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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1141 Session of  
2011

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INTRODUCED BY McILHINNEY, RAFFERTY, KASUNIC, STACK, ALLOWAY,  
MENSCH, D. WHITE, FONTANA, YAW, TARTAGLIONE, HUGHES, FOLMER  
AND BROWNE, JUNE 30, 2011

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REFERRED TO URBAN AFFAIRS AND HOUSING, JUNE 30, 2011

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AN ACT

1 Amending the act of November 29, 2004 (P.L.1282, No.158),  
2 entitled "An act providing for the regulation of the  
3 installation of manufactured housing and for the powers and  
4 duties of the Department of Community and Economic  
5 Development," expanding the coverage of the act to relocated  
6 housing.

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

9 Section 1. Section 3 of the act of November 29, 2004  
10 (P.L.1282, No.158), known as the Manufactured Housing  
11 Improvement Act, is amended by adding a definition to read:

12 Section 3. Definitions.

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

16 \* \* \*

17 "Relocated manufactured home." A manufactured home which has  
18 been transported to a site other than its original installation  
19 site.

1 \* \* \*

2 Section 2. Sections 5 and 6 of the act are amended to read:

3 Section 5. Departmental duties.

4 (a) Invitation for comments.--The department shall invite  
5 comments from entities involved in the manufactured housing  
6 industry, owners of new manufactured homes and third-party  
7 agencies concerning the promulgation of regulations governing  
8 the installation of new manufactured homes and relocated  
9 manufactured homes and the training and certification of new  
10 manufactured home installers.

11 (b) Regulations.--The department shall promulgate  
12 regulations governing:

13 (1) The training and certification of [new] manufactured  
14 home installers.

15 (2) The training of those persons who inspect the  
16 installation of [new] manufactured homes in this  
17 Commonwealth.

18 (3) The issuance of a warning, suspension, revocation or  
19 monetary fine against persons who violate the regulations of  
20 the department promulgated under this act.

21 (4) Procedures to assess compliance with the  
22 manufactured home construction and safety standard to which a  
23 home was originally designed and constructed, as well as an  
24 installation standard for relocated manufactured homes.  
25 Relocated manufactured homes meeting this criteria shall be  
26 deemed to comply with the act of November 10, 1999 (P.L.491,  
27 No.45), known as the Pennsylvania Construction Code Act. Any  
28 activities or processes not addressed shall comply with  
29 Chapter 3 of the Pennsylvania Construction Code Act as  
30 applicable. The procedures and installation standard shall:

1           (i) Establish minimum requirements for fire safety  
2           including emergency escape and smoke alarms, exterior  
3           coverings, structural integrity for the floor, walls,  
4           ceilings and roof or any other element that renders a  
5           manufactured house unsafe, unfit or unsanitary. The  
6           installation standard shall establish prescriptive  
7           guidelines for support, anchoring and assembly.

8           (ii) Provide an alternative when the manufacturer's  
9           original installation instructions are no longer  
10           available or practical.

11           (iii) Establish criteria to evaluate the suitability  
12           of existing foundation in land lease communities which  
13           may be utilized in the installation of relocated  
14           manufactured homes.

15           (iv) Establish a shallow depth frost protected  
16           foundation system which may be utilized in a land lease  
17           community.

18       (c) Fees.--The department shall determine and approve  
19 reasonable fees for educational programs, testing and  
20 certification of those persons certified to install and inspect  
21 the installation of [new] manufactured homes in this  
22 Commonwealth.

23 Section 6. Inspection of installation of [new] manufactured  
24 homes.

25       (a) Permits.--Permits are required under the Uniform  
26 Construction Code for the installation and occupancy of  
27 manufactured housing and relocated manufactured homes. A permit  
28 for occupancy of a relocated manufactured home may not be issued  
29 unless the relocated manufactured home meets all requirements  
30 under section 5(b)(4) and the installer certifies the

1 installation.

2 (b) Installation.--A [new] manufactured home shall be  
3 installed in conformity with the manufacturer's approved design  
4 applicable to the particular home. Construction activities or  
5 processes not addressed by the manufacturer's approved design  
6 shall comply with the Uniform Construction Code requirement  
7 relating to those activities or processes.

8 (c) Availability of instructions.--The manufacturer's  
9 approved design shall be kept at the site of the home and  
10 accessible to the building code official and shall remain with  
11 the home for possession by the purchaser.

12 (d) Rejection prohibited.--Building code officials cannot  
13 reject a manufacturer's approved design.

14 (e) Certification of installer.--The installer shall certify  
15 to the department and the building code official that the [new]  
16 manufactured home has been installed in accordance with the  
17 manufacturer's approved design and complies with all applicable  
18 standards, including the Uniform Construction Code, for  
19 activities and processes not covered by the Manufactured Home  
20 Construction and Safety Standards.

21 (f) Governance.--All of the following activities are  
22 governed under the Uniform Construction Code and may not be  
23 governed by the manufacturer's approved design:

24 (1) Alterations or repairs to a manufactured home that  
25 do not fall within the manufactured home construction and  
26 safety standards and the manufacturer's installation  
27 instructions after assembly and shipment by the manufacturer.

28 (2) Additions to a manufactured home after delivery to  
29 the site.

30 (3) Construction, alteration, repair or change of

1 occupancy if a manufactured home is resold to a subsequent  
2 purchaser.

3 (4) Construction, alteration, repair or change of  
4 occupancy if the original purchaser relocates the  
5 manufactured home.

6 (5) Utility connections.

7 (6) Grading.

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