

## 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,  
BROWNE AND FERLO, JUNE 30, 2011

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SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JANUARY  
23, 2012

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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 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.--

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

23 (2) Paragraph THE DUTY TO CERTIFY TO THE DEPARTMENT  
24 UNDER 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.