

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1141 Session of
2011

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

SENATOR YAW, URBAN AFFAIRS AND HOUSING, AS AMENDED, NOVEMBER 1,
2011

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 OR DESIGN ←
5 SPECIFICATION that renders a manufactured house unsafe,
6 unfit or unsanitary. The installation standard shall
7 establish prescriptive guidelines for support, anchoring
8 and assembly.

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

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

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

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

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

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

1 under section 5(b)(4) and the installer certifies the
2 installation.

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

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

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

15 ~~(e) Certification of installer. The installer shall certify~~ ←

16 (E) CERTIFICATION OF INSTALLER.-- ←

17 (1) THE INSTALLER SHALL CERTIFY to the department and
18 the building code official that the [new] manufactured home
19 has been installed in accordance with the manufacturer's
20 approved design and complies with all applicable standards,
21 including the Uniform Construction Code, for activities and
22 processes not covered by the Manufactured Home Construction
23 and Safety Standards.

24 (2) PARAGRAPH (1) SHALL NOT APPLY TO A RELOCATED ←
25 MANUFACTURED HOME.

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

29 (1) Alterations or repairs to a manufactured home that
30 do not fall within the manufactured home construction and

1 safety standards and the manufacturer's installation
2 instructions after assembly and shipment by the manufacturer.

3 (2) Additions to a manufactured home after delivery to
4 the site.

5 (3) Construction, alteration, repair or change of
6 occupancy if a manufactured home is resold to a subsequent
7 purchaser.

8 (4) Construction, alteration, repair or change of
9 occupancy if the original purchaser relocates the
10 manufactured home.

11 (5) Utility connections.

12 (6) Grading.

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