

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1929 Session of
2003

INTRODUCED BY PERZEL, DeWEESE, ALLEN AND BELFANTI,
SEPTEMBER 8, 2003

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 8, 2003

AN ACT

1 Providing for the regulation of manufactured housing and for the
2 powers and duties of the Department of Community and Economic
3 Development.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Manufactured
8 Housing Improvement Act.

9 Section 2. Legislative findings and purpose.

10 The General Assembly finds as follows:

11 (1) Manufactured housing plays a vital role in meeting
12 the housing needs of the citizens of this Commonwealth.

13 (2) The Congress of the United States amended the
14 National Manufactured Housing Construction and Safety
15 Standards Act of 1974 (Public Law 93-383, 42 U.S.C. § 5401 et
16 seq.) in 2000 to provide for the establishment of practical,
17 uniform and, to the extent possible, performance-based
18 construction standards for manufactured homes.

1 (3) The 2000 amendments to the National Manufactured
2 Housing Construction and Safety Standards Act of 1974 seek to
3 ensure uniform and effective enforcement of Federal safety
4 standards for the installation of manufactured homes and
5 require that by 2005 each state implement an installation
6 program that meets certain requirements.

7 (4) To date, neither the General Assembly nor a
8 Commonwealth agency has enacted or implemented standards in
9 compliance with the 2000 amendments to the National
10 Manufactured Housing Construction and Safety Standards Act of
11 1974.

12 (5) It is the intent of the General Assembly and the
13 purpose of this act:

14 (i) To eliminate unnecessary duplication of effort
15 by Commonwealth agencies as it relates to the
16 installation and inspection of the installation of
17 manufactured housing.

18 (ii) To provide for compliance with 2000 amendments
19 to the National Manufactured Housing Construction and
20 Safety Standards Act of 1974 by assigning the
21 responsibility to the Department of Community and
22 Economic Development.

23 (iii) To require that within 270 days of the
24 effective date of this act, the Department of Community
25 and Economic Development meet with affected parties and
26 publish final form regulations concerning the
27 installation of manufactured homes, the training and
28 licensing of manufactured home installers and the
29 inspection of the installation of manufactured homes.

30 Section 3. Definitions.

1 The following words and phrases when used in this act shall
2 have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Department." The Department of Community and Economic
5 Development of the Commonwealth.

6 "Installation." All activities required to assure the proper
7 onsite completion of fully integrated manufactured home
8 construction, including, but not limited to:

9 (1) site preparation, installation, finishing and
10 assembly of components;

11 (2) support and foundations; and

12 (3) attachment, stabilization and connection of
13 plumbing, electrical and mechanical subsystems contained
14 within or attached thereto,

15 compliant with the manufacturer's approved design, that renders
16 the home in full conformance with the manufacturer's label of
17 certification and conforms to all standards required by this
18 act.

19 "Installer." A person who contracts with the purchaser for
20 any portion or all of the onsite completion and installation of
21 a manufactured home under contract or connected by agency with
22 the manufacturer, retailer or builder.

23 "Manufactured housing" or "manufactured home." A
24 manufactured home as defined under section 603 of the National
25 Manufactured Housing Construction and Safety Standards Act of
26 1974 (Public Law 93-383, 42 U.S.C. § 5402).

27 Section 4. Application of act.

28 (a) General rule.--This act shall be the exclusive law
29 authorizing the promulgation of regulations governing the
30 installation of manufactured homes, the training and licensing

1 of manufactured home installers and the inspection of the
2 installation of manufactured homes in this Commonwealth. The
3 regulations adopted by the department implementing this
4 legislation shall supersede and preempt all other laws and
5 regulations in this regard.

6 (b) Exclusion.--This act shall not apply to manufactured
7 homes installed prior to the effective date of this act.

8 Section 5. Departmental duties.

9 (a) Invitation for comments.--The department shall invite
10 comments from entities involved in the manufactured housing
11 industry, owners of manufactured homes and third-party agencies
12 concerning the promulgation of regulations governing the
13 installation of manufactured homes, the training and licensing
14 of manufactured home installers and the inspection of the
15 installation of manufactured homes in this Commonwealth.

16 (b) Regulations.--

17 (1) Within 270 days of the effective date of this act,
18 the department shall promulgate regulations governing:

19 (i) The installation of manufactured homes.

20 (ii) The training and licensing of manufactured home
21 installers.

22 (iii) The inspection of the installation of
23 manufactured homes in this Commonwealth.

24 (iv) The training of those persons who inspect the
25 installation of manufactured homes in this Commonwealth.

26 (v) The issuance of a warning, suspension,
27 revocation or monetary fine against persons who violate
28 the regulations of the department promulgated under this
29 act.

30 (2) The regulations shall, at the discretion of the

1 department, satisfy the criteria established by the National
2 Manufactured Housing Construction and Safety Standards Act of
3 1974 (Public Law 93-383, 42 U.S.C. § 5401 et seq.).

4 (c) Fees.--The department shall determine and approve
5 reasonable fees for educational programs, testing and
6 certification of those persons licensed to install and inspect
7 the installation of manufactured homes in this Commonwealth.

8 Section 6. Repeal.

9 All acts and parts of acts are repealed insofar as they are
10 inconsistent with this act.

11 Section 7. Effective date.

12 This act shall take effect immediately.