



Manufactured Housing Association for Regulatory Reform

1331 Pennsylvania Avenue, NW • Suite 512 • Washington, DC 20004 • 202-783-4087 • Fax 202-783-4075 • mharrdg@aol.com

November 20, 2014

VIA FEDERAL EXPRESS

Mr. Richard A. Coon
President & CEO
Recreational Vehicle Industry Association
1896 Preston White Drive
Reston, Virginia 20191

Re: Establishing a Firewall Separation Between Manufactured Homes and Recreational Vehicles

Dear ~~Mr. Coon:~~
RICHARD

I am writing to invite RVIA to join with the Manufactured Housing Association for Regulatory Reform (MHARR) to pursue a workable and reasonable consensus-based resolution to create a separation and firewall between recreational vehicles (RVs) and manufactured homes regulated by the U.S. Department of Housing and Urban Development (HUD). The manufactured housing industry understands the ongoing concerns that the RV industry has expressed regarding this matter, and MHARR would like to work together with RVIA toward an appropriate resolution, as outlined below.

As you know, most of the HUD Code industry has taken the position that this issue can best be resolved (substantively and procedurally) – to the satisfaction of both industries -- through amendments to appropriate sections of the HUD Manufactured Housing Construction and Safety Standards (24 C.F.R. 3280) and Procedural and Enforcement Regulations (24 C.F.R. 3282), rather than a legislative amendment to the National Manufactured Housing Construction and Safety Standards Act of 1974 (as amended by the Manufactured Housing Improvement Act of 2000).

That law, which established comprehensive federal regulation of the manufactured housing industry is a housing law, designed to regulate permanent residential structures. In its original form – and as one would expect for a housing law – it said absolutely nothing about RVs. The RV industry, however, in the late 1990s, introduced RVs into the federal law, for the first time, through language excluding “self-propelled” motorhome RVs from the law’s definition of “manufactured home.” This particular language was innocuous to the HUD Code industry due to the motorized nature of these units, but that language has since created confusion about the status of other types of non-“self-propelled” RVs that now needs to be addressed in a proper manner.

Rather than tampering further with the law, and potentially making a problematic situation even worse by inviting new ambiguities and/or language disputes, the best way to ensure a proper firewall between RVs and HUD-regulated manufactured homes lies in modifications to the relevant HUD standards and regulations (please see MHARR proposal attached) where various types of RVs (including both “self-propelled” and non-“self-propelled” RVs) are addressed. This would also be consistent, as you know, with the Report of the Senate Appropriations Committee on the 2015 HUD appropriations bill, which stated: “The Committee encourages HUD to review its definition of what constitutes a recreational vehicle and consider updating the definition through an open, transparent and inclusive process.”

As you no doubt are aware, HUD has already placed this matter on the agenda for the upcoming Manufactured Housing Consensus Committee (MHCC) meeting on December 2-4, 2014 (please see attached notice). Given the immediate time constraints imposed by this schedule, the MHARR Board of Directors, at its November 7, 2014 meeting, reviewed this matter and instructed the Association to submit such a regulatory proposal for consideration by the MHCC and HUD.

We encourage RVIA to join with us in advancing these amendments through the HUD regulatory process. Please do not hesitate to call me if you have any questions, need additional information, or wish to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Ghorbani", with a stylized flourish at the end.

Danny D. Ghorbani
President & CEO

cc: Hon. Marlin Stutzman
Hon. Jackie Walorski
Hon. Sean Duffy
Hon. Dan Coats
Hon. Joe Donnelly
Ms. Pamela Danner
Manufactured Housing Consensus Committee Members
MHARR Board of Directors

**MHARR PROPOSED REVISIONS FOR A REGULATORY FIREWALL SEPARATION
BETWEEN MANUFACTURED HOMES AND RECREATIONAL VEHICLES**

RELEVANT CURRENT PROVISIONS:

1. HUD STATUTORY DEFINITION:

“Manufactured home” means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis *and designed to be used as a dwelling* with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein ... *except that such term shall not include any self-propelled recreational vehicle.*”

2. CURRENT HUD STANDARDS DEFINITION – “DWELLING UNIT” (24 C.F.R. 3280.2):

“Dwelling unit” means one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking and eating.”

3. CURRENT HUD STANDARDS DEFINITION – “MANUFACTURED HOME” (24 C.F.R. 3280.2):

“Manufactured home” means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or which when erected on-site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. This term includes all structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to § 3282.13 of this chapter and complies with the construction and safety standards set forth in this part 3280. The term does not include any self-propelled recreational vehicle. Calculations used to determine the number of square feet in a structure will include the total of square feet for each transportable section comprising the completed structure and will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Nothing in this definition should be interpreted to mean that a manufactured home necessarily meets the requirements of HUD's Minimum Property Standards (HUD Handbook 4900.1) or that it is automatically eligible for financing under 12 U.S.C. 1709(b).”

4. CURRENT REGULATORY RV DEFINITION AND EXCLUSION 24 C.F.R. 3282.8(g):

“Recreational vehicles. Recreational vehicles are not subject to this part, part 3280, or part 3283. A recreational vehicle is a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) Self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.”

MHARR SUGGESTED REVISIONS FOR DEFINITION OF MANUFACTURED HOMES VIS-À-VIS RECREATIONAL VEHICLES, MODIFYING 2, 3 AND 4 ABOVE:

24 C.F.R. 3280.2:

~~“Dwelling” Unit~~ means ~~one or more habitable rooms which are designed to be occupied by one family with facilities for living sleeping and eating.”~~ a structure designed and constructed for use as a permanent residence by one or more persons, with facilities for sleeping, eating, cooking and sanitation, which constitutes an independent living unit. The term “dwelling” (as defined in 24 C.F.R. 3282.8(g) does not include recreational vehicles or other transportable structures designed, constructed and utilized exclusively for temporary, non-residential occupancy.

24 C.F.R. 3280.2:

~~“Manufactured home”~~ means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or which when erected on-site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. This term includes all structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to § 3282.13 of this chapter and complies with the construction and safety standards set forth in this part 3280. ~~The term does not include any self-propelled recreational vehicle.~~ Calculations used to determine the number of square feet in a structure will include the total of square feet for each transportable section comprising the completed structure and will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Nothing in this definition should be interpreted to mean that a manufactured home necessarily meets the requirements of HUD's Minimum Property Standards (HUD Handbook 4900.1) or that it is automatically eligible for financing under 12 U.S.C. 1709(b).”

24 C.F.R. 3282.8(g):

~~“Recreational vehicles. Recreational vehicles are not subject to this part, part 3280, or part 3283.~~

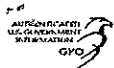
A recreational vehicle is a vehicle which is:

- (1) ~~Built on a single chassis;~~
- (2) ~~400 square feet or less when measured at the largest horizontal projections;~~
- (3) ~~Self propelled or permanently towable by a light-duty truck; and~~
- (4) ~~Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.”~~

“A ‘recreational vehicle’ is a self-propelled or towable vehicle, or other transportable structure, not affixed to land either permanently or temporarily, that is neither designed, constructed nor utilized as a dwelling.”

KEY:

- Text ~~strike-throughs~~ indicate deleted language
- Text underlines indicate new or revised language



D. Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section as soon as possible.

Dated: October 27, 2014.

J.H. Korn,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 2014-26750 Filed 11-10-14; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651-0033]

Agency Information Collection Activities: Bonded Warehouse Proprietor's Submission

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Bonded Warehouse Proprietor's Submission (CBP Form 300). CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before January 12, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other

Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Bonded Warehouse Proprietor's Submission.

OMB Number: 1651-0033.

Form Number: Form 300.

Abstract: CBP Form 300, *The Bonded Warehouse Proprietor's Submission*, is filed annually by each warehouse proprietor. The information on CBP Form 300 is used by CBP to evaluate warehouse activity for the year. This form must be filed within 45 days of the end of his business year, pursuant to the provisions of the Tariff Act of 1930, as amended, 19 U.S.C. 66, 1311, 1555, 1556, 1557, 1623 and 19 CFR 19.12(5). The information collected on this form helps CBP determine all bonded merchandise that was entered, released, and manipulated in the warehouse. CBP Form 300 is accessible at http://forms.cbp.gov/pdf/CBP_Form_300.pdf.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to CBP Form 300.

Type of Review: Extension (without change).

Affected Public: Businesses.

Estimated Number of Respondents: 1,800.

Estimated Number of Total Annual Responses: 1,800.

Estimated Time per Response: 25 hours.

Estimated Total Annual Burden Hours: 45,000.

Dated: November 5, 2014.

Tracey Denning,
Agency Clearance Officer, U.S. Customs and Border Protection.

[FR Doc. 2014-26746 Filed 11-10-14; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5765-N-04]

Notice of a Federal Advisory Committee Meeting; Manufactured Housing Consensus Committee

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice of a Federal Advisory Committee Meeting; Manufactured Housing Consensus Committee (MHCC).

SUMMARY: This notice sets forth the schedule and proposed agenda for a meeting of the MHCC. The meeting is open to the public and the site is accessible to individuals with disabilities. The agenda provides an opportunity for citizens to comment on the business before the MHCC.

DATES: The meeting will be held on December 2nd thru 4th, 2014, from 9:00 a.m. to 5:00 p.m. Eastern Standard Time (EST) daily.

ADDRESSES: The meeting will be held at the Sheraton Pentagon City Hotel, 900 South Orme Street, Arlington, Virginia 22204.

FOR FURTHER INFORMATION CONTACT: Pamela Beck Danner, Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, 451 7th Street SW., Room 9166, Washington, DC 20410, telephone (202) 708-6423 (this is not a toll-free number). Persons who have difficulty hearing or speaking may access this number via TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION: Notice of this meeting is provided in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. 10(a)(2) through implementing regulations at 41 CFR 102-3.150. The MHCC was established by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5403(a)(3), as amended by the Manufactured Housing Improvement Act of 2000, (Pub. L. 106-569). According to 42 U.S.C. 5403, as amended, the purposes of the MHCC are to:

- Provide periodic recommendations to the Secretary to adopt, revise, and

interpret the Federal manufactured housing construction and safety standards in accordance with this subsection;

- Provide periodic recommendations to the Secretary to adopt, revise, and interpret the procedural and enforcement regulations, including regulations specifying the permissible scope and conduct of monitoring in accordance with subsection (b);

- Be organized and carry out its business in a manner that guarantees a fair opportunity for the expression and consideration of various positions and for public participation.

The MHCC is deemed an advisory committee not composed of Federal employees.

Public Comment: Citizens wishing to make comments on the business of the MHCC are encouraged to register by or before November 25, 2014, by contacting Home Innovation Research Labs; *Attention:* Kevin Kauffman, 400 Prince Georges Blvd., Upper Marlboro, MD 20774, or email to mhcc@homeinnovation.com. Written comments are encouraged. The MHCC strives to accommodate citizen comments to the extent possible within the time constraints of the meeting agenda. Advance registration is strongly encouraged. The MHCC will also provide an opportunity for public comment on specific matters before the MHCC.

Tentative Agenda

Tuesday, December 2, 2014 From 9:00 a.m. to 5:00 p.m. EST

- I. Call to Order—Chair
 - FACA Announcements—Designated Federal Officer (DFO)
- II. Opening Remarks—Chair & DFO
- III. Review and Approve MHCC Minutes from June 26, 2014 teleconference
- * IV. Action Item 4: RV Park Model Memorandum dated Oct. 1, 2014—Background presented by HUD staff followed by MHCC discussion
- V. Public comment period #1—Public
- VI. Log 87—Change in minimum horizontal dimension § 3280.112
- VII. MHCC Recommendations
- VIII. Discuss and assign reference standards to Subcommittees
 - Technical Systems Subcommittee Meeting
 - Review and Approve Technical Systems Subcommittee Minutes from September 16, 2014 teleconference
 - Action Item 2: GAO Report on Ventilation Systems and Air Quality
 - Review Current Log Item: Log 88—Circulating Air Systems—

§ 3280.715

- General Subcommittee Meeting
- Structure and Design Subcommittee Meeting
- Action Item 3: Southern Yellow Design Values
- Regulatory Enforcement Subcommittee Meeting

Wednesday, December 3, 2014, 9:00 a.m. to 5:00 p.m. EST

- I. Reconvene Meeting—Chair & DFO
 - FACA Announcements—DFO
- II. Roll Call—Administering Organization (AO)
- III. Subcommittee Reports to MHCC
 - Technical Systems Subcommittee
 - Log 85—Arc Fault Breakers—§ 3280.801
 - Log 86—Tamper Resistant Receptacles—§ 3280.806(a)
 - General Subcommittee
 - Structure and Design Subcommittee
 - Regulatory Enforcement Subcommittee
- IV. Public comment period #2—Public
- V. Report on Multifamily Housing Issue—Memorandum dated October 3, 2014
- VI. Subcommittees meet to discuss reference standards
 - Technical Systems Subcommittee Meeting
 - General Subcommittee Meeting
 - Structure and Design Subcommittee Meeting
 - Regulatory Enforcement Subcommittee Meeting

Thursday, December 4, 2014, 9:00 a.m. to 5:00 p.m. EST

- I. Reconvene Meeting—Chair & DFO
 - FACA Announcements—DFO
- II. Roll Call—Administering Organization (AO)
- III. Report from Department of Energy (DOE) on progress of manufactured housing energy standards
- IV. Subcommittee Reports to MHCC
 - Technical Systems Subcommittee
 - General Subcommittee
 - Structure and Design Subcommittee
 - Regulatory Enforcement Subcommittee
- V. Public comment period #3—Public
- VI. MHCC reconvenes for final comments and discussion
 - Open discussion
 - Future Meetings/Conference Calls—MHCC
 - Closing Announcements—Chair
- VII. Adjourn: 5:00 p.m. EST

Dated: November 6, 2014.

Pamela Beck Danner,
Administrator, Office of Manufactured Housing Programs.

[FR Doc. 2014-26766 Filed 11-10-14; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-HQ-MB-2014-N227; 91100-3740-GRNT 7C]

Meeting Announcements: North American Wetlands Conservation Council; Neotropical Migratory Bird Conservation Advisory Group

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of meetings.

SUMMARY: The North American Wetlands Conservation Council (Council) will meet to select North American Wetlands Conservation Act (NAWCA) grant proposals for recommendation to the Migratory Bird Conservation Commission (Commission). This meeting is open to the public. The Advisory Group for the Neotropical Migratory Bird Conservation Act (NMBCA) grants program (Advisory Group) also will meet. This meeting is also open to the public, and interested persons may present oral or written statements.

DATES:

Council: Meeting is December 9, 2014, from 8:30 a.m. to 4:30 p.m. The Council will consider Canadian, Mexican, and U.S. Standard grant proposals. If you are interested in presenting information at this public meeting, contact the Council Coordinator no later than December 5, 2014.

Advisory Group: Meeting is December 10, 2014, from 8:30 a.m. to 4:30 p.m. The Advisory Group will discuss the strategic direction and management of the NMBCA program. If you are interested in presenting information at this public meeting, contact the Council Coordinator no later than December 5, 2014.

ADDRESSES: The Council and Advisory Group meetings will take place at National Fish and Wildlife Foundation, 1133 15th Street NW., Suite 1100, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Cynthia Perry, Council Coordinator, by phone at 703-358-2432; by email at dbhc@fws.gov; or by U.S. mail at U.S. Fish and Wildlife Service, 5275 Leesburg Pike MS: MB, Falls Church, Virginia 22041.

SUPPLEMENTARY INFORMATION: The North American Wetlands Conservation Council (Council) will meet to select North American Wetlands Conservation Act (NAWCA) grant proposals for recommendation to the Migratory Bird Conservation Commission (Commission). This meeting is open to