
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 849 Session of
1993

INTRODUCED BY D. R. WRIGHT, DeWEESE, VEON, ROONEY, BELFANTI,
DeLUCA, TRELLO, PISTELLA, VAN HORNE AND STABACK,
MARCH 22, 1993

SENATOR JONES, URBAN AFFAIRS AND HOUSING, IN SENATE, AS AMENDED,
JANUARY 31, 1994

AN ACT

1 Amending the act of November 17, 1982 (P.L.676, No.192),
2 entitled "An act establishing standards for the body and
3 frame design and construction and the installation of
4 plumbing, heating and electrical systems for manufactured
5 homes; defining terms; requiring manufactured homes to bear a
6 label issued by the United States Department of Housing and
7 Urban Development; providing for the administration of the
8 act; providing for enforcement and penalties; and making a
9 repeal," providing for installation of manufactured homes.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2 of the act of November 17, 1982
13 (P.L.676, No.192), known as the Manufactured Housing
14 Construction and Safety Standards Authorization Act, is amended
15 by adding definitions to read:

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall
18 have, unless the context clearly indicates otherwise, the
19 meanings given to them in this section:

20 * * *

1 "Installation." The assembly of manufactured homes on site
2 and the process of affixing manufactured homes to land, a
3 foundation, footings, utilities or an existing building. The
4 term includes the process of affixing manufactured home
5 components to or within the housing structure for which they are
6 designed.

7 * * *

8 "Licensed installer." A manufacturer, dealer or third person
9 licensed under section 3.1 to engage in the installation of
10 manufactured homes on site.

11 * * *

12 Section 2. The act is amended by adding ~~a section~~ SECTIONS <—
13 to read:

14 Section 3.1. Installation of manufactured homes.

15 (a) The department shall license as an installer any
16 individual who presents evidence satisfactory to the department
17 that the individual has attended AND SATISFACTORILY COMPLETED a <—
18 manufactured housing installation course of study at which
19 instruction has been given concerning soil density and ability
20 to determine soil density, an understanding of installation
21 instructions and the principals of weight distribution of
22 manufactured home to foundation. To satisfy these requirements,
23 a course of study shall include classroom instruction, field
24 directions for installation and a written test. THE DEPARTMENT <—
25 SHALL PROMULGATE REGULATIONS TO REQUIRE EACH INSTALLER TO
26 PARTICIPATE IN CONTINUING EDUCATION PROGRAMS.

27 (b) Notwithstanding any other statute, regulation or
28 ordinance, a manufactured home shall be installed:

29 (1) in accordance with the manufacturer's recommended
30 installation requirements as set forth in 24 CFR 3280

1 (relating to manufactured home construction and safety
2 standards);

3 (2) in accordance with manufactured home installations
4 approved by the American National Standards Institute as ANSI
5 A225.1-1987;

6 (3) in accordance with the manufacturer's setup
7 specifications for that type of home, model and location; and <—

8 (4) IN ACCORDANCE WITH PLANS SEALED BY A REGISTERED <—
9 PROFESSIONAL ENGINEER OR SUBRULES ESTABLISHED BY THE
10 DEPARTMENT, IF:

11 (I) THE DESIGN IS ENGINEERED SPECIFICALLY FOR THE
12 MANUFACTURED HOME; AND

13 (II) THE DESIGNER USED CRITERIA SPECIFIED IN
14 PARAGRAPHS (1), (2) AND (3); AND

15 ~~(4)~~ (5) with a certificate of installation prepared by <—
16 the department to be used by installers and manufactured
17 housing dealers.

18 (c) The homeowner shall be provided, prior to occupancy,
19 with a notarized certificate of installation from the installer
20 or, in the case of a new home, from the manufactured housing
21 dealer, which shall state that the home was set up by the
22 installer according to the manufacturer's specifications for
23 that home.

24 (d) Should any damage occur to the home in the future as a
25 result of improper initial installation or setup:

26 (1) If the dealer has arranged for installation, the
27 dealer and the installer shall be jointly and severally
28 liable for repairs and replacement costs resulting from the
29 damage as long as it remains on the site where the home was
30 originally installed.

1 (2) If the dealer has not arranged for installation, the
2 installer shall be liable for repairs and replacement costs
3 resulting from the damage as long as it remains on the site
4 where the home was originally installed.

5 (3) If the home is transported or moved from the site
6 where the home was originally installed, all liability under
7 this subsection shall cease.

8 (4) This subsection shall not remove:

9 (i) the responsibility of an installer who
10 subsequently sets up the home at another location from
11 the original site of installation to install and set up
12 the home at the new site according to the manufacturer's
13 original setup specifications for that type of home,
14 model and location; or

15 (ii) the liability of an installer under
16 subparagraph (i) for repairs and replacement costs
17 resulting from improper installation or setup of the
18 home.

19 (e) The department shall prepare a form which, when
20 completed, will certify that the installation has been
21 accomplished under this act. Within ten days of the completion
22 of the installation:

23 (1) a copy of the form shall be submitted to the
24 department;

25 (2) a copy shall be submitted to the manufacturer;

26 (3) a copy shall be submitted to the manufactured
27 housing dealer;

28 (4) a copy shall be provided to the manufactured housing
29 owner; and

30 (5) a copy shall be retained in the file of the licensed

1 installer.

2 (f) At least one member of any installation or setup crew
3 involved in the installation of the manufactured home is
4 required to be licensed under subsection (a).

5 (g) The department shall establish a filing fee in the
6 amount of ~~\$10~~ \$20 for each form certifying proper installation. <—
7 The department shall establish a license fee of ~~\$25~~ \$100 per <—
8 year for each licensed installer.

9 (h) Upon inspection and investigation, the department shall
10 have the authority to suspend the license of any installer if,
11 based on good cause shown, the department is satisfied that
12 installation and setup done under the direction and control of
13 the licensed installer is not performed in accordance with
14 subsection (b).

15 (I) THE REQUIREMENTS OF THIS SECTION SHALL APPLY TO ALL <—
16 MANUFACTURED HOMES REGARDLESS OF THE DATE OF MANUFACTURE.
17 SECTION 9.1. MANUFACTURED HOUSING FUND.

18 (A) THERE IS HEREBY ESTABLISHED A SEPARATE ACCOUNT IN THE
19 STATE TREASURY TO BE KNOWN AS THE MANUFACTURED HOUSING FUND. THE
20 MANUFACTURED HOUSING FUND SHALL BE ADMINISTERED BY THE
21 DEPARTMENT AND SHALL BE USED FOR THE ADMINISTRATION OF THIS ACT.

22 (B) ALL FEES AND CIVIL PENALTIES COLLECTED UNDER THIS ACT
23 SHALL BE PAID INTO THE MANUFACTURED HOUSING FUND. ALL MONEYS IN
24 THE MANUFACTURED HOUSING FUND ARE HEREBY APPROPRIATED TO THE
25 DEPARTMENT ON A CONTINUING BASIS.

26 Section 3. This act shall take effect in 60 days.