
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1124 Session of
1981

INTRODUCED BY KUSSE, HOWARD AND ROMANELLI, OCTOBER 8, 1981

REFERRED TO URBAN AFFAIRS AND HOUSING, OCTOBER 8, 1981

AN ACT

1 Establishing standards for the body and frame design and
2 construction and the installation of plumbing, heating and
3 electrical systems for manufactured homes; defining terms;
4 requiring manufactured homes to bear a label issued by the
5 United States Department of Housing and Urban Development;
6 providing for the administration of the act; providing for
7 enforcement and penalties; and making a repeal.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Short title.

11 This act shall be known and may be cited as the "Manufactured
12 Housing Construction and Safety Standards Authorization Act."

13 Section 2. Definitions.

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

17 "Dealer." Any person engaged in the sale, leasing or
18 distribution of new manufactured homes primarily to persons who
19 in good faith purchase or lease a manufactured home for purposes
20 other than resale.

1 "Department." The Department of Community Affairs of the
2 Commonwealth of Pennsylvania.

3 "Distributor." Any person engaged in the sale and
4 distribution of manufactured homes for resale.

5 "Label." The form of certification required by the United
6 States Department of Housing and Urban Development to be
7 permanently affixed to each transportable section of each
8 manufactured home manufactured for sale to a purchaser in the
9 United States. Such label is certification by the manufacturer
10 that the manufactured home conforms to all applicable Federal
11 construction and safety standards.

12 "Manufacturer." Any person engaged in manufacturing or
13 assembling manufactured homes, including any person engaged in
14 importing manufactured homes for resale.

15 "Manufactured home." A structure, transportable in one or
16 more sections, which, in the traveling mode, is eight body feet
17 or more in width, or 40 body feet or more in length, or, when
18 erected on site, is 320 or more square feet and which is built
19 on a permanent chassis and designed to be used as a dwelling
20 with or without a permanent foundation when connected to the
21 required utilities and includes the plumbing, heating, air
22 conditioning and electrical systems contained therein. The term
23 shall include any structure which meets all the requirements of
24 this paragraph except the size requirements and with respect to
25 which the manufacturer voluntarily files a certification
26 required by the United States Department of Housing and Urban
27 Development and complies with the standards established under
28 this act.

29 "Manufactured home standards." The manufactured home
30 construction and safety standards adopted pursuant to the

1 National Manufactured Home Construction and Safety Standards Act
2 of 1974, (P.L.96-399), (94 Stat.1641), as amended.

3 "Person." An individual, partnership, company, corporation
4 or association engaged in manufacturing or selling manufactured
5 homes.

6 "Municipality." Any county, city, borough, incorporated
7 town, township, home rule charter or optional plan municipality
8 or any similar general purpose unit of government which may be
9 created by the General Assembly with authority to establish
10 standards and requirements applicable to the construction,
11 installation, alteration and repair of buildings.

12 Section 3. Establishment of manufactured home standards.

13 (a) All manufactured homes manufactured and sold or offered
14 for sale in this Commonwealth, or manufactured in this
15 Commonwealth and sold or offered for sale outside of the
16 Commonwealth shall meet the manufactured home construction and
17 safety standards adopted by the United States Department of
18 Housing and Urban Development pursuant to the National
19 Manufactured Home Construction and Safety Standards Act of 1974,
20 as amended. In addition, the manufactured homes shall comply
21 with any additional standards determined by the department to be
22 necessary to reduce personal injuries and deaths, to reduce
23 insurance costs and property damage resulting from accidents, or
24 to improve the quality and durability of manufactured homes when
25 no construction or safety standard has been established by the
26 United States Department of Housing and Urban Development to
27 deal with a construction or safety issue identified by the
28 department.

29 (b) The department may adopt regulations necessary to carry
30 out the provisions of this act. If the manufactured home

1 construction and safety standards adopted by the United States
2 Department of Housing and Urban Development, or any section,
3 part or provisions thereof, is changed, altered or amended, the
4 department may adopt regulations which are reasonably consistent
5 with or identical to the standards, as changed, altered or
6 amended.

7 (c) The department shall hold hearings on the regulations
8 proposed to be adopted, amended or repealed in accordance with
9 the provisions of and no regulation shall be effective unless
10 adopted pursuant to the act of July 31, 1968 (P.L.769, No.240),
11 referred to as the Commonwealth Documents Law.

12 Section 4. Effect of standards.

13 (a) Except in cases of waterline connections to their main
14 source of supply, sewer drainage line connections to main sewers
15 or cesspools or electrical line connections to their main source
16 of power, a manufactured home bearing a label affixed pursuant
17 to the requirements of this act shall be deemed to comply with
18 all ordinances, regulations or building codes, or special local
19 requirements enacted by any municipality applicable to the body
20 and frame design and construction and installation of plumbing,
21 heating and electrical systems within and including the exterior
22 walls of the manufactured home.

23 (b) Nothing in this act shall be construed as amending or
24 repealing any of the provisions of the act of April 27, 1927
25 (P.L.465, No.299), entitled, as amended, "An act to provide for
26 the safety of persons employed, housed, or assembled in certain
27 buildings and structures not in cities of the first class,
28 second class, and second class A, by requiring certain
29 construction and ways of egress, equipment, and maintenance;
30 providing for the licensing of projectionists, except in cities

1 of the first class and second class; requiring the submission of
2 plans for examination and approval; providing for the
3 promulgation of rules and regulations for the enforcement of
4 this act; providing for the enforcement of this act by the
5 Department of Labor and Industry and, in certain cases, by the
6 chiefs of fire departments in cities of the third class;
7 providing penalties for violations of the provisions of this
8 act; and repealing certain acts."

9 (c) Nothing in this act shall be construed as amending,
10 repealing or superseding any municipal zoning ordinance,
11 subdivision and land development ordinance of any other
12 municipal ordinance, regulation or code pertaining to the use
13 and development of land.

14 Section 5. Label required; violations.

15 (a) Following the effective date of this act, no person may
16 sell or offer for sale in this Commonwealth or manufacture
17 within this Commonwealth and sell or offer for sale outside this
18 Commonwealth any manufactured home unless it bears a label
19 certifying that such manufactured home meets or exceeds the
20 manufactured home standards and department regulations
21 established by this act. Such label shall be displayed in the
22 manner prescribed by the United States Department of Housing and
23 Urban Development.

24 (b) No person may affix a label to any manufactured home
25 which does not meet or exceed the requirements of the
26 manufactured home standards and department regulations
27 established by this act.

28 Section 6. Fees.

29 (a) The department shall establish a monitoring inspection
30 fee in an amount authorized by the United States Department of

1 Housing and Urban Development.

2 (b) The monitoring inspection fee shall be paid by the
3 manufacturer in the United States Department of Housing and
4 Urban Development or its designee.

5 (c) The department may establish a schedule of additional
6 fees reasonably related to the costs incurred by the department
7 in the administration and enforcement of this act.

8 Section 7. Administration of act.

9 (a) The department is charged with the administration of
10 this act. It shall have the power to adopt, amend and repeal the
11 regulations referred to in section 3. The department is
12 authorized to enter into interdepartmental agreements for the
13 purposes of administration of this act. The department may enter
14 into agreements with the United States Department of Housing and
15 Urban Development to assume responsibility for enforcement of
16 the manufactured home standards and may join with other states
17 or public or private agencies for such purposes.

18 (b) Any authorized representative or employee of the
19 department, at reasonable times, may enter any factory,
20 warehouse or establishment in the Commonwealth in which
21 manufactured homes are manufactured, stored or held for sale,
22 for the purpose of ascertaining whether the requirements of this
23 act and the regulations of the department have been and are
24 being met.

25 (c) No person may interfere, obstruct or hinder an
26 authorized representative of the department in the performance
27 of his duties as set forth in the provisions of this act.

28 (d) Each manufacturer, distributor and dealer of
29 manufactured homes shall establish and maintain such records,
30 make such reports and provide such information as the department

1 or the United States Department of Housing and Urban Development
2 may reasonably require to be able to determine whether such
3 manufacturer, distributor or dealer has acted and is acting in
4 compliance with this act and the department regulations. Upon
5 request of a person duly designated by the department, each
6 manufacturer, distributor or dealer of manufactured homes shall
7 permit such person to inspect appropriate books, papers, records
8 and documents relative to determining whether such manufacturer,
9 distributor or dealer has acted and is acting in compliance with
10 this act and the department regulations.

11 Section 8. Consumer protection.

12 The department is authorized to receive, investigate and act
13 upon complaints relating to noncompliance with the National
14 Manufactured Home Construction and Safety Standards act of 1974,
15 as amended, and the standards and regulations adopted or
16 approved thereunder. The department shall adopt regulations
17 establishing procedures and criteria necessary to carry out the
18 provisions of this section.

19 Section 9. Penalties.

20 (a) Any person who violates or fails to comply with any
21 provisions of the National Manufactured Home Construction and
22 Safety Standards Act of 1974, as amended, this act or any
23 regulation or final order issued thereunder shall be liable for
24 a civil penalty not to exceed \$1,000 for each violation. Each
25 violation of the National Manufactured Home Construction and
26 Safety Standards Act of 1974, this act, or any regulation or
27 order issued under either this act or the National Manufactured
28 Home Construction and Safety Standards Act of 1974, shall
29 constitute a separate violation with respect to each
30 manufactured home or with respect to each failure or refusal to

1 allow or perform an act required thereby, except that the
2 maximum civil penalty shall not exceed \$1,000,000 for any
3 related series of violations occurring within one year from the
4 date of the first violation.

5 (b) Any individual, or a director, officer or agent of a
6 corporation who knowingly and willfully violates the provisions
7 of this act or section 610 of the National Manufactured Home
8 Construction and Safety Standards Act of 1974 in a manner which
9 threatens the health and safety of any purchaser shall be fined
10 not more than \$1,000 or imprisoned not more than one year, or
11 both.

12 Section 10. Repealer.

13 The act of May 11, 1972 (P.L.281, No.69), known as the
14 "Uniform Standards Code for Mobile Homes," is hereby repealed.

15 Section 11. Effective date.

16 This act shall take effect immediately.