

HOUSE BILL REPORT

ESB 5580

As Passed House
April 8, 1993

Title: An act relating to regulation of manufactured housing construction and safety.

Brief Description: Modifying the regulation of manufactured housing.

Sponsors: Senators Moore, Barr, McAuliffe, Vognild.

Brief History:

Reported by House Committee on:
Trade, Economic Development & Housing, March 31, 1993,
DP;
Passed House, April 8, 1993, 98-0.

HOUSE COMMITTEE ON TRADE, ECONOMIC DEVELOPMENT & HOUSING

Majority Report: Do pass. Signed by 12 members:
Representatives Wineberry, Chair; Shin, Vice Chair; Forner,
Ranking Minority Member; Chandler, Assistant Ranking
Minority Member; Campbell; Casada; Conway; Quall; Schoesler;
Sheldon; Springer; and Valle.

Staff: Charlie Gavigan (786-7340).

Background: Manufactured housing construction standards are established by federal law, and enforced either by federal inspections of manufacturing facilities or by state inspections pursuant to an intergovernmental agreement. In order for a state to assume this function, federal law requires delegation of responsibility for this program by the Legislature to a particular agency.

Local standards may be adopted but must duplicate federal construction standards. Hearings, inspections, and penalties must also be substantially the same as required by federal law.

Summary of Bill: The director of the Department of Community Development is given authority to enforce federal manufactured housing safety and construction standards. The director is authorized to make agreements with the federal government, state agencies, or private inspectors to implement and enforce the standards.

The department is given rule-making authority and is required to hold appropriate hearings.

Penalties are provided for a violation of the federal standards not to exceed \$1,000 for each violation. Violations with respect to each manufactured home or each failure to perform an act required constitute a separate violation with a cumulative maximum penalty of \$1 million related to any series of violations. Willful violations that threaten health or safety of a purchaser can subject individuals to a fine of up to \$1,000 or imprisonment of up to one year, or both.

Legal fees and other costs associated with pursuing and prosecuting violators is to be reimbursed by the violators. The director is given authority to conduct inspections, enter into manufacturing facilities at reasonable times, to require reports from manufacturers, to hold hearings related to this activity, and to charge fees to cover the expenses of the program.

The act expires on January 1 following any year the federal government ceases to provide funding.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a housekeeping measure to conform current practice to federal requirements.

Testimony Against: None.

Witnesses: Corine Foster, Department of Community Development (supports); Ron Clarke, Washington Manufactured Housing Association (supports); and Nikki Baker, Mobile Home Owners of America (supports).