



## ICC EVALUATION SERVICE, INC., RULES OF PROCEDURE FOR EVALUATION REPORTS

### 1.0 PURPOSE

The purpose of these rules is to set forth procedures governing ICC Evaluation Service, Inc. (ICC-ES), issuance and maintenance of evaluation reports on building materials and products, methods of construction, prefabricated building components, and prefabricated buildings. For procedures related to the issuance and maintenance of ICC-ES legacy reports, see the ICC Evaluation Service, Inc., Rules of Procedure for Legacy Reports.

The main purpose of ICC-ES evaluation reports is to assist those enforcing model codes to determine whether a given subject complies with those codes. An evaluation report is not to be construed as representing a judgement about aesthetics or any other attributes not specifically addressed in the report, nor as an endorsement or recommendation for use of the subject of the report. Approval for use of the subject of the report is the prerogative and responsibility of the Code Official; ICC-ES does not intend to assume, nor can ICC-ES assume, that prerogative and responsibility.

### 2.0 BASIS OF EVALUATION

Evaluation of data is on the basis of the most current published edition of the following model codes as of January 1 of each year:

- International Codes
- National Codes
- Standard Codes
- Uniform Codes
- Other codes as designated by the ICC-ES president

Additionally, evaluation of data will be based on the most current of any applicable ICC-ES acceptance criteria.<sup>1</sup>

Where the provisions of the International Codes prohibit a particular material, product, or method of construction, ICC-ES will not consider development of a new evaluation report and will so advise the applicant. When this occurs with regard to an existing evaluation report, the report holder will be advised that the existing evaluation report cannot be reissued. Where the National Codes, the Standard Codes, and/or the Uniform Codes prohibit a particular alternate material, product, or method of construction, ICC-ES will not consider development of a new evaluation report which references such code(s) and will so advise the applicant. When this occurs with regard to an existing evaluation report, the report holder will be advised that an existing evaluation report referencing those codes cannot be reissued.

An evaluation report advising of compliance with only the *International Residential Code for One- and Two-Family Dwellings*<sup>®</sup> (IRC) can be issued if it is specified in the report that the subject of the report can be used only in one- and two-family dwellings.

### 3.0 APPLICATIONS

Applications for new reports and for changes to existing reports shall be filed on forms provided for that purpose. Applications shall be accompanied by one complete set of plans, details, calculations, and other supporting data which fully describe the subject of the application and substantiate its performance as being in compliance with the applicable model codes, and ICC-ES evaluation guidelines and/or acceptance criteria when these apply. The data shall also include details of the applicant's quality control program in sufficient detail to verify that the manufacturer's quality system ensures the manufactured product will not change from the product described in the original qualifying data. Fees noted in the ICC-ES fee schedule must be submitted with applications.

An application may be filed only by the entity having rights to the materials, products, or methods of construction on which an evaluation report is sought. The applicant must have legal rights to all evidence and data.

Where products to be covered by an evaluation report include a proprietary component (a specific material that is manufactured by someone other than the ICC-ES report applicant and that is referenced by name in the evaluation report, or that forms a part of a fabricated assembly produced by the ICC-ES report applicant), data is required in accordance with the ICC-ES Policy on Proprietary Components. In some cases, per the Policy on Proprietary Components, the manufacturer of the proprietary component may be required to obtain an evaluation report before ICC-ES will issue a report which names the proprietary component in its text.

Any manufacturer or distributor other than the applicant that is to be listed in the evaluation report may be included in the report as an additional listee upon submission of additional-listee forms and payment of required fees by the applicant. The applicant shall furnish ICC-ES with the name and address of each listee and shall notify ICC-ES when the applicant wishes to add or delete a listee. Data must be submitted to verify the acceptability of each listee.

The report holder may authorize the issuing of a separate evaluation report under the name of a distributor (also known as a private label applicant). A separate evaluation report application prepared by the private label applicant and a completed Application for Private Label Listing Evaluation Report form shall be submitted. The private label

<sup>1</sup>See Section 4.0 of the ICC Evaluation Service, Inc., Rules of Procedure for the Evaluation Committee for additional information.

evaluation report shall be inextricably linked to the master report holder's report (also referred to as the master report). Any relevant information in the master report, whether in conjunction with first issuance of the report or in subsequent revisions, shall be included in the private label report. The private label report shall have the same re-examination date as the master report. An application for interim revision of the private label report shall be made when revisions relevant to the private label report are made to the master report through an application for interim revision.

Applications for new evaluation reports that are held for more than 30 days without receipt of the basic fee or supporting documentation are subject to being returned to the applicant unless such term is extended by the ICC-ES president or his designated representative.

#### **4.0 DATA TO BE SUBMITTED IN SUPPORT OF EVALUATION REPORTS**

**4.1** Applications for new reports and for changes to existing reports shall be submitted with information as noted in Section 3.0 of these rules. Where data consists of calculations, plans, and specifications developed through the practice of architecture or engineering, the documents containing such data shall be sealed by a registered design professional.

**4.2** Where data consists of reports of laboratory tests, such tests shall be performed at the expense of the applicant by an independent testing laboratory. Testing laboratories shall comply with ISO/IEC Standard 17025, *General Requirements for the Competence of Testing and Calibration Laboratories*. Testing laboratories must be accredited by the International Accreditation Service (IAS) or by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement. The scope of the laboratory's accreditation shall include the type of testing that is to be reported to ICC-ES.

Reports from nonaccredited laboratories may be accepted by ICC-ES for the processing of a specific evaluation report upon submission of evidence (including evidence from an on-site assessment conducted by IAS staff or authorized ICC-ES representatives) that the laboratory is an independent, qualified laboratory conforming to ISO/IEC Standard 17025 for the work in question. The applicant shall be responsible for fees and expenses associated with the review and on-site assessment of a nonaccredited laboratory as stated in the ICC-ES fee schedule.

**4.3** In addition to the data noted in Sections 4.1 and 4.2, applications for recognition of prefabricated building components and prefabricated buildings must be supported by plans and specifications that include all facets of the construction, differentiating between field- and factory-installed items. The data must include, when applicable, detailed plans on wiring, plumbing, and mechanical systems, including equipment lists as well as schematics.

**4.4** When periodic inspections are required, applicants shall obtain the services of a third-party inspection body that is acceptable to ICC-ES, and submit detailed quality documentation for the product or building system and the manufacturer's plant. Inspection bodies shall comply with ISO/IEC Standard 17020, *General Criteria for the Operation of Various Types of Bodies Performing Inspection*. Inspection bodies must be accredited by IAS or by an

accreditation body that is a partner with IAS in a mutual recognition agreement. The quality documentation shall include necessary detail to meet ICC-ES requirements. Revisions to the quality documentation must be submitted to and approved by ICC-ES in conjunction with changes to the evaluation report content.

Inspection agencies shall agree to provide unannounced inspection services in accordance with the terms of the evaluation report and the quality documentation. Costs for such inspection services shall be borne by the applicant.

**4.5** See Section 9.0 of these rules for information concerning inspections, including provisions for initial inspections before a report can be issued, of the facilities designated to manufacture the product(s) covered in the report.

**4.6** ICC-ES may require the applicant to conduct further tests and/or provide additional information considered relevant to the evaluation.

**4.7** For a report requiring quality control and periodic inspections, additional listings necessitate submission of information the same as set forth above as applicable to the report holder.

#### **5.0 ISSUANCE OF AN EVALUATION REPORT**

ICC-ES will review the data submitted; work with the applicant to develop new or revised acceptance criteria (when this is necessary); request any additional information necessary to evaluate the product; prepare a draft report; secure applicant review; and prepare a final report for approval by the applicant and ICC-ES, provided ICC-ES requirements, as communicated in staff letters, have been met.

Evaluation of data will be based upon the most current version of any applicable ICC-ES acceptance criteria, except in extraordinary circumstances when the president or his designated representative determines that there is a pressing reason, such as fairness, to issue a report based on a recently superseded version of a criteria.

The applicant and any listees will be notified when the evaluation report is available to the public. The report will also be made available on the ICC-ES web site. See Section 13.0 of these rules for permitted use of evaluation reports.

#### **6.0 FEES**

##### **6.1 General:**

**6.1.1** The ICC-ES basic fee covers one item. The basic fee is not refundable unless a refund is authorized by the president or his designated representative. Each additional item (e.g., a derivative of the basic product covered by the report; or additional code issues covered in the report) has an additional fee as set forth in the fee schedule. All fees shall be in U.S. funds drawn from a U.S. bank.

**6.1.2** Where products to be covered by an evaluation report are distributed or manufactured by companies other than the applicant, such other companies' names shall appear on the evaluation report as listees, and a fee will be charged for each listee as set forth in the fee schedule.

**6.1.3** Where products to be covered in an evaluation report include proprietary components, additional-item and additional-listee fees, per the ICC-ES fee schedule, may be applicable. In some cases, per the ICC-ES Policy on Proprietary Components, the manufacturer of the proprietary