
SUBSTITUTE HOUSE BILL 1393

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Housing (originally sponsored by Representatives Buri, Grant, Cox, B. Sullivan, Condotta, Dunshee and Chase)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to movement of mobile homes; and amending RCW
2 46.44.170, 43.22.340, 43.22.432, and 46.12.290.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.44.170 and 2004 c 79 s 4 are each amended to read
5 as follows:

6 (1) Any person moving a mobile home as defined in RCW 46.04.302 or
7 a park model trailer as defined in RCW 46.04.622 upon public highways
8 of the state must obtain: (a) A special permit from the department of
9 transportation and local authorities pursuant to RCW 46.44.090 and
10 46.44.093 and shall pay the proper fee as prescribed by RCW 46.44.0941
11 and 46.44.096; and (b) for mobile homes constructed before June 15,
12 1976, and already situated in the state; (i) a certification from the
13 department of labor and industries that the mobile home was inspected
14 for fire safety; or (ii) an affidavit in the form prescribed by the
15 department of community, trade, and economic development signed by the
16 owner stating that the mobile home is being moved by the owner for his
17 or her continued occupation or use; or (iii) a copy of the certificate
18 of ownership together with an affidavit signed under penalty of perjury

1 by the certified owner stating that the mobile home is being
2 transferred to a wrecking yard or similar facility for disposal.

3 (2) A special permit issued as provided in subsection (1) of this
4 section for the movement of any mobile home or a park model trailer
5 that is assessed for purposes of property taxes shall not be valid
6 until the county treasurer of the county in which the mobile home or
7 park model trailer is located shall endorse or attach his or her
8 certificate that all property taxes which are a lien or which are
9 delinquent, or both, upon the mobile home or park model trailer being
10 moved have been satisfied. Further, any mobile home or park model
11 trailer required to have a special movement permit under this section
12 shall display an easily recognizable decal. However, endorsement or
13 certification by the county treasurer and the display of the decal is
14 not required:

15 (a) When a mobile home or park model trailer is to enter the state
16 or is being moved from a manufacturer or distributor to a retail sales
17 outlet or directly to the purchaser's designated location or between
18 retail and sales outlets;

19 (b) When a signed affidavit of destruction is filed with the county
20 assessor and the mobile home or park model trailer is being moved to a
21 disposal site by a landlord as defined in RCW 59.20.030 after (i) the
22 mobile home or park model trailer has been abandoned as defined in RCW
23 59.20.030; or (ii) a final judgment for restitution of the premises
24 under RCW 59.18.410 has been executed in favor of the landlord with
25 regard to the mobile home or park model trailer. The mobile home or
26 park model trailer will be removed from the tax rolls and, upon
27 notification by the assessor, any outstanding taxes on the destroyed
28 mobile home or park model trailer will be removed by the county
29 treasurer; or

30 (c) When a signed affidavit of destruction is filed with the county
31 assessor by any mobile home or park model trailer owner or any property
32 owner with an abandoned mobile home or park model trailer, the same
33 shall be removed from the tax rolls and upon notification by the
34 assessor, any outstanding taxes on the destroyed mobile home or park
35 model trailer shall be removed by the county treasurer.

36 (3) If the landlord of a mobile home park takes ownership of a
37 mobile home or park model trailer with the intent to resell or rent the
38 same under RCW 59.20.030 after (a) the mobile home or park model

1 trailer has been abandoned as defined in RCW 59.20.030; or (b) a final
2 judgment for restitution of the premises under RCW 59.18.410 has been
3 executed in favor of the landlord with regard to the mobile home or
4 park model trailer, the outstanding taxes become the responsibility of
5 the landlord.

6 (4) It is the responsibility of the owner of the mobile home or
7 park model trailer subject to property taxes or the agent to obtain the
8 endorsement and decal from the county treasurer before a mobile home or
9 park model trailer is moved.

10 (5) This section does not prohibit the issuance of vehicle license
11 plates for a mobile home or park model trailer subject to property
12 taxes, but plates shall not be issued unless the mobile home or park
13 model trailer subject to property taxes for which plates are sought has
14 been listed for property tax purposes in the county in which it is
15 principally located and the appropriate fee for the license has been
16 paid.

17 (6) The department of transportation, the department of labor and
18 industries, and local authorities are authorized to adopt reasonable
19 rules for implementing the provisions of this section. The department
20 of transportation shall adopt rules specifying the design, reflective
21 characteristics, annual coloration, and for the uniform implementation
22 of the decal required by this section. By January 1, 2006, the
23 department of labor and industries shall also adopt procedures for
24 notifying destination local jurisdictions concerning the arrival of
25 mobile homes that failed safety inspections.

26 **Sec. 2.** RCW 43.22.340 and 2003 c 53 s 228 are each amended to read
27 as follows:

28 (1) The director shall adopt specific rules for conversion vending
29 units and medical units. The rules for conversion vending units and
30 medical units shall be established to protect the occupants from fire;
31 to address other life safety issues; and to ensure that the design and
32 construction are capable of supporting any concentrated load of five
33 hundred pounds or more. Also, the director shall adopt specific rules
34 concerning safety standards as necessary to implement subsection (3) of
35 this section by January 1, 2006.

36 (2) The director of labor and industries shall adopt rules
37 governing safety of body and frame design, and the installation of

1 plumbing, heating, and electrical equipment in mobile homes, commercial
2 coaches, recreational vehicles, and/or park trailers: PROVIDED, That
3 the director shall not prescribe or enforce rules governing the body
4 and frame design of recreational vehicles and park trailers until after
5 the American National Standards Institute shall have published
6 standards and specifications upon this subject. The rules shall be
7 reasonably consistent with recognized and accepted principles of safety
8 for body and frame design and plumbing, heating, and electrical
9 installations, in order to protect the health and safety of the people
10 of this state from dangers inherent in the use of substandard and
11 unsafe body and frame design, construction, plumbing, heating,
12 electrical, and other equipment and shall correlate with and, so far as
13 practicable, conform to the then current standards and specifications
14 of the American National Standards Institute standards A119.1 for
15 mobile homes and commercial coaches, A119.2 for recreational vehicles,
16 and A119.5 for park trailers.

17 (3) Except as provided in RCW 43.22.436, it shall be unlawful for
18 any person to lease, sell or offer for sale, within this state, any
19 mobile homes, commercial coaches, conversion vending units, medical
20 units, recreational vehicles, and/or park trailers manufactured after
21 January 1, 1968, containing plumbing, heating, electrical, or other
22 equipment, and after July 1, 1970, body and frame design or
23 construction, unless such equipment, design, or construction meets the
24 requirements of the rules provided for in this section.

25 (4) Any person violating this section is guilty of a misdemeanor.
26 Each day upon which a violation occurs shall constitute a separate
27 violation.

28 **Sec. 3.** RCW 43.22.432 and 2002 c 268 s 7 are each amended to read
29 as follows:

30 (1) The department may adopt all standards and regulations adopted
31 by the secretary under the national manufactured home construction and
32 safety standards act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426)
33 for manufactured home construction and safety standards. If any
34 deletions or amendments to the federal standards or regulations are
35 thereafter made and notice thereof is given to the department, the
36 standards or regulations shall be considered automatically adopted by
37 the state under this chapter after the expiration of thirty days from

1 publication in the federal register of a final order describing the
2 deletions or amendments unless within that thirty day period the
3 department objects to the deletion or amendment. In case of objection,
4 the department shall proceed under the rule making procedure of chapter
5 34.05 RCW.

6 (2) The department shall adopt rules with respect to manufactured
7 homes that require the prior written approval of the department before
8 changes or alterations may be made to a manufactured home that differ
9 from the construction standards provided for in this section.

10 (3) For purposes of implementing this section, by January 1, 2006,
11 the department shall adopt requirements for manufactured homes built
12 prior to 1976.

13 (4) Except as provided in RCW 43.22.436, it is unlawful for any
14 person to lease, sell, or offer for sale, within this state, a
15 manufactured home unless the home meets the requirements of the rules
16 provided for in this section.

17 **Sec. 4.** RCW 46.12.290 and 1993 c 154 s 2 are each amended to read
18 as follows:

19 (1) The provisions of chapter 46.12 RCW insofar as they are not
20 inconsistent with the provisions of chapter 231, Laws of 1971 ex. sess.
21 or chapter 65.20 RCW apply to mobile or manufactured homes: PROVIDED,
22 That RCW 46.12.080 and 46.12.250 through 46.12.270 shall not apply to
23 mobile or manufactured homes.

24 (2) In order to transfer ownership of a mobile home, all registered
25 owners of record must sign the title certificate releasing their
26 ownership. If the mobile home was manufactured prior to June 15, 1976,
27 the registered owner must sign an affidavit in the form prescribed by
28 the department of licensing that notice was provided to the purchaser
29 of the mobile home that failure of the mobile home to meet federal
30 housing and urban development standards or failure of the mobile home
31 to meet a fire and safety inspection by the department of labor and
32 industries may result in denial by a local jurisdiction of a permit to
33 site the mobile home.

34 (3) The director of licensing shall have the power to adopt such
35 rules as necessary to implement the provisions of this chapter relating

1 to mobile homes.

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