

**SENATE BILL REPORT**

**ESB 5580**

**AS PASSED SENATE, MARCH 17, 1993**

**Brief Description:** Modifying the regulation of manufactured housing.

**SPONSORS:** Senators Moore, Barr, McAuliffe, Vognild, Newhouse, Prentice, Prince, Amondson, Sutherland, Fraser, Winsley and von Reichbauer; by request of Department of Community Development

**SENATE COMMITTEE ON LABOR & COMMERCE**

**Majority Report:** Do pass.

Signed by Senators Moore, Chairman; Amondson, Barr, Cantu, Fraser, McAuliffe, Newhouse, Pelz, Prince, and Vognild.

**Staff:** Dave Cheal (786-7576)

**Hearing Dates:** February 23, 1993; February 26, 1993

**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:**

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.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** requested

**TESTIMONY FOR:**

This meets federal requirements for an express delegation of authority. No changes in current practices will occur.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Pat McLaughlin; Ron Clark