



MHI Legislative Report November 18, 2014

New Legislation

Michigan H.B. 5964

State Website Full Text (most recent version):

<http://www.multistatetech.com/cgi/citesource?sctnys=MIHB59642014>

Category:

Manufactured Housing (General)

Last Action:

11/13/2014 Introduced; To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE

Synopsis:

Amends the Michigan Vehicle Code, modifies speed limit laws in mobile home parks.

Additional Bill Information:

November 13, 2014 Introduced Language:

...2)-Except in those instances where a lower speed is specified in this chapter or the speed is unsafe under **EXCEPT AS PROVIDED IN** subsection (1), it is ~~prima facie~~ lawful for the operator of a vehicle to operate that vehicle **ON A HIGHWAY** at a speed not exceeding the following : ~~except when this speed would be unsafe:-~~

(A) 15 MILES PER HOUR ON A HIGHWAY SEGMENT WITHIN THE BOUNDARIES OF A MOBILE HOME PARK, AS THAT TERM IS DEFINED IN SECTION 2 OF THE MOBILE HOME COMMISSION ACT, 1987 PA 96, MCL 125.2302.

(B) ~~(a)~~ 25 miles per hour on ~~all highways in~~ A HIGHWAY SEGMENT WITHIN a business district...

...~~(3) It is prima facie unlawful for a person to exceed the speed limits prescribed in subsection (2), except as provided in section 629.-~~

~~(4) A person operating a vehicle in a mobile home park as defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302, shall operate that vehicle at a careful and prudent speed, not greater than a speed that is reasonable and proper, having due regard for the traffic, surface, width of the roadway, and all other conditions existing, and not greater than a speed that permits a stop within the assured clear distance ahead. It is prima facie unlawful for the operator of a vehicle to operate that vehicle at a speed exceeding 15 miles an hour in a mobile home park as defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302.-~~

~~(5) A person operating a passenger vehicle drawing another vehicle or trailer shall not exceed the posted speed limit....~~

Status:

11/13/2014 Introduced; To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE

Sponsor Information:

Bradford Jacobsen (R - Majority)

Committees: Government Operations Committee (Vice Chair); House Committees on Transportation and Infrastructure; Energy and Technology; Education, and Judiciary.

Legislative Movement

Michigan H.B. 5513

State Website Full Text (most recent version):

<http://www.multistatetech.com/cgi/citesource?h=8c2910bd32dd4cd5eb86d41e966b545b>

Category:

Manufactured Housing (General)

Last Action:

11/13/2014 In HOUSE. Read third time. Passed HOUSE.*****To SENATE

Synopsis:

Mobile homes; other; manufactured housing reforms; specify remedies for health and safety violations and provide other reforms. Amends secs. 2, 4, 7, 16, 17, 43 & 48 of 1987 PA 96 (MCL 125.2302 et seq.) & adds secs. 48b & 48d.

Additional Bill Information:

May 1, 2014 Introduced Language:

... (F) PREPARE A DETAILED WRITTEN EXPLANATION OF THE POWERS AND DUTIES OF LOCAL GOVERNMENTS WITH RESPECT TO MOBILE HOME PARKS, SEASONAL MOBILE HOME PARKS, AND MOBILE HOMES AND POST AND MAINTAIN THE DOCUMENT ON THE DEPARTMENT'S WEBSITE.

(G) POST AND MAINTAIN ON THE DEPARTMENT'S WEBSITE ALL CURRENT TECHNICAL BULLETINS.

(H) PROMPTLY NOTIFY A LOCAL GOVERNMENT OF THE ISSUANCE, AMENDMENT, OR RESCISSION OF A TECHNICAL BULLETIN IF THE DEPARTMENT HAS KNOWLEDGE THAT A MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK IS LOCATED IN, OR AN APPLICATION HAS BEEN FILED FOR THE LICENSURE OF A PARK PROPOSED TO BE LOCATED IN, THE LOCAL GOVERNMENT. THE NOTICE SHALL BE SENT BY FIRST-CLASS MAIL OR ELECTRONIC MAIL TO EACH OF THE FOLLOWING:

(I) THE CLERK OF THE LOCAL GOVERNMENT.

(II) THE CHIEF EXECUTIVE OFFICER OF THE LOCAL GOVERNMENT.

(III) THE ENFORCING AGENCY FOR THE LOCAL GOVERNMENT IF, UNDER SECTION 8A OR 8B OF THE STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT, 1972 PA 230, MCL 125.1508A AND 125.1508B, THE LOCAL GOVERNMENT HAS ASSUMED RESPONSIBILITY FOR THE ADMINISTRATION AND ENFORCEMENT WITHIN ITS JURISDICTION OF THAT ACT AND THE STATE CONSTRUCTION CODE OR A PART OF THE STATE CONSTRUCTION CODE OF LIMITED APPLICATION.

(I) IF THE DEPARTMENT RECEIVES A COMPLAINT ABOUT A MOBILE HOME PARK OR SEASONAL MOBILE HOME PARK, PROMPTLY NOTIFY EACH LOCAL GOVERNMENT IN WHICH THE PARK IS LOCATED OF THE DETAILS OF THE COMPLAINT.

(3) The commission shall not ~~act for the purpose of regulating~~ **REGULATE** mobile homes that are not located within a mobile home park or a seasonal mobile home park, except as relates to the business, sales, and service practices of mobile home dealers and the business practices of mobile home installers and repairers.

~~Sec. 7. (1) Except as provided in subsection (7), a local government that proposes a standard related to mobile home parks or seasonal mobile home parks, or related to mobile homes located within a mobile home park or a seasonal mobile home park, that is higher than the standard provided in this act or the code, or that proposes a standard related to the business, sales, and service practices of mobile home dealers, or the business of mobile home installers and repairers, that is higher than the standard provided in this act or the code, shall file the proposed standard with the commission. Except as provided in subsection (7), the commission may promulgate rules to establish the criteria and procedure for implementation of higher standards by a local government. The commission shall review and approve the proposed standard unless the standard is unreasonable, arbitrary, or not in the public interest. If the commission does not approve or disapprove the proposed standard within 60 days after it is filed with the commission, the standard shall be considered approved unless the local government grants the commission additional time to consider the standard. After the proposed standard is approved, the local government may adopt the standard by ordinance. The ordinance shall relate to a specific section of the code.~~

~~(2) A local government standard related to mobile homes not located within a mobile home park or seasonal mobile home park need not be filed with the mobile home commission, unless the standard relates to the business, sales, and service practices of mobile home dealers, or the business of mobile home installers and repairers.~~

(1) ~~(3)~~ A local government ordinance shall not be designed ~~as exclusionary~~ to **EXCLUDE** mobile homes generally, whether the mobile homes are located inside or outside of mobile home parks or seasonal mobile home parks.

(2) ~~(4)~~ A local government ordinance shall not contain a standard for the setup or installation of mobile homes that is incompatible with, or is more stringent than, either of the following:

(a) The manufacturer's recommended setup and installation specifications.

(b) The mobile home setup and installation standards promulgated by the federal department of housing and urban development pursuant to the national manufactured housing construction and safety standards act of 1974, 42 USC 5401 to 5426.

(3) ~~(5)~~ In the absence of any setup or installation specifications or standards for foundations as set forth in subsection ~~(4)(a)~~ **(2)(A)** or (b), the local government standards for site-built housing ~~shall~~ apply.

(4) ~~(6)~~ A local government ordinance shall not contain roof configuration standards or special use zoning requirements that apply only to, or ~~excludes~~ **EXCLUDE**, mobile homes. ~~A local government ordinance shall not contain a manufacturing or construction standard that is incompatible with, or is more stringent than, a standard promulgated by the federal department of housing and urban development pursuant to the national manufactured housing construction and safety standards act of 1974, 42 USC 5401 to 5426. A local government ordinance may include reasonable standards relating to mobile homes located outside of mobile home parks or seasonal mobile home parks which ensure that mobile homes compare aesthetically to site-built housing located or allowed in the same residential zone.~~

(5) ~~(7)~~ Notwithstanding ~~anything in section 17, that may be to the contrary,~~ a local government may adopt an ordinance to ~~inspect~~ **PROVIDE FOR INSPECTION AT** mobile homes for safety, ~~within~~ **WHETHER THE MOBILE HOMES ARE LOCATED WITHIN OR OUTSIDE** a mobile home park, ~~a~~ **OR** seasonal mobile home park, ~~or mobile homes located outside a mobile home park or a seasonal mobile home park if the mobile home being inspected is~~ **IF THE INSPECTION PROGRAM IS LIMITED TO MOBILE HOMES** being rented to a tenant by the owner of the mobile home, ~~The~~ **THE** local government may propose a means to determine which mobile homes located within its jurisdiction are being rented to ~~tenants~~ **A TENANT** by the owner, including, but not limited to, imposition of a registration or a licensing requirement for renting ~~A mobile homes~~ **HOME** to ~~tenants~~ **A TENANT**. A local government

may inspect ~~A mobile homes~~ **HOME** rented to ~~tenants~~ **A TENANT** by the owner for safety if the safety inspection ordinance applies to all other rental housing within the local ~~governmental unit~~.

GOVERNMENT. If a local government inspects mobile homes ~~rented to tenants by the owner~~ for safety, the period between inspections shall not be less than 3 years unless the local government is responding to a complaint from a tenant. An inspection shall not be conducted on a mobile home for which an occupancy permit has been issued by the local government in the preceding 3 years unless the local government is responding to a complaint from a tenant. ~~Inspections for safety~~ **THE LOCAL GOVERNMENT** shall not require enforcement of any mobile home construction standards that are greater than those applicable to the mobile home under the national manufactured housing construction and safety standards act of 1974, 42 USC 5401 to 5426, or standards or codes to which the mobile home was constructed if it was constructed before application of the national manufactured housing construction and safety standards act of 1974, 42 USC 5401 to 5426. ~~As used in this section, "inspection for safety" means an inspection of a rental mobile home that is~~ **AN INSPECTION FOR SAFETY UNDER THIS SECTION SHALL BE** limited to ensuring the proper functioning, or protection, of the following:...

Status:

05/01/2014 In House; Introduced; referred to Committee on Regulatory Reform

09/30/2014 In House; reported with recommendation with substitute H-3; referred to second reading

11/13/2014 In House; read a second time; substitute H-3 adopted; placed on third reading; placed on immediate passage; read a third time; passed; transmitted

11/13/2014 In HOUSE. Read third time. Passed HOUSE.*****To SENATE

Sponsor Information:

Andy Schor (D - Minority);

Committees: House Michigan Competitiveness; House Elections and Ethics; House Regulatory Reform
