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MEMORANDUM

Date: August 11, 2017

To: Maryland Local Building Officials
Office of Maryland State Fire Marshal

From: Norman C. Wang, RA Director of Maryland Codes Administration

Ref: Requirement of Fire Sprinkler System in Manufactured (HUD) Homes

Manufactured Homes (formerly known as mobile homes) are built to the federal Manufactured Home Construction and Safety Standards (HUD Code) and must display a red certification label on the exterior of each transportable section.

Section 604 (d) of the Manufactured Housing Improvement Act of 2000 provides that if a home is built to the HUD code, state and local building authorities may not apply their own codes that are “applicable to the same element of performance”. When HUD Code does not address the “same element performance”, states and local authorities are permitted to enforce their own code provisions on these elements.

The issue of fire sprinkler systems is among the items which HUD Code does not currently address. Although HUD has general fire safety standards, HUD has no standard for mechanical fire suppression (fire sprinkler system). HUD has long held that state and local fire sprinkler requirements are not preempted by the general fire safety standards. This allows states and local governments to require sprinkler systems that a manufactured home must have in order to be installed in the jurisdiction.

Maryland Public Safety Article (PS Article), §12-305(d) stipulates that Department of Housing and Community Development (DHCD) may adopt regulations related to issues of construction or safety of manufactured homes for which a federal standard has not been established and which are not reserved to a local government. Under the current Code of Maryland Regulations (COMAR) 05.02.04.15, the Department does not require fire sprinklers in manufactured homes. However, the Department’s position does not preclude a local government from setting its requirement of fire sprinkler in manufactured homes.

