
MEMORANDUM

Date: October 19, 2021

To: Maryland Approved Testing Facilities (ATFs)
Maryland Approved Manufacturers of Industrialized Buildings

From: Norman C. Wang, RA *NW*
Director, Buildings Codes Administration
Division of Labor & Industry
Maryland Department of Labor

Ref: Requirements of Additional (Peer) Review on Modular Construction

During the past few years, a small number of projects submitted to the Department for review and approval were deemed unusual, complex or sophisticated. To give a sense of those projects, they included the following: a 28,000 sq. ft. power plant, a 95,000 sq. ft. public elementary school, and a 12,000 sq. ft. assisted living facility.

COMAR 09.12.52, Maryland's Regulations for Industrialized (modular) Buildings, Section .12B (see below) authorizes the Department to require certain designs to be subject to further review when the Department deems such designs unusual, complex or sophisticated. When the Department determines that additional review is necessary, the Department will provide instruction to the manufacturer regarding the qualification of the person(s) performing the review. Please note that this additional review/evaluation is in addition to the required review by the Approved Testing Facility (ATF).

To avoid delay in receiving the Department's approval, manufacturers are advised to contact the Department in the early stages of design to confirm whether additional review will be necessary prior to the design documents being submitted to the Department for approval.

Please contact me if you have any questions regarding the requirements for additional review of unusual, complex or sophisticated designs.

COMAR 09.12.52.12 B: When a design is unusual, and involves special analysis, the Department will also charge a rate of \$25 per man-hour to cover its added costs. When practical, the Department will estimate costs before submittal and provide a report on hourly activities. If the complexity or sophistication of the system requires, or if the applicant so chooses, the Department may submit the plan for the system to an approved independent testing agency or consulting engineer for evaluation. In this case, the applicant will be required to pay whatever costs the agency may charge. If the applicant chooses to obtain prior analysis by an approved testing agency before submission, the Secretary will consider this in determining the charges to be made by the Department. However, test reports from the approved agency shall be submitted with the original application.