



**STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
STATE FIRE MARSHAL'S OFFICE
CODES ENFORCEMENT SECTION**

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<http://tn.gov/commerce/sfm/modindex.shtml>

MODULAR MEMORANDUM 2009-11

**RE: Tennessee Modular Building Unit Building Unit Building Permits,
Tennessee Modular Building Unit Installer License/Contractors
Licenses, and Definitions Concerning Temporary Construction
Site Units**

DATE: August 29, 2009

**(1) Tennessee Modular Building Unit Building Unit Building Permits,
Tennessee Modular Building Unit Installer License/Contractors
Licenses**

It has been brought to the attention of this office that persons, applying to local governments, were attempting to obtain a building permit for the installation of Modular Building Units without being properly licensed with this office. Local Governments, please be advised that in order to install a Modular Building Units, installers must be licensed by the State of Tennessee.

A State of Tennessee Contractor's License does not substitute for a Modular Building Installers License, they are two (2) separate licenses, established by two (2) separate sets of laws and rules.

A State of Tennessee Contractors License may or may not also be required to install modular building units, i.e., based on construction costs, etc. Tennessee Modular Building Unit Installers/Contractors should contact the State of Tennessee Contractor's Board at (615) 253-5332, for requirements.

This office suggests that the local governments require a copy of the Modular Building Installers License, prior to issuing a Building Permit, for your records.

(2) Definitions Concerning Temporary Construction Site Units

Local Governments, please be advised that the following is the definition of a “**Modular Building Unit**”, as found in the Tennessee Code Annotated, Chapter 126, Part 3, Tennessee Modular Building Act.

68-126-303 Definitions

- (7) **"Modular Building Unit"** means a structural unit, or preassembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. "Modular building unit" does not apply to temporary structures used exclusively for construction purposes or nonresidential farm buildings. [Acts 1985, ch. 309, § 3; 1987, ch. 120, §§ 14-16; T.C.A., §§ 68-36-303.]

The question of having a Modular Building Unit Installers License to install temporary construction site unit(s) is that the license is not required, unless the temporary construction site unit(s) is labeled in accordance with the Tennessee Modular Building Act, Tennessee Code Annotated, Chapter 126, Part 3, and Rules promulgated thereunder. Therefore, if the temporary construction site unit(s) is labeled a Modular Building Unit Installers License is required to install Tennessee Modular Building Units.

If you have any questions regarding this matter, please contact the Tennessee Modular Building Program at (615) 741-7190 or modular.buildings@tn.gov

This memorandum supersedes and replaces Modular Memorandum No. 2004-09, dated August 24, 2004.