

NOTICE OF RULE ADOPTION—TEMPORARY RULE

F I L E D
JUN 30 2009

STATE OF MISSISSIPPI
DEPARTMENT OF INSURANCE
STATE FIRE MARSHAL'S OFFICE

MISSISSIPPI
MISSISSIPPI DEPARTMENT OF INSURANCE
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Miss. Code Ann. § 25-43-3.108; House Bill 1435, 2008
Regular Legislative Session as codified in Miss. Code Ann. §
75-49-9(11); Miss. Code Ann. § 75-49-11 (Rev. 2008); and
upon agreement between the Mississippi State Fire Marshal's
Office, Factory Built Home Division ("Division") and the
Department of Housing and Urban Development ("HUD")

Specific Legal Authority authorizing the
promulgation of Rule:

Reference to Rules repealed, amended or suspended by the
Temporary Rule:
Regulation MH-5 shall be repealed upon adoption of
Emergency Regulation MH-2009-2

Date Rule Proposed: June 30, 2009

Explanation of the Purpose of the Temporary Rule and the reason(s) for the rule:

The purpose of this Emergency Regulation is to prevent the loss of life and property from fire and related hazards, and to restrict health hazards in Factory-Built homes by providing standards for construction, heating systems, and by requiring compliance with such standards during construction, marketing, transport, installation, anchoring and tie-down for Factory-Built homes in the State of Mississippi. This Regulation has been filed as an emergency regulation due to the agreement between the Mississippi State Fire Marshal's Office, Factory Built Home Division ("Division") and the Department of Housing and Urban Development ("HUD"), which requires the Division to conduct installation inspections of Manufactured Homes from and after July 1, 2009.

The Agency finds that an imminent peril to the public health, safety or welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

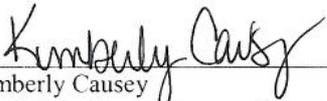
- An oral proceeding was held on this rule:
- An oral proceeding was not held on this rule.

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

- This rule as adopted is without variance from the proposed temporary rule.
- This rule as adopted differs from the proposed temporary rule as there are minor editorial changes which affect the form rather than the substance of the rule.
- The rule as adopted differs from the proposed temporary rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Temporary Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: July 1, 2009



Kimberly Causey
Special Assistant Attorney General
Mississippi Department of Insurance