

CHAPTERS 110.R1 through 110.R7

Chapters 110.R1 through 110.R7 are special regulations particular to certain Massachusetts programs relating to:

- **Licensing Concrete Testing Laboratories - 110.R1**
- **Licensing Concrete Field Testing Technicians - 110.R2**
- **Approving Manufactured Buildings - 110.R3**
- **Registering Native Lumber Producers - 110.R4**
- **Licensing Construction Supervisors - 110.R5**
- **110.R6 is a reserved chapter**
- **Certifying Building Code Enforcement Officials - 110.R5**

These regulations are unique to Massachusetts.

110.R4: REGISTRATION OF NATIVE LUMBER PRODUCERS

(Note: 780 CMR 110.R4 is unique to Massachusetts)

110.R4.1: Administration

110.R4.1.1 Scope. The provisions of 780 CMR 110.R4 shall govern the licensing of native lumber producers.

110.R4.1.2 Definitions. The following words and terms shall, for the purposes of 780 CMR 110.R4 and as used elsewhere in 780 CMR, have the meaning indicated in 780 CMR 110.R4.1.2.

NATIVE LUMBER. Native lumber is wood processed in the Commonwealth by a mill registered in accordance with 780 CMR. Such wood is ungraded but is stamped or certified in accordance with 780 CMR 23.00: *Wood*. Native lumber shall be restricted to use in one- and two-story dwellings, barns, sheds, agricultural and accessory buildings and structures and other uses as permitted by 780 CMR 23.00.

NATIVE LUMBER PRODUCERS. Persons or corporations in the business of milling wood into native lumber within the Commonwealth.

PERSON. Individual, partnership, corporation, trust, joint venture, *etc.*

110.R4.1.3 Registration. No person shall produce native lumber for use in buildings or structures within the Commonwealth unless registered by the BBRS.

110.R4.1.4 Application. Native lumber producers shall apply and furnish qualifications satisfactory to the BBRS in accordance with 780 CMR 110.R4 and qualification requirements provided by the BBRS with the application form.

110.R4.1.5 Registration Fee. Applications shall be accompanied by a registration fee in accordance with 801 CMR 4.02: *Fees for Licenses, Permits, and Services to Be Charged by State Agencies*. This initial registration shall be valid for two years.

110.R4.1.6 Renewals. Registration shall be renewed every two years. Within 30 days before the registration expiration date, the BBRS shall forward to each registrant a renewal form. Upon receipt of the completed form and fee in accordance with 801 CMR 4.02: *Fees for Licenses, Permits, and Services to Be Charged by State Agencies*, the BBRS shall renew the registration for a period of two years or notify the applicant of reasons for refusal. Any application for renewal of a registration which has expired shall require the payment of a new registration fee.

110.R4.1.7 Prequalifying Agent. State inspectors of the Division of Professional Licensure shall act as agents of the BBRS to inspect native lumber producing facilities. Upon receipt of a completed application, the state inspector shall inspect the facility for compliance with the required qualifications and make recommendation to the BBRS.

110.R4.1.8 Penalties. Any person who fails to comply with the requirements of 780 CMR 110.R4 or who falsifies an application shall be subject to the penalties and actions as prescribed in section 114.0 of 780 CMR.

110.R4.2: Registration Stamp

110.R4.2.1 Issuance. Each person registered by the BBRS shall be issued a specific name and number for use in stamping or certifying the native lumber produced at a specific mill.

110.R4.2.2 Contents. Each stamp shall be a minimum of two inches by four inches with a minimum of 36 pt. letters and shall contain the following information:

1. Name of native lumber producer;
2. Registration number; and
3. Species of wood.

Each producer shall be responsible for obtaining stamps made for their use in accordance with the requirements of the BBRS and 780 CMR 110.R4.

110.R4: continued

110.R4.2.3 Use. Each piece of native lumber shall be stamped with the name and registration number of the producer in accordance with 780 CMR 110.R4 and bear an approved mark identifying the species of wood. In *lieu* of stamping, a certification bearing the same stamped information may be provided by the producer for precut or re-manufactured lumber in accordance with 780 CMR 110.R4.

110.R4.2.4 Unlawful Use. It shall be unlawful to use a stamp registered for a specific mill at any other mill.

110.R4.3: Revocation and Suspension

110.R4.3.1 Revocation and Suspension. The BBRS may suspend or revoke the registration of any native lumber producer found to be in noncompliance with 780 CMR or the standard of good practice. Notice of suspension, revocation or refusal to renew a registration shall be in writing with the reasons clearly stated, and served in accordance with 780 CMR 1.00: *Scope and Administration*. Prior to issuance of a suspension, revocation or refusal to renew a registration, written notice of such intent shall be served by the BBRS through its designee the Office in accordance with 780 CMR 1.00. Upon registration suspension or revocation, the native lumber producer shall immediately cease production of native lumber.

110.R4.3.2 Appeals. Any native lumber producer or individual aggrieved by the suspension or revocation of a registration or by an interpretation, order, requirement, direction or failure to act under 780 CMR 110.R4 may appeal to the Building Code Appeals Board as provided in 780 CMR 1.00: *Scope and Administration*. However, entry of an appeal shall not stay such revocation or suspension unless so ordered by the Building Code Appeals Board in a preliminary hearing conducted expressly for the purpose of a stay.