

# HOUSE BILL No. 4512

March 22, 1989, Introduced by Reps. DeBeaussaert, Gire, DeMars, Rocca, Gubow, Miller, Perry Bullard and Willis Bullard and referred to the Committee on Urban Affairs.

A bill to amend section 5 of Act No. 96 of the Public Acts of 1987, entitled  
"The mobile home commission act,"  
being section 125.2305 of the Michigan Compiled Laws; and to add section 5a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 5 of Act No. 96 of the Public Acts of  
2 1987, being section 125.2305 of the Michigan Compiled Laws, is  
3 amended and section 5a is added to read as follows:

4       Sec. 5. (1) The commission shall promulgate the mobile home  
5 code subject to section 4. The code shall consist of rules gov-  
6 erning all of the following:

7       (a) The licensure, density, layout, permits for  
8 construction, AND construction of mobile home parks including  
9 standards for roads, utilities, open space, or proposed

1 recreational facilities; ~~—~~ and safety measures sufficient to  
2 protect health, safety, and welfare of mobile home park resi-  
3 dents, except water supply, sewage collection and treatment, and  
4 drainage facilities ~~—which—~~ THAT are regulated by the department  
5 of public health.

6 (b) The business, sales, and service practices of mobile  
7 home dealers.

8 (c) The business practices of mobile home installers and  
9 repairers.

10 (d) The licensure and ~~—regulations—~~ REGULATION of mobile  
11 home installers and repairers.

12 (e) The setup and installation of mobile homes inside mobile  
13 home parks or seasonal mobile home parks.

14 (f) The regulation of the responsibilities, under the mobile  
15 home warranty, of the mobile home components manufacturer, the  
16 mobile home assembler or manufacturer, and the mobile home  
17 dealer, including the time period and relationships of each under  
18 the warranty, and the remedies available, if any, if the respon-  
19 sible parties cease to operate as a business.

20 (g) Abuses relating to all of the following:

21 (i) Consumer deposits, except utility deposits from consum-  
22 ers who are direct customers of utilities regulated by the  
23 Michigan public service commission.

24 (ii) Detailed listing of furnishings and fixtures by a manu-  
25 facturer of a new mobile home or a mobile home dealer for a used  
26 mobile home.

(iii) Disclosure and delivery of manufacturer's warranties.

(iv) Used mobile homes. A mobile home dealer shall provide A detailed listing of its service records for used mobile homes ~~which~~ THAT are being sold by the dealer and of which the dealer has knowledge.

(h) Applications for and issuance of certificates of title for mobile homes.

(2) As part of the code, the commission shall also promulgate rules governing the licensure, density, layout, permits for construction, and construction of seasonal mobile home parks, including standards for roads, utilities, open space, AND proposed recreational facilities; ~~and~~ and safety measures sufficient to protect the health, safety, and welfare of seasonal mobile home park residents, except water supply, sewage collection and treatment, and drainage facilities ~~, which shall be~~ THAT ARE regulated by the department of public health.

(3) THE COMMISSION SHALL PROMULGATE AS PART OF THE CODE RULES CONCERNING SHELTERS FOR PROTECTION FROM HIGH WINDS AND TORNADOES AS DESCRIBED IN SECTION 5A.

(4) ~~(3)~~ The rules promulgated for seasonal mobile home parks may impose a less stringent standard than the rules promulgated for mobile home parks.

SEC. 5A. THE RULES REQUIRED BY SECTION 5(3) SHALL REQUIRE THAT, WITHIN 18 MONTHS AFTER THE DATE ON WHICH THE RULES REQUIRED BY SECTION 5(3) ARE FILED IN THE OFFICE OF THE SECRETARY OF STATE, MOBILE HOME PARK AND SEASONAL MOBILE HOME PARK OWNERS ENSURE THAT SHELTERS FOR PROTECTION FROM HIGH WINDS AND TORNADOES

1 ARE AVAILABLE TO PARK RESIDENTS. THE RULES SHALL INCLUDE AT  
2 LEAST THE FOLLOWING:

3 (A) A REQUIREMENT THAT A SHELTER FOR A MOBILE HOME PARK OR  
4 SEASONAL MOBILE HOME PARK BE LOCATED AS FOLLOWS:

5 (i) FOR A PARK FOR WHICH A PERMIT TO CONSTRUCT IS ISSUED  
6 UNDER SECTION 12 AFTER THE DATE ON WHICH THE RULES REQUIRED BY  
7 SECTION 5(3) ARE FILED IN THE OFFICE OF THE SECRETARY OF STATE,  
8 AT THE PARK.

9 (ii) FOR A PARK EXISTING ON THE DATE ON WHICH THE RULES  
10 REQUIRED BY SECTION 5(3) ARE FILED IN THE OFFICE OF THE SECRETARY  
11 OF STATE, OR A PARK FOR WHICH A CONSTRUCTION PERMIT IS ISSUED ON  
12 OR BEFORE THAT DATE, AT THE PARK OR WITHIN A REASONABLE DISTANCE  
13 FROM THE PARK. THE RULES SHALL REQUIRE THAT, IN DETERMINING  
14 WHETHER THE DISTANCE OF A SHELTER FROM A PARK IS REASONABLE, THE  
15 DEPARTMENT CONSIDER, AMONG OTHER FACTORS, THE PARK EVACUATION  
16 PLAN, IF ANY.

17 (B) A REQUIREMENT THAT A PERSON SHALL NOT MODIFY A STRUCTURE  
18 FOR USE AS A SHELTER OR CONSTRUCT A SHELTER TO SATISFY THE  
19 REQUIREMENTS OF THIS SUBSECTION WITHOUT FIRST OBTAINING A PERMIT  
20 ISSUED BY THE DEPARTMENT AND THAT THE OWNER OR OPERATOR OF THE  
21 PARK AND A REGISTERED PROFESSIONAL ENGINEER FILE WITH THE DEPART-  
22 MENT AN AFFIDAVIT CERTIFYING THAT THE SHELTER IS COMPLETED IN  
23 ACCORDANCE WITH THE TERMS OF THE PERMIT.

24 (C) A REQUIREMENT THAT DEPARTMENT CERTIFICATION BE OBTAINED  
25 FOR ANY OF THE FOLLOWING IF PROPOSED TO BE USED WITHOUT MODIFICA-  
26 TION AS A SHELTER SATISFYING THE REQUIREMENTS OF THIS SECTION:

1       (i) A STRUCTURE CONSTRUCTED BEFORE THE DATE ON WHICH THE  
2 RULES REQUIRED BY SECTION 5(3) ARE FILED IN THE OFFICE OF THE  
3 SECRETARY OF STATE.

4       (ii) A STRUCTURE CONSTRUCTED AFTER THE DATE ON WHICH THE  
5 RULES REQUIRED BY SECTION 5(3) ARE FILED IN THE OFFICE OF THE  
6 SECRETARY OF STATE AND NOT CONSTRUCTED FOR USE AS A SHELTER SAT-  
7 ISFYING THE REQUIREMENTS OF THIS SECTION.

8       (D) STANDARDS, DEVELOPED IN CONSULTATION WITH THE STATE CON-  
9 STRUCTION CODE COMMISSION PURSUANT TO THE STATE CONSTRUCTION CODE  
10 ACT OF 1972, ACT NO. 230 OF THE PUBLIC ACTS OF 1972, BEING SEC-  
11 TIONS 125.1501 TO 125.1531 OF THE MICHIGAN COMPILED LAWS, REQUIR-  
12 ING THAT SHELTERS HAVE ADEQUATE STRENGTH, SPACE, EXITS, ILLUMINA-  
13 TION, VENTILATION, SANITATION, AND SAFETY FROM UTILITY LINES,  
14 FIRE HAZARDS, AND FLOODING.