

SENATE BILL REPORT

SB 5366

As Reported By Senate Committee On:
Financial Institutions, Housing & Consumer Protection, February 23, 2005
Ways & Means, March 7, 2005

Title: An act relating to movement of mobile homes.

Brief Description: Regulating movement of older mobile homes.

Sponsors: Senators Schoesler, Prentice, Sheldon, Honeyford, Haugen and Delvin.

Brief History:

Committee Activity: Financial Institutions, Housing & Consumer Protection: 1/27/05,
2/23/05[DPS-WM].

Ways & Means: 3/7/05 [DPS(FHC)]

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & CONSUMER PROTECTION

Majority Report: That Substitute Senate Bill No. 5366 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benton, Ranking Minority Member; Benson, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel.

Staff: Jennifer Arnold (786-7471)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5366 as recommended by Committee on Financial Institutions, Housing & Consumer Protection be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Doumit, Vice Chair; Fraser, Vice Chair; Zarelli, Ranking Minority Member; Brandland, Fairley, Hewitt, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Paula Faas (786-7449)

Background: There are concerns that mobile homes constructed prior to 1976, in general, pose health and safety risks, if not in compliance with the Department of Labor and Industries' safety rules. It is further believed that the sale of mobile homes posing such risks can be preemptively curtailed by regulating the transportation of mobile homes that do not meet the Department of Labor and Industries' standards.

Currently, in order to transport a mobile home on a state public highway, special permits must be obtained from the Department of Transportation and local authorities, along with payment of a fee.

Summary of Substitute Bill: Additional requirements are created for the transportation along state public highways of mobile homes constructed prior to 1976. These new requirements provide that a transporter must either: (1) obtain a certificate from the Department of Labor and Industries (L&I) that the mobile home was inspected for fire safety; or (2) a signed affidavit that the mobile home is being moved by the owner for his or her continued use or occupation. A mobile home that fails L&I's fire inspection may be transported; however, the department must develop a system for notifying the county to which the home is destined.

L&I is required to adopt safety rules for pre-1976 mobile homes for the purpose of implementing existing statutes that prohibit the sale or lease of older mobile homes that do not meet the department's safety standards.

To inform buyers of pre-1976 mobile homes of existing local regulations, the seller must provide a signed affidavit, stating that if the home fails to meet federal or L&I safety and fire standards, the local government may deny a siting permit.

Substitute Bill Compared to Original Bill: A transporter of a pre-1976 mobile home is not required to obtain either a certificate of compliance with L&I safety rules or a signed affidavit that the home is being hauled to a disposal site; however such homes must be inspected for fire safety. L&I is required to develop a system for notifying destination counties of the transportation of homes that fail fire inspections and the department must develop safety rules for pre-1976 homes. Buyers of pre-1976 homes must be given certain disclosures regarding siting permits.

Appropriation: None.

Fiscal Note: Requested on January 20, 2005.

Committee/Commission/Task Force Created: No.

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

Testimony For: Many older mobile homes that do not meet safety standards are sold, leaving the buyer unable to get a permit and then in turn, abandoning the home because dumping fees are too high. For example, in Adams County, one property owner let others abandon a large number of mobile homes on his site, resulting in environmental damage and high costs to the county. This bill would stop the movement of older move homes that are not up to code and ensure that only those that can meet the safety requirements to be permitted can be moved.

Testimony Against: None.

Other: There may be unintended consequences to seniors. The impact is that all pre-76 homes presumptively do not comply with L&I because the department's rules were not in place until after 1976. Further, all changes to bring pre-1976 homes into compliance with the department's rules would be cost-prohibitive. Therefore, people who own their home and want to relocate, but can't afford L&I's changes, will only be allowed to take their home to the dump.

Who Testified: PRO: Pete Schmidt, Department of Labor and Industries; Jim Potts, Rural Counties; Bob Mitchell, Washington Association of Realtors. OTHER: Bruce Neas, Columbia Legal Services.