regarding the movement of your house on Washington roadways.

[Link](#)

From David

Janet,

Modular Homes do not require VIN numbers because they are not motor vehicles. Even if a tiny home builder buys a prefabricated frame, the frame still doesn't require FMVSS certification, because its one-time trip to the housing plant is incidental to its intended use as a permanent part of the dwelling, not its primary purpose.

Park Models do need VIN numbers if they don't comply with 49 CFR Part 565. It's required by the ANSI A119.5 1-4.3, not NHTSA.

My opinion is based on several references from the NHTSA, including the one you sent. This one may be the most recent from 2000: <https://www.nhtsa.gov/interpretations/aia5409>

"... even if your 'trailer' is not a mobile home, it does not meet the Safety Act definition of a 'motor vehicle.' We have interpreted the definition as follows. Vehicles designed and sold solely for off-road use are not considered motor vehicles, even though they may be operationally capable of highway travel. Vehicles, such as mobile construction equipment, that use the public roads only to travel between job sites and which typically spend extended periods of time at a single job site, are not considered motor vehicles. In such cases, the use of the public roads is incidental, not the primary purpose for which the vehicle was manufactured."

<https://www.law.cornell.edu/uscode/text/49/30102>

A vehicle is a motor vehicle only if it is "manufactured primarily for use on public streets, roads, and highways."

If you still need more evidence, I recommend you reach out to the biggest frame manufacturer in the US, Lippert. <https://corporate.lippert.com/manufacturing/chassis>

The bottom line is that it doesn't matter if we agree or disagree on when the NHTSA requires certification of the chassis/trailer. The regulations under the NHTSA would supersede all or part of the standard. I would highly recommend that the standard remains silent on requirements governed by the Federal government. I've seen it in other standards, and it creates issues down the road (no pun intended) when the Federal government updates its requirements.

Best regards,

David A Tompos

Executive Vice President

Conformity Assessment

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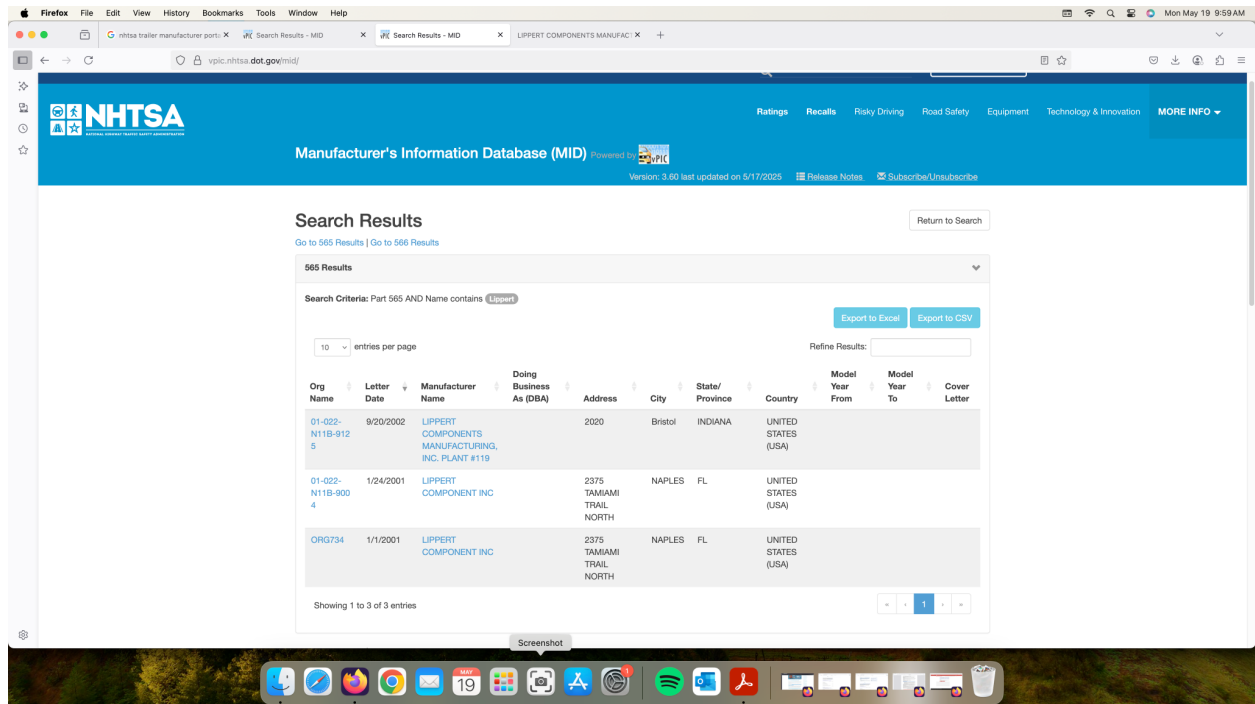
May 19, 2025

David,

We are both right, but the disconnect is that we are talking about 2 different things.

I understand that the Modular structure itself is not a vehicle. It would have an insignia and a data plate, and I understand the process you are talking about, about delivering from A to B.

But if a tiny house builder buys a prefabricated trailer from Trailer Made or Lippert, or Iron Eagle, etc..... the trailer manufacturer goes through the steps required by NHTSA, and gets their WMI Code from SAE, then registers with NHTSA, and NHTSA allows the trailer manufacture to self certify and put the labels for the VIN and the tires, and the manufacturer has to comply with the FMVSS, including lights, tires, axles, the frame, etc.....



You mentioned to reach out to Lippert. They are registered with NHTSA. Attached is one of their registrations.

I think there has to be more discussion about this topic through a work group.

Thank you for your reply,

Attached is a copy of Trailer Made Custom Trailers registration with NHTSA. This is one of the most popular manufacturers of tiny houses on wheels, in fact Tracy used to work for them.

From David

I will agree to disagree with you. Lippert is NHTSA because they build RV frames.

If you want to get certified no one is stopping you. I'm just saying it's not required.

From Janet

I do not think there has been enough discussion regarding this topic, to have a conclusion like that. It needs some discussion.

June 9, 2025

From Janet

David, you previously stated

Hi Janet,

I'm not sure if you're asking a question, but it looks like you need clarification on if a chassis needs to be certified under NHTSA. The rules split like this:

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- Does need NHTSA trailer certification while it's on the road.

New Comments

What I Think We Forgot To Factor In Is The 2018 HUD Final Rule.

This rulemaking revises the exemption for the manufacture of recreational vehicles to clarify which recreational vehicles qualify for an exemption from HUD's Manufactured Home Construction and Safety Standards and Manufactured Home Procedural and Enforcement regulations. HUD is adopting a recommendation of the Manufactured Housing Consensus Committee (MHCC) but expanding the definition of recreational vehicle and modifying it to require certification with the updated ANSI standard, A119.5-15.

[Link](#)

[From RVIA](#)

Park Models Are Recreational Vehicles, and HUD does not regulate them, so they cannot be lumped in with a manufactured home or a modular home. The park model is required to keep the chassis integrated, a Modular home is not

The new exemption states, "A recreational vehicle that meets the requirements of this section is exempt from [Manufactured Home Construction and Safety Standards]" and HUD states multiple times in its response to commenters that its intent is to

unequivocally clarify that RVs are beyond the scope of its regulatory mission.

“Recreational vehicles” are defined as:

Vehicles or vehicular structures not certified as manufactured homes;

Designed only for recreational use and not as a primary residence or for permanent occupancy; and either: built and certified in accordance with NFPA 1192-15 or ANSI A119.5-15; or self-propelled vehicles.

As the standard is written, it is partly based on the HUD code, and partly based on FMVSS and NHTSA. I think most all of the information on axles, tires, spring assemblies, etc.....is based on manufactured homes

Which would not apply to a prefab trailer that complies to FMVSS and NHTSA requirements.

A Chassis as a carrier system that could apply the manufactured home requirements would be different than

a chassis structurally integrated to the chassis should be addressed. This needs to be addressed separately.

Currently if a park model manufacturer buys a prefabricated trailer, the trailer manufacturer should already be NHTSA compliant, but by adding a permanent structure, they become an alterer

If they build the trailer themselves, they have to get a WMICode from SAE, to issue VINS and become NHTSA compliant.

I am not trying to promote unnecessary certification, because NHTSA allows trailer manufacturers to self certify and apply their own labels.

Federal law will trump everything, so I feel it is best to either stay away from the information completely, or once again address them separately.

Thanks

June 20, 2025

From Janet

Regarding Transport And Chassis Provisions

At the last meeting, I was told not to worry about 3280, but I want to point out that the section on transport is based on 3280, and the [chassis definition](#) is from the HUD code word for word.

Chassis

Chassis means the entire transportation system comprising the following subsystems: drawbar and coupling mechanism, frame, running gear assembly, and lights.

[24 CFR § 3280.904 - Specific requirements for designing the transportation system](#)

Questions

If manufactured homes are beyond the scope of this standard, and the HUD code preempts building codes.

How can we use provisions from the HUD code?

How can you use a chassis method from the HUD code for transport?

The HUD code is not meant to be adopted into building codes-*the goal of the standard*.

3280

If you research 3280, it links to the Federal Motor Vehicle Safety Standards (FMVSS) for lights and also tires and rims

Before a structure is attached to a trailer. The trailer is built first, so it has to be built to adequate provisions, even if the axles are removed later, and the I-Beams remain with the structure.

HUD has specific provisions, and so does FMVSS, and they differ.

NHTSA: The National Highway Traffic Safety Administration (NHTSA) was established by the Highway Safety Act of 1970 ([23 U.S.C. 401 note](#)) to help reduce the number of deaths,

injuries, and economic losses resulting from motor vehicle crashes on the Nation's highways.

The Administration carries out programs relating to the safety performance of motor vehicles and related equipment; administers the State and community highway safety program with the FHWA; regulates the Corporate Average Fuel Economy program; investigates and prosecutes odometer fraud; carries out the National Driver Register Program to facilitate the exchange of State records on problem drivers; conducts studies and operates programs aimed at reducing economic losses in motor vehicle crashes and repairs; performs studies, conducts demonstration projects, and promotes programs to reduce impaired driving, increase seat belt use, and reduce risky driver behaviors; and issues theft prevention standards for passenger and nonpassenger motor vehicles.

NHTSA

The top priorities at DOT are to keep the traveling public safe and secure, increase their mobility, and have our transportation system contribute to the nation's economic growth.

US DOT: DOT employs almost 55,000 people across the country, in the Office of the Secretary of Transportation (OST) and its operating administrations and bureaus, each with its own management and organizational structure.

DOT

Trailer- a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle. (NHTSA).

Motor Vehicle- any vehicle driven or drawn by mechanical power manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails. (NHTSA)

*World Manufacturing Identifier (WMI)- Since 1981, global automotive manufacturers have utilized a complex numbering system called a Vehicle Identification Number (VIN) that uniquely describes a vehicle. This number provides a coded description of the vehicle including: manufacturer, year of production, place of production and vehicle characteristics. Because of our unique position within the mobility industry, SAE International is contracted by the National Highway Traffic Safety Administration (NHTSA), to assign a selected **portion of the VIN, specifically called the World Manufacturers Identifier (WMI).***

SAE International

July 7, 2025

From David

Janet,

Based on the interpretation provided by NHTSA, an RSU is not classified as a motor vehicle and thus does not need to meet the labeling or VIN requirements. Please refer to NHTSA Interpretation ID: aiam5409 for confirmation.

"Vehicles designed and sold solely for off-road use are not considered motor vehicles, even though they may be operationally capable of highway travel. Vehicles, such as mobile construction equipment, that use the public roads only to travel between job sites and which typically spend extended periods of time at a single job site, are not considered motor vehicles. In such cases, the use of the public roads is incidental, not the primary purpose for which the vehicle was manufactured." ([NHTSA, Interpretation ID: aiam5409](#))

If a Tiny home is classified as an RV it would need to meet these requirements. An RSU or a park model would not.

Regarding your specific questions, here are my thoughts:

How can we use provisions from the HUD code?

The HUD code is part of the public domain, meaning sections can indeed be adopted or used. As far as your concern over preemption, 24 CFR 3282.12 will provide exemption for RSUs from the manufactured housing requirements once a state adopts these provisions.

How can we use a chassis method from the HUD code for transport?

The HUD chassis methods have proven effective over the past 50 years. Given this long-standing reliability and safety record, leveraging this proven method is logical and practical.

Having been directly involved with HUD code development for many years, I can confirm that the HUD code regularly adopts concepts from the IRC. It makes sense that beneficial and tested methods should flow in both directions. The HUD code is specifically designed to protect public safety while remaining affordable, especially given the portability and small scale of most manufactured homes.

Ultimately, our shared objective is to ensure public safety and maintain affordability in housing.

Please let me know if you need further clarification.

Best regards,

David A Tompos
Executive Vice President
Conformity Assessment
[International Code Council](#)
o 574-773-7975 | c 574-903-9584 | Nappanee, IN

From Janet

David,

[Regarding this statement.](#)

I can confirm that the HUD code regularly adopts concepts from the IRC. I am aware of that. But the goal was for this standard to be adopted into the IRC. [Not the other way around.](#)

NHTSA requirements are not just for RVs. Reminder, HUD does not regulate park models either, that was clarified in a HUD final rule. [Link](#)

Whether axles are temporary and permanent, they are built to safety standards which already exist, including definitions and requirements.

"Vehicles designed and sold solely for off-road use are not considered motor vehicles, even though they may be operationally capable of highway travel.

A Modular that is transported on a temporary chassis is not incidental road use. It could travel as little as 5 miles, or 3000 miles. It is not used off-road, it travels on the highway.

Here is another NHTSA Interpretation letter from their attorney explaining that even axles are considered **motor vehicles**. Short quote from below.

NHTSA defines a trailer as: "a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle." (49 CFR section 571.3)

*Applying the above definitions, each **axle-tire unit is a motor vehicle since it is drawn by mechanical power and includes tires that enable it to travel on the public roads. Each axle-tire***

unit is a trailer since it is designed to carry property and to be drawn by another vehicle. In the case of the axle-tire units, the "other vehicle" may be the bogie or another axle-tire unit.

Please note that 49 CFR 565.4(a) provides that "[e]ach vehicle manufactured in one stage shall have a VIN that is assigned by the manufacturer." Each motor vehicle must be assigned only one VIN. Therefore, if you assign a VIN to a 4-axle trailer (including two removable axles), you should not assign separate VINs to each axle-tire unit.

Hypothetical Two: In the second hypothetical situation, you state that your customer purchases a trailer with a 3-axle bogie plus one axle-tire unit, with an option to purchase an additional axle-tire unit later. Your certification label ("VIN Data Plate") consists of "4-Axles and GVWR for 4-Axles, and a secondary plate that comprises of 5-Axles and GVWR for 5-Axles." The VIN attributes note the entire length of the trailer for a 5-axle trailer and "all other required information."

Letter From NHTSA Attorney

Dear Mr. Reese:

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.

Your letter raised the following hypothetical situations and posed questions based on the hypotheticals.

Hypothetical One: First, your customer purchases a trailer with a 2-axle bogie and two removable axle-tire units. You state that your "VIN Data Plate" includes four axles, the "entire length of the trailer" (by which I assume you include the length of the bogie plus two axles), GVWR (for 4 axles) and other required information.

1. Your first question is if the customer removes the third and fourth axles, so there are only "2-Axles on the ground, is the VIN still in compliance."

The answer is yes. The VIN requirement and certification requirements apply to a new vehicle. If you sell a new trailer with four axles, the VIN attributes and vehicle certification label must identify the trailer as having four axles and describe the appropriate GVWR and other information applicable to a new 4-axle trailer. For NHTSA's purposes, your customer's removing the two separate axles does not affect the VIN and certification label you place on the new 4-axle trailer.

Please note that since it reflects a trailer with four axles, the GVWR on the "VIN Data Plate" would no longer be accurate if the third and fourth axles are removed. However, if you sell a

trailer with four axles, and the customer removes two axles, removing the axles would not result in a noncompliance with certification requirements.

2. The second question is, if only 3 axles are used (the bogie plus one axle) for a certain load, would the VIN still be in compliance?

The answer is the same as the answer to the question above. The VIN and certification requirements apply to a new vehicle. Your customer's removing a separate axle does not affect the VIN and certification label you place on the 4-axle trailer.

3. The third question is whether a VIN is required for "each individual removable axle."

The answer to this question depends on how the "individual removable axle" is sold. If the axle is sold as part of a trailer (i.e., with the gooseneck, deck and bogie), the VIN information and certification label on the trailer should reflect the fact that the individual axle is a part of the trailer. For example, the attribute describing vehicle length should include the length of the individual removable axle.

If sold separately, the axle-tire unit should have its own VIN and certification label. The reason is that in your case, "each individual removable axle" is a motor vehicle i.e., a trailer. Under NHTSA's statute, a motor vehicle is defined as: " a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line." (49 U.S.C. 30102(a)(6)).

NHTSA defines a trailer as: "a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle." (49 CFR section 571.3)

Applying the above definitions, each axle-tire unit is a motor vehicle since it is drawn by mechanical power and includes tires that enable it to travel on the public roads. Each axle-tire unit is a trailer since it is designed to carry property and to be drawn by another vehicle. In the case of the axle-tire units, the "other vehicle" may be the bogie or another axle-tire unit.

Please note that 49 CFR 565.4(a) provides that "[e]ach vehicle manufactured in one stage shall have a VIN that is assigned by the manufacturer." Each motor vehicle must be assigned only one VIN. Therefore, if you assign a VIN to a 4-axle trailer (including two removable axles), you should not assign separate VINs to each axle-tire unit.

Hypothetical Two: In the second hypothetical situation, you state that your customer purchases a trailer with a 3-axle bogie plus one axle-tire unit, with an option to purchase an additional axle-tire unit later. Your certification label ("VIN Data Plate") consists of "4-Axles and GVWR for 4-Axles, and a secondary plate that comprises of 5-Axles and GVWR for 5-Axles." The VIN attributes note the entire length of the trailer for a 5-axle trailer and "all other required information."

Before I respond to your question, I note that if you sell a trailer with 4 axles, the trailer's VIN attributes (including trailer length), should be for a trailer with 4 axles. The certification label correctly provides information for a 4-axle trailer.

1. The first question is, if your customer purchases the fifth axle, will the VIN be in compliance, since the trailer that he bought includes information about vehicles with five axles.

Assuming the VIN reflects a trailer with four axles, whether your customer buys a fifth axle separately and installs it later, that installation has no effect on the original compliance of the trailer with NHTSA's regulations. If the fifth axle is sold separately as an axle-tire unit, it must meet applicable NHTSA requirements for trailers.

Please note that in the past, NHTSA has permitted manufacturers to include information on the certification label beyond that which Part 567 requires. In your case, extra information would include information concerning the addition of a fifth axle-tire unit to a trailer sold with 4 axles. Where NHTSA has acquiesced in this practice, the additional information (the information about the fifth axle-tire unit) has appeared after that required under section 567.4(g).

2. The second question is whether a separate VIN will be required for the fifth axle-tire unit.

As explained in the answer to question three under the first hypothetical situation, the answer is yes. If sold separately, the fifth axle-tire unit must have its own VIN and certification label, since the fifth axle-tire unit would be considered a motor vehicle, specifically a trailer.

I hope this information is helpful. If you have any further questions, please contact Dorothy Nakama of my staff at (202) 366-2992.

Sincerely,

John Womack

Acting Chief Counsel

ref:565#567

d:9/25/96

[Link](#)

From David

Janet,

Thank you for your detailed follow up. I've addressed each point below.

"I can confirm that the HUD code regularly adopts concepts from the IRC. I am aware of that. But the goal was for this standard to be adopted into the IRC. Not the other way around. "

- We're aligned. The goal is to adopt the Tiny Home standard into the IRC, not fold it into the HUD code. Once a state adopts that chapter or version of the IRC, 24 CFR 3282.12 exempts SRUs from HUD's manufactured housing program.

"NHTSA requirements are not just for RVs. Reminder, HUD does not regulate park models either, that was clarified in a HUD final rule. [Link](#)"

- You're right that NHTSA rules cover more than RVs. The key question is whether an SRU is a "motor vehicle". Interpretation ID aiam5409 (and earlier letters) says no. Park models and modular units whose road use is limited to delivery are not motor vehicles, so FMVSS and VIN labeling don't apply.

"Whether axles are temporary and permanent, they are built to safety standards which already exist, including definitions and requirements. "

- I agree all running-gear components, permanent or temporary, must meet existing safety specs. If the committee feels it's necessary it should reference them without duplicating them.

"Vehicles designed and sold solely for off-road use are not considered motor vehicles, even though they may be operationally capable of highway travel.

A Modular that is transported on a temporary chassis is not incidental road use. It could travel as little as 5 miles, or 3000 miles. It is not used off-road, it travels on the highway.

- A detachable low-bed trailer is a motor vehicle and must meet FMVSS. An integral chassis that remains part of an SRU is not. NHTS's language is clear: The use of public roads is incidental, not the primary purpose for which the vehicle was manufactured. Distance travelled, 5 miles or 3000 miles, doesn't change that classification.

Where we might differ is how proactively we guard against future federal overlap. My view is that the Tiny Home standard should avoid federal domains (FMVSS and HUD) so we don't run into conflicts if interpretations shift.

At this point I believe we've both laid out our views clearly. I'll leave it to the committee to decide how to proceed.

Best regards,

David A Tompos

David,

I appreciate your reply. ***"Vehicles designed and sold solely for off-road use are not considered motor vehicles, even though they may be operationally capable of highway travel."***

NHTSA is referring to agriculture trailers, ATVs, and incidental use of roads for moving equipment on job sites.

My view is that the Tiny Home standard should avoid federal domains (FMVSS and HUD) so we don't run into conflicts if interpretations shift.

The Code Of Federal Regulations has an entire section on transportation, it will trump any code or standard and already governs what goes down the road. We cannot ignore its existence, just like there are requirements already in the IRC for every component of the house.

Parts and accessories, like the axle units of trailers are considered motor vehicles which was also made clear by the NHTSA attorney and require a VIN number.

Thanks again, David

July 10, 2025

From Janet

I wanted to share a document I created as a quick reference as decisions are being made regarding the chassis that links directly to the source. There is still misinformation that is being stated in the chat about NHTSA, who I think people keep confusing NHTSA with NATM as an example. Also-I know you might not want to put everything in the standard, but it is crucial to think about how a tiny house on wheels will be titled and registered, and how you can create the provisions that will recognize it as real property. It is not just the foundation.

Some are not going to like this, but a tiny home on wheels is a motor vehicle, just like a manufactured home. NHTSA used to regulate mobile homes. All states recognize a manufactured home as a motor vehicle. Every state has laws about motor vehicles.

I hope the committee will reevaluate the Transportation section, it is loosely based on the HUD code. I personally feel it should be based on FMVSS. For uniformity, it is important that definitions are used that already exist.

It is continually stated in the meetings that park models are exempt from NHTSA requirements. That is incorrect. The [HUD final](#) rule made it clear they do not regulate park models.

New Mexico-Great Example

New Mexico: Manufactured Homes

Every manufactured home, when driven or moved upon a highway, is subject to the registration and certificate of title provisions of the Motor Vehicle Code.

It is unlawful to operate, transport or cause to be transported upon any highways in this state or to maintain in any place in this state a manufactured home subject to registration under the provisions of the Motor Vehicle Code without having paid the registration fee or without having secured and constantly displayed the registration plate required by the Motor Vehicle Code.

Manufactured Home as Real Property

When a manufactured home is placed on a permanent foundation and the tongue and axles have been removed, its title should be deactivated and it should be entered on the books of the county as real property, subject to real estate taxes instead of personal property taxes. It is no longer a vehicle.?

Problems with Titling of Manufactured Homes

- A manufactured home, when it is bought from a dealer, should be titled and registered **as a vehicle** before it is moved on the highways of New Mexico to its permanent location.
- When the home has been placed on a permanent foundation with its tongue and axles removed, the county assessor should be notified and, once the title is deactivated, should then assess the home (together with the land on which it sits) as real property.
- If the home is later sold and it needs to be taken off the foundation, with its tongue and axles put back on for movement on the highway to a new location, it should be re-assessed as personal property and the title should be reactivated.

That is the correct process, and is the usual process today. Historically, though, many manufactured homes were never properly titled and registered when they were new. And, if the

manufactured home was never titled as a vehicle when it was new, it cannot simply be reactivated now.

In that case a new title must be created, requiring all of the usual new-title paperwork, which in many cases cannot be found. In these cases, follow the procedure described in Section F of this chapter. If complete documentation cannot be produced, a surety bond process may be required.

[Link](#)

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It is unlawful to operate, transport or cause to be transported upon any highways in this state or to maintain in any place in this state a manufactured home subject to registration under the provisions of the Motor Vehicle Code without having paid the registration fee or without having secured and constantly displayed the registration plate required by the Motor Vehicle Code.

Manufactured Home as Real Property

When a manufactured home is placed on a permanent foundation and the tongue and axles have been removed, its title should be deactivated and it should be entered on the books of the county as real property, subject to real estate taxes instead of personal property taxes. It is no longer a vehicle.?

Problems with Titling of Manufactured Homes

- A manufactured home, when it is bought from a dealer, should be titled and registered **as a vehicle** before it is moved on the highways of New Mexico to its permanent location.
 - When the home has been placed on a permanent foundation with its tongue and axles removed, the county assessor should be notified and, once the title is deactivated, should then assess the home (together with the land on which it sits) as real property.
 - If the home is later sold and it needs to be taken off the foundation, with its tongue and axles put back on for movement on the highway to a new location, it should be re-assessed as personal property and the title should be reactivated.
- That is the correct process, and is the usual process today. Historically, though, many manufactured homes were never properly titled and registered when they were new. And, if the

manufactured home was never titled as a vehicle when it was new, it cannot simply be reactivated now.

In that case a new title must be created, requiring all of the usual new-title paperwork, which in many cases cannot be found. In these cases, follow the procedure described in Section F of this chapter. If complete documentation cannot be produced, a surety bond process may be required.

[Link](#)

July 11, 2025

From David

Janet,

I appreciate your continued dialogue and want to clarify a few important points. The reference you make to New Mexico law relates specifically to state-level administrative procedures for titling, registering, and tracking taxes and liens. It does not relate to federal motor vehicle safety standards (FMVSS).

To avoid confusion, we need to separate two distinct concepts:

1. State registration/titling. [New Mexico](#), [Florida](#), [Oklahoma](#), and [Alabama](#), among others, issue a plate or decal to manufactured homes so the assessor can track taxes and liens. Other states including [Virginia](#) and [Texas](#) for example issue a title only and drop the plate once the home is sited.

2. Federal motor-vehicle safety law. NHTSA has said more than once that a dwelling carried on its own chassis is not a "motor vehicle," because highway travel is incidental to its residential purpose. That means FMVSS and VIN labeling do not apply. Here is the interpretation from July 14, 1994: <https://www.nhtsa.gov/interpretations/aiaam5409>. It specifically says park models and mobile homes are not subject to regulation by NHTSA. Yes, we know that HUD does not regulate park models. NHTSA directly states that park models do not have to meet the FMVSS requirements. It has nothing to do with HUD.

The excerpt you highlighted "Every manufactured home, when driven or moved upon a highway, is subject to the registration and certificate of title provisions of the Motor Vehicle Code." refers strictly to the [New Mexico Motor Vehicle Code](#), again emphasizing a tax and registration purpose, not federal safety regulations.

Local building officials do not have jurisdiction over motor vehicles. Jay Richards made this point in the last meeting. I strongly support maintaining their clear authority rather than introducing unnecessary ambiguity by classifying these units as motor vehicles under federal standards.

Regarding transportation safety, I agree we should address it explicitly. Mirroring [Subpart J of the manufactured housing standard](#) and modifying it to meet our needs would be both practical and effective. This approach provides comprehensive definitions and proven safety criteria without inadvertently creating federal conflicts. You state that you want to base the requirements on FMVSS. Subpart J is based on and references FMVSS requirements.

If the committee prefers to include a VIN requirement explicitly, a practical model would be the Park Model RV standard's approach, which acknowledges clearly that park models are not required to comply with federal motor vehicle regulations:

1-4.3 Vehicle Identification. All Park Model RVs that do not comply with the Code of Federal Regulations - CFR-49, Part 565 shall be required to have a seventeen-digit Vehicle Identification Number (VIN) permanently stamped or etched into or affixed with a separate plate or label to the main chassis frame member in a position that is as far forward as possible maintaining consumer visibility. This marking shall

be no less than 4 in. (6 mm) letter height and shall be affixed to the roadside rail, on the exterior side just after the hitch attachment or other location that will appear clearly and indelibly upon the exterior of the unit.

This clearly illustrates that the Park Model standard recognizes its units' exemption from federal motor vehicle requirements.

I'm confident these clarifications will help us move forward constructively. Let's ensure we're all aligned as we finalize these critical definitions and provisions.

Best regards,

David A Tompos

From Janet

David,

Thank you for your reply. I am aware that building officials do not regulate wheeled structures, but because we are developing a hybrid of sorts, they should be aware of the regulations and steps. The problem with the NHTSA interpretation letters is that some are very old. I think we would both find letters that support our positions, but I think we have to figure out what they are doing now.

I thought it was important to share the information that even manufactured homes start out as a vehicle, and have a VIN.

I have personally spoken to the person who issues the WMICode to manufacturers, so they can issue VIN numbers. Her contact is below. She has told me that park models were exempt in the past, but they are not currently, and they are required to follow all the steps to register with SAE/NHTSA, etc.....

Kristine Siddall

WMI Coordinator and CRP Programs Associate II

Office: +1.724.772.7107

Office: +1.724.772.8511

SAE INTERNATIONAL

Regarding This Statement.

Federal motor-vehicle safety law. NHTSA has said more than once that a dwelling carried on its own chassis is not a "motor vehicle," because highway travel is incidental to its residential purpose. That means FMVSS and VIN labeling do not apply. Here is the interpretation from July 14, 1994: <https://www.nhtsa.gov/interpretations/aia5409>. It specifically says park models and mobile homes are not subject to regulation by NHTSA. Yes, we know that HUD does not regulate park models. NHTSA directly states that park models do not have to meet the FMVSS requirements. It has nothing to do with HUD.

The interpretation is from 1994, The HUD final rule was in 2018. So that voids that interpretation.

Regarding this statement.

It has nothing to do with HUD.

The HUD code does reference some FMVSS. I have not done a thorough search, but here are two.

(8) Tires, wheels, and rims. Tires, wheels, and rims must be selected, sized, and fitted to axles so that static dead load supported by the running gear does not exceed the load capacity of the tires. Tires must not be loaded beyond the load rating marked on the sidewall of the tire or, in the absence of such a marking, the load rating specified in any of the publications of any of the organizations listed in Federal Motor Vehicle Safety Standard (FMVSS) No. 119 in 49 CFR 571.119, S5.1(b). Wheels and rims must be sized in accordance with the tire manufacturer's recommendations as suitable for use with the tires selected.

(10) Lamps and associated wiring. Stop lamps, turn signal/lamps, and associated wiring must meet the appropriate sections of FMVSS No. 108 in 49 CFR 571.108, which specify the performance and location of these lamps and their wiring. The manufacturer may meet these requirements by utilizing a temporary light/wiring harness, which has components that meet the FMVSS No. 108. The temporary harness is permitted to be provided by the manufactured home transportation carrier.

The standard already references 108.

RVIA

Regarding this statement

-4.3 Vehicle Identification. All Park Model RVs that do not comply with the Code of Federal Regulations - CFR-49, Part 565 shall be required to have a seventeen-digit Vehicle Identification Number (VIN) permanently stamped or etched into or affixed with a separate plate or label to the main chassis frame member in a position that is as far forward as possible maintaining consumer visibility. This marking shall be no less than 4 in. (6 mm) letter height and shall be affixed to the roadside rail, on the exterior side just after the hitch attachment or other location that will appear clearly and indelibly upon the exterior of the unit.

I actually had a meeting with RVIA regarding this statement, because VIN numbers are not voluntary, and the WMIDCode for manufacturers can only be issued through SAE. You cannot just make up numbers. They were going to have a meeting with SAE as well.

From RVIA

What is an RV?

A recreational vehicle is a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or seasonal use that either has its own motor power or is mounted on, or towed by, another vehicle. RVs are NOT designed for permanent or residential living. The basic entities are travel trailers, fifth wheel travel trailers, folding camping trailers, truck campers, park model (PMRV) and motorhomes or motorized RVs

RV manufacturers are required to manufacture recreational vehicles to the Federal Motor Vehicle Safety Standards (FMVSS)[\[1\]](#) (regulating such things as tail lamps, reflectors, side lamps, clearance lights, and brake lights) and, as a member of RV Industry Association, those standards set forth under the National Fire Protection Association (NFPA) 1192 or American National Standards Institute (ANSI) A119.5 for Park Model recreational vehicles. NFPA 1192 standard establishes fire and life safety criteria for recreational vehicles[\[2\]](#) and ANSI A119.5 is the industry standard established for the safe design of Park Model RVs.

[Link](#)

Thank you, David

July 14, 2025

From Janet

Janet,

First, manufactured homes leave the factory with a serial number and certification label. They do not receive a VIN number and do not start out as a vehicle as you suggested.

Second, a later HUD rule does not "void" a NHTSA interpretation. HUD's 2018 rule clarified whom HUD regulates; it did not amend NHTSA's definition of "motor vehicle" under 49 U.S.C. 30102 or supersede Interpretation ID [aiam5409](#) (which remains posted on NHTSA's site). I served on the MHCC and helped develop that rule.

If more confirmation is needed, this NHTSA interpretation was cited as recently as May 12, 2025, in Georgia [Case No. 24-010535-RMM](#), where the court found that a manufactured home is not a motor vehicle: *"The Court concludes the Manufactured Home was not manufactured primarily for use on the public streets, roads, and highways and is not a motor vehicle."*

That decision reaffirms the position I've taken: SRUs are not manufactured primarily for use on public roadways and are not motor vehicles.

That said, let's test the premise. Suppose we all agree that SRUs should be classified as motor vehicles. That would trigger the full suite of FMVSS trailer requirements. Just one example:

FMVSS 302 - Flammability of Interior Materials:
[ecfr.gov/current/title-49/subtitle-B/chapter-V/part-571/subpart-B/section-571.302](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-V/part-571/subpart-B/section-571.302)

This regulation requires interior finishes to pass a horizontal burn-rate test designed for vehicle interiors. Most residential building materials are tested to ASTM E84 (or UL723), not FMVSS 302. Mandating 302 compliance would require every SRU builder to retest or re-source interior finishes and add cost with little safety benefit.

We can and do perform FMVSS 302 testing at our [automotive lab in Goshen](#), but in this case, I doubt those costs align with the committee's goal of making SRUs an affordable housing option.

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?

Best regards,

David A Tompos

What I meant by that was you showed me a letter from 1994. The HUD final rule was in 2018. RVIA wanted complete exemption from HUD, for park models to be recognized only as a RV. Mobile homes used to be regulated by NHTSA.

Park models have a VIN, a title, a MSO, or MCO, they are labeled in compliance with FMVSS, and the only legitimate agency that issues WMIDCode (World Manufacturer ID Code) to a manufacturer to issue VINS is SAE.

HUD's 2018 rule clarified whom HUD regulates; it did not amend NHTSA's definition of "motor vehicle" under 49 U.S.C. 30102 or supersede Interpretation ID [aia5409](#) (which remains posted on NHTSA's site). I served on the MHCC and helped develop that rule.

There are 80 years of interpretations from NHTSA, hence the problem, as I said before, we both can find a letter to support our position.

If more confirmation is needed, this NHTSA interpretation was cited as recently as May 12, 2025, in Georgia [Case No. 24-010535-RMM](#), where the court found that a manufactured home is **not** a motor vehicle: *"The Court concludes the Manufactured Home was **not** manufactured primarily for use on the public streets, roads, and highways and is not a motor vehicle."*

That is one state. Other states do.

That decision reaffirms the position I've taken: **SRUs are not manufactured primarily for use on public roadways and are not motor vehicles.**

That said, let's test the premise. Suppose we all agree that SRUs should be classified as motor vehicles. That would trigger the full suite of FMVSS trailer requirements. Just one example:

FMVSS 302 - Flammability of Interior Materials:

ecfr.gov/current/title-49/subtitle-B/chapter-V/part-571/subpart-B/section-571.302

That is incorrect. Not all FMVSS apply to motor vehicles, some just apply to trailers. [NHTSA Manual](#)

This regulation requires interior finishes to pass a horizontal burn-rate test designed for vehicle interiors. Most residential building materials are tested to ASTM E84 (or UL723), not FMVSS 302. Mandating 302 compliance would require every SRU builder to retest or re-source interior finishes and add cost with little safety benefit.

We can and do perform FMVSS 302 testing at our [automotive lab in Goshen](#), but in this case, I doubt those costs align with the committee's goal of making SRUs an affordable housing option.

To add testing that NHTSA does not require is not cost effective.

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?

Something brand new is being created here, a hybrid of sorts, a structure on a trailer. I think you are going to find some unknown consequences of adding the SRU to the tiny house standard that you might not like, and this seems to be one of them.

Show me a state modular program that promotes this 'ghost trailer' without a VIN for modular transport. HUD does not regulate modular homes or their transport, and you are promoting what I feel is a work around regulations by using a type of manufactured home type chassis that no one is regulating.

The 'ghost trailer' has no VIN, no title, no MSO, or MCO, insurance, you are putting all the liability of the driver, and what specifications are the parts built to? it is also not being taxed properly.

NHTSA includes parts and accessories of trailers that are built in one or two stages, have VIN requirements, and registration requirements.

There are multiple NHTSA interpretation letters that basically state that the Modular structure is not a motor vehicle, but the transport system is.

Maybe the disconnect is that ICCNTA is used to certifying manufacturers that have huge factories, that are both a certified Modular and HUD factory.

HUD states that a unit basically can be both a modular and a manufactured home, but if that is the case, then it has to follow the HUD code entirely.

§ 3282.12 Excluded structures—modular homes

I have respect for your expertise, but it is my understanding that we cannot pick and choose parts of the HUD code for use. This standard also is for provisions for on site builders as well. That is not a fit for the HUD code.

If you want to be practical, the SRU needs to be removed from the standard, PERIOD. What the committee wants to achieve for houses of that size already exists, and the beauty is, that no one has to use the term tiny house that they deem inflammatory.

A Lot of tiny house builders buy prefabricated trailers and the most popular ones are registered with NHTSA.

We all should be committed to safety first, accurate information, correct definitions if they are already defined, avoiding overlap with laws that have already established that we cannot avoid.

Thank you

A Few States Laws On Manufactured Homes

Michigan

Ohio

A new manufactured home or new mobile home begins life with a Manufacturer's Statement of Origin (MSO) and must be titled as a motor vehicle under Ohio motor vehicle title law.

Link

Colorado

From David

As stated before, Federal safety requirements and state requirements for titling and registration

are treated differently. You continue to confuse the two.

July 15, 2025

From David

Janet,

I think we are making progress. Can we agree that the State laws for titling and registration for a home on a permanent chassis are different than the Federal FMVSS requirements? Yes, States call them "motor vehicles" for titling, taxes and registration. The Federal Safety requirements are separate and not required for Park Models, On-Frame Modular, or Manufactured Housing. The "ghost" trailer that you refer to is called an on-frame modular. They do have a serial number (supplied by the modular manufacturer). They are allowed everywhere in the country and not required to meet NHTSA. Just search Google for on frame modular for many examples. Even the ICC/MBI standards reference an [integrated chassis](#).

Here is a bill passed by the State of Georgia specifically allowing on frame modular:

<https://legiscan.com/GA/text/HB1008/id/2198024>

I am not saying that a Serial number is not required for State registration/tax purposes (every modular home has one), but the Federal NHTSA requirements are not applicable for Park Models, On-Frame Modular, or Manufactured Housing.

Best regards,

David A Tompos

From Janet

Janet,

I think we are making progress. Can we agree that the State laws for titling and registration for a home on a permanent chassis are different than the Federal FMVSS requirements? Yes, States call them "motor vehicles" for titling, taxes and registration. The Federal Safety requirements are separate and not required for Park Models, On-Frame Modular, or Manufactured Housing. The "ghost" trailer that you refer to is called an on-frame modular. They do have a serial number (supplied by the modular manufacturer). They are allowed

everywhere in the country and not required to meet NHTSA. Just search Google for on frame modular for many examples. Even the ICC/MBI standards reference an [integrated chassis](#).

David, respectfully I disagree. We have not made progress at all. I am very aware of what a frame on modular is. It is not just states, it is federal as well. The reason I have brought up the HUD final rule numerous times is because RVIA does not want Park Models regulated as a dwelling (even though we all know they are used that way), they want them classified as recreational vehicles only. FMVSS apply to recreational vehicles.

FMVSS and NHTSA do not address titling, taxes, MSCOs, MCOs, and registration. They have VIN requirements. The VIN is on the title, registration, so the motor vehicle (including trailers, can be taxed).

CFR 49 Transportation

I call it a 'ghost' trailer because it is not legal. It does not exist in essence. Only the structure has a serial number. The 'ghost' trailer is a carrier system. The modular structure is not a motor vehicle, but the chassis is. Carriers for modular construction have to comply to FMVSS.

Manufactured Housing is regulated by HUD, however mobile homes, also known as a house trailer by NHTSA, used to be regulated by NHTSA.

Here is a bill passed by the State of Georgia specifically allowing on frame modular:

<https://legiscan.com/GA/text/HB1008/id/2198024>

I understand that frame on modulars are allowed.

I am not saying that a Serial number is not required for State registration/tax purposes (every modular home has one), but the Federal NTHSA requirements are not applicable for Park Models, On-Frame Modular, or Manufactured Housing.

HUD regulates Manufactured Homes, they do meet some FMVSS requirements for lights and tires and rims, though that is mandated through HUD, NHTSA. I get that. But HUD does not regulate modular homes or their transport.

Regarding ICC/MBI Methods Of Transport That You Referenced

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.

) One sentence does not address the integrated trailer and its requirements.

David,

I have taken the time to answer you very thoroughly, but I have many questions from previous emails you did not address.

Not sure how this can be resolved, but I will not change my position.

Thank you,

On Tue, Jul 15, 2025 at 6:16 AM David A. Tompos <tompos@iccsafe.org> wrote:
Janet,

I think we are making progress. Can we agree that the State laws for titling and registration for a home on a permanent chassis are different than the Federal FMVSS requirements? Yes, States call them "motor vehicles" for titling, taxes and registration. The Federal Safety requirements are separate and not required for Park Models, On-Frame Modular, or Manufactured Housing. The "ghost" trailer that you refer to is called an on-frame modular. They do have a serial number (supplied by the modular manufacturer). They are allowed everywhere in the country and not required to meet NHTSA. Just search Google for on frame modular for many examples. Even the ICC/MBI standards reference an [integrated chassis](#).

Here is a bill passed by the State of Georgia specifically allowing on frame modular:
<https://legiscan.com/GA/text/HB1008/id/2198024>

The Georgia bill does not address the transport system in detail or the requirements.

Example: Wa State

*Manufactured Homes (Mobile Home)
(WAC 468-38-120)*

***A Manufactured Home** (transported on its own axles) including tongue may not exceed 75 feet. The width may not exceed a box (base) width of 16 feet. The eave(s) for a box of less than 16 feet may not exceed 30 inches. The eave(s) for a 16-foot box may not exceed 16 inches. The total width (box and eaves) must not exceed 18 feet. Permits with widths up to 14 feet wide are governed by the Manufactured Home Movement Route map. The Department of Transportation reviews moves that are greater than 15 feet wide and/or 16 feet high on a case-by-case basis.*

[Link](#)

Modular Homes

Modular homes are transported on registered/licensed trailers, and are not treated like mobile homes. They must comply with all standard oversize load codes and regulations. The manufactured home-restricted map does not apply to modular homes

[Link](#)

I am not saying that a Serial number is not required for State registration/tax purposes (every modular home has one), but the Federal NTHSA requirements are not applicable for Park Models, On-Frame Modular, or Manufactured Housing.

I have answered this over and over, and I respectfully disagree.

The

July 26, 2025

From Janet

I saw the work group decision on the chassis. It is a good start. I urge the committee to use the terms already in CFR and FMVSS. All terms have already been defined in law.

Thank you,

**Comment above was in response to Standards Committee 1215 / WorkGroup 3
RECOMMENDED RESPONSE to COMMENT 02-03-24**

Doc In Folder Titled Draft Response To COMMENT 02-03-24

The First Draft Was Nothing Like This Comment