

SENATE BILL REPORT

ESHB 1688

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, APRIL 2, 1993

Brief Description: Installing manufactured homes.

SPONSORS: House Committee on Trade, Economic Development & Housing (originally sponsored by Representatives Campbell, Forner, Roland, Tate, Mastin, Conway, Shin and Sheldon)

HOUSE COMMITTEE ON TRADE, ECONOMIC DEVELOPMENT & HOUSING

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass as amended.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Fraser, McAuliffe, Newhouse, Pelz, Prince, Sutherland, and Vognild.

Staff: Traci Ratzliff (786-7452)

Hearing Dates: April 2, 1993

BACKGROUND:

It is a violation of the state Consumer Protection Act if a contractor, manufactured home dealer, or manufactured home manufacturer improperly installs a manufactured home which: (1) causes a health and safety risk to the occupants of the manufactured home; or (2) severely hinders the use and enjoyment of the manufactured home.

Although there are penalties for the improper installation of a manufactured home, there is no training or certification required for a person to install a manufactured home.

SUMMARY:

A certification program for manufactured home installers is established in the Department of Community Development. After July 1, 1994, no manufactured home may be installed without a certified manufactured home installer being on the installation site. It is a violation for a manufactured home dealer or manufacturer to engage an uncertified person to install a manufactured home. At least one certified manufactured home installer must be on the installation site.

Persons who wish to be certified to install manufactured homes must apply to the Department of Community Development. The applicant must demonstrate sufficient experience in, as well as demonstrate general knowledge of, manufactured home installation. The Director of the Department of Community

Development reviews applications for certification and determines which applicants are eligible to take the training course and examination for certification. Any applicants for certification after July 1, 1995, must provide written evidence of six months of experience under the direct supervision of a certified manufactured home installer. Before July 1, 1995, the department shall require applicants to provide evidence of experience in lieu of the experience under the supervision of a certified installer.

The department must prepare an examination to test the applicant's general knowledge of the technical information and practical procedures necessary for installing manufactured homes, applicable federal and state laws relating to manufactured homes, and local government regulations related to manufactured home installations. A certificate of manufactured home installation is renewable every three years. The department shall determine the continuing education that is necessary for renewal of the certificate. If a person fails to renew the certificate by the renewal date, the person must retake the examination. The department shall charge fees for the issuance, renewal, and reinstatement of all certificates, and for the training courses and examinations required for certification. The fees may only be used to cover the full costs of administering and enforcing the program. Fees are to be deposited into the general fund.

A certificate of manufactured home installation may be revoked by the Department of Community Development if: the certificate was obtained through fraud or error; the holder is found to be incompetent as a result of multiple violations of the state installation code; the holder's bond has expired, exhausted, or terminated; or the holder has violated a statute or rule implementing the certification law. The holder of a certificate must be given written notice of the intent to revoke the certificate, which includes the right to request a hearing on the revocation. All hearings are conducted in accordance with the Administrative Procedure Act.

An authorized representative, including a local building official, may investigate violations and inspect sites at which manufactured home installation work is being performed. Procedures are established for the issuance and appeals of infractions. Each day in which a person improperly engages in the installation of manufactured homes is a separate infraction. Each worksite at which a person improperly engages in the installation of manufactured homes is a separate infraction. Infractions are heard and determined under the Administrative Procedure Act. If a person is found to have committed an infraction, a monetary penalty of \$1,000 is assessed.

SUMMARY OF PROPOSED SENATE AMENDMENT:

The manufactured home installation training fund is created. All legislative appropriations and fees collected are deposited in the fund. Expenditures from the fund must be used for the support of the Manufactured Home Installation

Training and Certification Program. The fund is subject to allotment procedures under Chapter 43.88 RCW.

Appropriation: none

Revenue: none

Fiscal Note: requested March 7, 1993

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

The initial installation of a manufactured home is critical to assure the proper functioning of the home. Currently, installers of manufactured homes are not required to be trained or licensed to install such homes. Training, education and licensing of these installers will help to protect owners of manufactured homes from the faulty installation of their homes by underskilled individuals.

TESTIMONY AGAINST: None

TESTIFIED: Ron Clark, Manufactured Homes Association (pro);
Corinne Foster, Department of Community Development