

# House Bill 2352

Sponsored by Representative BROWN (at the request of Shawn Miller)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Limits requirement that recreational vehicle rented, leased, sold or offered for rent, lease or sale bear insignia of compliance with state law. Eliminates requirement that certain recreational vehicle equipment and installations meet Department of Consumer and Business Services safety standards.

## A BILL FOR AN ACT

1  
2 Relating to recreational vehicles; amending ORS 446.155 and 446.170.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 446.155 is amended to read:

5 446.155. (1) [No] A person may **not** sell or offer for sale within this state a manufactured  
6 dwelling manufactured after January 1, 1962, that contains:

7 (a) Plumbing equipment, unless such equipment meets the requirements of the Department of  
8 Consumer and Business Services;

9 (b) Heating equipment, unless such equipment meets the requirements of the State Fire Marshal;  
10 or

11 (c) Electrical equipment, unless such equipment meets the requirements of the department.

12 (2) [No] A person may **not** rent, lease, sell or offer for rent, lease or sale within this state a  
13 manufactured structure manufactured after September 1, 1969, unless [it] **the manufactured**  
14 **structure** bears an insignia of compliance and contains:

15 (a) Plumbing, mechanical and electrical equipment or installations that meet the minimum safety  
16 standards of the department;

17 (b) Thermal, fire and life safety equipment, material and installations that meet the minimum  
18 safety standards of the department; or

19 (c) Structural and transportation equipment, materials, installations and construction that meet  
20 the minimum safety standards of the department.

21 [(3) No person may rent, lease or offer for rent or lease within this state a recreational vehicle built  
22 after January 1, 1990, unless it bears an insignia of compliance and contains:]

23 [(a) Plumbing, mechanical and electrical equipment or installations that meet the minimum safety  
24 standards of the department; or]

25 [(b) Thermal, fire and life safety equipment, material and installations that meet the minimum  
26 safety standards of the department.]

27 [(4) No person may sell or offer for sale a recreational vehicle built within five years of the time  
28 the recreational vehicle is sold or offered for sale, unless it bears an insignia of compliance and con-  
29 tains:]

30 [(a) Plumbing, mechanical and electrical equipment or installations that meet the minimum safety  
31 standards of the department; or]

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in **boldfaced** type.

1        *[(b) Thermal, fire and life safety equipment, material and installations that meet the minimum*  
 2 *safety standards of the department.]*

3        **(3) A person may not rent, lease, sell or offer for rent, lease or sale within this state a**  
 4 **recreational vehicle unless the recreational vehicle:**

5        **(a) Bears an insignia of compliance;**

6        **(b) Has previously been lawfully registered and titled within the United States;**

7        **(c) Has previously been issued an ownership document under ORS 446.571 or recorded**  
 8 **under ORS 446.626; or**

9        **(d) Is exempt from registration, title or ownership document requirements because of**  
 10 **United States government ownership.**

11        *[(5)] (4) Persons manufacturing, remanufacturing, converting, altering or repairing manufactured*  
 12 *structures or equipment within the state or for use within the state shall comply with all applicable*  
 13 *construction and safety rules of the department and the following:*

14        (a) Alterations performed on a manufactured dwelling by the manufacturer or dealer before or  
 15 at the time of sale to the first consumer shall be performed in conformance with the National  
 16 Manufactured Housing Construction and Safety Standards Act.

17        (b) After the initial sale to a consumer by a manufacturer or dealer, all alterations to a manu-  
 18 factured dwelling, except as identified by the Director of the Department of Consumer and Business  
 19 Services by rule, shall be in conformance with the specialty codes as described in ORS 455.010 to  
 20 455.740 and 479.855.

21        (c) Solid fuel burning appliances shall be in conformance with the National Manufactured  
 22 Housing Construction and Safety Standards Act and standards adopted by the department.

23        (d) Notwithstanding subsections (1) and (2) of this section, a previously owned manufactured  
 24 dwelling may be sold “as is” provided that the seller discloses in the bill of sale that the manufac-  
 25 tured dwelling is being sold on an “as is” or “with all faults” basis, and that the entire risk as to  
 26 the quality and performance of the manufactured dwelling is with the buyer. If the manufactured  
 27 dwelling is found to be defective after purchase, the buyer shall assume the entire cost of all ser-  
 28 vicing and repair. The seller, manufacturer, distributor or retailer is not responsible for any cost  
 29 for servicing and repair.

30        *[(6)] (5) Installations of manufactured structures shall be in conformance with the standards*  
 31 *adopted by the department for site preparation, foundation support, anchoring, structural and utility*  
 32 *connections, electrical and plumbing tests, underfloor enclosures, ventilation, vapor barriers and*  
 33 *steps used for access and egress.*

34        **SECTION 2.** ORS 446.170 is amended to read:

35        446.170. (1) Manufactured structures subject to the provisions of ORS 446.155 to 446.200, and  
 36 manufactured structures upon which additions, conversions or alterations of installations of equip-  
 37 ment or material are made shall have affixed *[thereto an]* **to the manufactured structures** insignia  
 38 of compliance.

39        (2) *[No]* **A person** *[shall]* **may not** place an insignia of compliance on a manufactured structure  
 40 except as provided by ORS 446.155 to 446.200 and the rules *[and regulations promulgated*  
 41 *thereunder]* **adopted under ORS 446.155 to 446.200.**

42        (3) Insignia of compliance may be issued in bulk only to manufacturers, remanufacturers or  
 43 converters certified and registered with the Department of Consumer and Business Services.

44        (4) Insignia of compliance *[shall not be]* **are not** transferable, and *[no]* **the department may**  
 45 **not make a** refund representing any unused insignia *[shall be made by the department].*

