

PREFABRICATED STRUCTURES PROGRAM

Frequently asked questions

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What is a prefabricated structure?

Answer. A prefabricated structure is a building or structure constructed at an offsite location in whole or in part and delivered to an installation site in Oregon. Prefabricated structures are designed, constructed and inspected according to Oregon laws and Oregon adopted specialty codes, and if approved, receive an Oregon insignia of compliance. Prefabricated structures may be known as modular buildings in other parts of the U.S. For the purposes of building construction regulation, a prefabricated structure is not a manufactured home built to HUD standards; transitional housing as defined in Oregon law; recreational vehicles including park model recreational vehicles; or a tiny home or tiny home on wheels.

What is an Oregon insignia of compliance?

Answer. An Oregon insignia of compliance is a tag attached to an approved prefabricated structure by the Prefabricated Structures Program. This insignia indicates the building complied with Oregon laws and Oregon adopted specialty codes at the time the building was originally constructed. An Oregon insignia of compliance is a requirement in state law associated with the sale, rent, lease, or installation of prefabricated structures in Oregon. An Oregon insignia of compliance, when new, is gold or yellow in color. It will be located on the exterior of a prefabricated building constructed prior to 2016. It may be faded due to exposure. If constructed since 2016, the insignia will likely be located on the interior of the building typically at the main electrical distribution panel. The building may also have insignias from other states or entities that look similar but are not equivalent.

What is the “Oregon Gold Seal” program?

Answer. The Prefabricated Structures Program has been administering and enforcing construction requirements for prefabricated structures in Oregon since the early 1970s. Because the Oregon insignia of compliance is gold or yellow in color manufacturers around the United States have named the Prefabricated Structures Program the “Oregon Gold Seal” program. “Gold seal” simply refers to the color of the insignia.

Can I use my third-party business for plan review and inspections of prefabricated structures?

Answer. No. Oregon law specifically allows only a third-party entity licensed according to ORS 455.705 and OAR chapter 918, division 674 to perform plan review and inspection of prefabricated structures intended for sale, rent, lease, or installation in Oregon. Additionally, this third-party license only applies to a manufacturing facility that is physically located in Oregon. If the manufacturing facility is located outside the state of Oregon, plan review and inspection is provided by the Prefabricated Structures Program, or as allowed in ORS 455.430.

Can I take a single section building or a multi-section building that has an Oregon insignia of compliance and reconfigure the building sections to form a building and consider that building approved for use in Oregon?

Answer. No. Prefabricated structures that have an Oregon insignia of compliance affixed to them have been designed, constructed, and approved for rent, sale, lease, or installation in Oregon based on the plans that were approved when the building was constructed. Manufacturers or building owners are not permitted to alter an Oregon approved prefabricated structure without prior approval from the Prefabricated Structures Program. Oregon approved prefabricated structures found to be altered without prior approval from the Prefabricated Structures Program are in violation of Oregon laws and will have the Oregon insignia of compliance removed from the building.

A manufacturer or building owner that intends to reconfigure an Oregon approved prefabricated structure has two options regarding this type of building alteration. The first option is to obtain prior approval from the Prefabricated Structures Program. The second option is to remove the Oregon insignia of compliance from all building sections and return them to the Prefabricated Structures Program. Prefabricated buildings that do not have an Oregon insignia affixed are existing buildings that fall under the purview of the local building department for plan approval and inspection of the building for use in that jurisdiction.

Does reciprocity allow a prefabricated structure built in another state to be approved for use in Oregon?

Answer: No. Reciprocity for prefabricated structures in ORS 455.430 allows one or more states to enter into agreement with Oregon for the purpose of providing regulation of prefabricated structures intended for sale, rent, lease or installation in Oregon. If it is determined that the standards of another state are equal to those in Oregon and those standards are actually enforced by the other state, Oregon may enter into an agreement with the other state for shared government services. Currently Idaho and Washington have a reciprocal agreement with Oregon for shared plan review and inspection services. This agreement does not mean a prefabricated building approved in either Idaho or Washington is automatically approved for Oregon. The prefabricated building must comply with Oregon's requirements and receive an Oregon insignia of compliance to be approved for Oregon.

Can I submit a hybrid construction design?

Answer: No. For the purposes of this question, a hybrid construction design for a prefabricated structure means a design that has been developed where a portion of a building is constructed at an offsite location (in a manufacturing facility) and all remaining portions of the same building are constructed at the building site to form a complete building.

The allowance for construction work to be completed at the installation site is limited to the assembly of a prefabricated building not the construction of a prefabricated building. Manufacturers are expected to complete the construction of a prefabricated building at the manufacturing facility and deliver the prefabricated building to the installation site with minimal items to be completed onsite. The Prefabricated Structures Program allows certain elements of construction to be completed onsite. Any construction elements allowed to be completed onsite must be pre-approved by the Prefabricated Structures Program during plan review. The Prefabricated Structures Program reserves the right to deny requests for completion of construction at the installation site if the construction exceeds the limitations of the program or are outside the scope of program regulation.

What if my prefabricated building does not have an Oregon insignia of compliance?

Answer: Regulation of prefabricated buildings in Oregon began in the early 1970s. The Prefabricated Structures Program maintains data on prefabricated buildings manufactured from the late 1980s to current. Building owners may contact the Prefabricated Structures Program to see if their prefabricated structure was issued Oregon insignia of compliance. The Prefabricated Structures Program may allow replacement insignia to be issued if the prefabricated building is determined to be in compliance with the building's original approval and has not been altered without program approval.

If a prefabricated building was never issued Oregon insignia of compliance or the Oregon insignia of compliance were removed, the prefabricated building is not eligible for to have Oregon insignia of compliance issued. No plan review, visual inspection, or other equivalency processes are allowed. These prefabricated buildings will forever be outside the regulatory authority of the Prefabricate Structures Program. These buildings are considered existing buildings and are under the purview of the local building department where the building will be used.

Can shipping containers be used for prefabricated building construction?

Answer: Yes. Shipping containers represent a type of building material that can be used to meet the requirements of the Oregon Structural Specialty Code. It is the responsibility of the applicant, designer, engineer, etc. to demonstrate compliance with the applicable provisions of Oregon adopted specialty codes for the occupancy classification and intended use of a prefabricated building that incorporates a shipping container in the design of the building.

Placement and use of a shipping container on a property is not considered prefabricated construction regulated by the Prefabricated Structures Program. Local municipalities and local building departments may use existing authorities to regulate this activity.