

SENATE BILL REPORT

ESSB 5703

As Passed Senate, March 13, 2001

Title: An act relating to alterations of mobile homes.

Brief Description: Directing a study to be conducted of mobile/manufactured home alteration and repair permit problems.

Sponsors: Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Hargrove and Winsley).

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/26/01, 3/5/01 [DPS].
Passed Senate: 3/13/01, 48-1.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 5703 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Benton, Deccio, Fairley, Franklin, Hochstatter, Honeyford, Patterson, Rasmussen, Regala, West and Winsley.

Staff: David Cheal (786-7576)

Background: Manufactured homes are built according to the federal Manufactured Home Construction and Safety Standards Act of 1976. Mobile homes are factory built dwellings built prior to 1976 according to state standards in force at that time. The current federal code preempts state standards. Although similar in many respects, this is a different "building code" than the Uniform Building Code that applies to site-built homes.

The Department of Labor and Industries (L&I) is the designated agency to inspect units being built in factories in this state. L&I is also responsible for issuing permits for the alteration of mobile or manufactured homes once they leave the factory, and for inspecting the home when the alteration is complete. To get a permit for alteration, a homeowner or contractor must submit a plan, which in some cases must be accompanied with an engineering analysis. The concern expressed by some mobile/manufactured home owners is that this process is needlessly burdensome and costly, particularly in the case of minor repairs and alterations.

Summary of Bill: The Senate Committee on Labor, Commerce & Financial Institutions is directed to conduct a study of mobile home alteration permit problems. The study and recommended legislation must be completed by the beginning of the 2002 legislative session.

Appropriation: None.

Fiscal Note: Requested on February 23, 2001.

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

Testimony For: The alteration permit process is too costly and applies to repairs that would not require a permit if the home were a site-built home. The present system can result in an owner having to choose between making needed repairs or alterations and being able to sell their home.

Testimony Against: The bill involves local building officials in approving some alterations to mobile homes. They are familiar with the Uniform Building Code which applies to site-built homes, but not familiar with the Manufactured Housing Construction and Safety Standards Act which applies to manufactured homes. The Department of Labor and Industries is working on the problems that led to this bill, but believes this bill is inappropriate and ineffective.

Testified: Calvin Larsen; Bob Mitchell, WA Assn. of Realtors (pro); Marguerite Glover, Sequim Assn. of Realtors (pro); Ray Munson, MHOA (pro); George Sumner, mobile home owner (pro); Douglas Clark (pro); Dan Sexton, WA St. Assn. of Plumbers & Pipefitters (concerns); Patrick Woods, Dan Sevik, L&I (con); Mike Ryherd, WMHA (concerns).

House Amendment(s): The House amendment deletes the Senate committee study of problems related to alterations of mobile homes and adds provisions that: (1) direct the Department of Labor and Industries to adopt rules regarding installed manufactured homes specifying exemptions from the permit requirement for alterations, authorizing the granting of variances for alterations that do not comply with manufacturing standards, and requiring disclosure when an altered manufactured home is sold; (2) clarify that the bill applies without regard to the date a home was altered; and (3) establish a joint legislative task force to review the regulation of manufactured/mobile homes and make recommendations to the Legislature by January 1, 2002. The task force will include legislative members from the Senate Labor, Commerce & Financial Institutions Committee and the House Commerce & Labor Committee and interested parties.