

A-Engrossed
House Bill 2389

Ordered by the House April 26
Including House Amendments dated April 26

Sponsored by Representative HANSEN; Representatives BERGER, DALTO

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.

[Prohibits Director of Department of Consumer and Business Services and Department of Consumer and Business Services from authorizing person other than director or department to perform inspection, investigation or approval under manufactured housing construction and safety standards program. Specifies minimum content for manufactured housing construction and safety standards program. Requires director to take all practicable actions to ensure continuation of state administration and enforcement of manufactured housing construction and safety standards.]

Modifies provisions relating to manufactured structure ownership documents and trip permits. Modifies provisions relating to licensure and discipline of manufactured structure dealers.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to manufactured housing; amending ORS 446.576, 446.611, 446.621, 446.626, 446.636, 446.646,
3 446.686, 446.706, 446.716, 446.736 and 446.741 and section 47, chapter 655, Oregon Laws 2003; and
4 declaring an emergency.

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

6 **SECTION 1.** ORS 446.576 is amended to read:

7 446.576. (1) Notwithstanding ORS 446.566 and 446.571, the following manufactured structures do
8 not require an ownership document and need not be recorded in county deed records:

9 (a) Manufactured structures owned by the United States Government.

10 (b) Manufactured structures held as inventory by the manufacturer[*or a licensed*], a manufac-
11 tured structure dealer **licensed under ORS 446.691 or 446.696 or a temporary manufactured**
12 **structure dealer licensed under ORS 446.701.**

13 (c) Manufactured structures exempted under ORS 446.621 (2).

14 (2) Notwithstanding ORS 446.566 and 446.571, an ownership document is not required for a
15 manufactured structure recorded in the county deed records as provided in ORS 446.626.

16 **SECTION 2.** ORS 446.611 is amended to read:

17 446.611. (1)(a) Except as provided in paragraph (b) of this subsection, the exclusive means for
18 perfecting a security interest in a manufactured structure that has an ownership document is by
19 application for and notation of the security interest in the manufactured structure ownership docu-
20 ment records of the Department of Consumer and Business Services. The application to have a se-
21 curity interest noted may be included as part of the application for issuance of an original
22 ownership document. The department shall record the date of receipt of an application to have a
23 security interest noted on the ownership document. The security interest is perfected as provided

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 in ORS 79.0311 upon the department's entering the security interest in the records maintained by
 2 the department under ORS 446.571. The department shall note the interest on a new or updated
 3 ownership document and send the document as provided in ORS 446.571. A security interest per-
 4 fected under this section continues in effect until released by the holder of the interest.

5 (b) Paragraph (a) of this subsection does not apply if the debtor who granted the security in-
 6 terest is in the business of selling manufactured structures and the structure constitutes inventory
 7 held for sale or lease. The filing provisions of ORS 79.0501 to 79.0528 apply to security interests in
 8 manufactured structures described in this paragraph.

9 (2) The department shall issue or update an ownership document to reflect a security interest
 10 described in subsection (1)(a) of this section and note the interest in the manufactured structure
 11 ownership document records maintained by the department. The department shall deliver the own-
 12 ership document to the holder of the earliest perfected unreleased security interest in the manu-
 13 factured structure or, if none, to the owner of the structure. The department shall also send a copy
 14 of the ownership document to the county assessor for the county in which the manufactured struc-
 15 ture is being sited.

16 (3) If the department cancels an ownership document because the manufactured structure is re-
 17 corded in the deed records of a county, the department shall notify the county assessor of any
 18 unreleased security interest recorded in the department's record for the manufactured structure. The
 19 county assessor shall [*record*] **cause the recording of** the security interest information for the
 20 structure in the deed records.

21 (4) If a manufactured structure is recorded in the deed records of a county prior to the record-
 22 ing of a security interest, the recording of a security interest in the county deed records satisfies
 23 the requirement in ORS 72A.3095 that the security interest be recorded as a mortgage on real estate
 24 and is effective as a financing statement perfecting the security interest in the structure as provided
 25 in ORS 79.0502 (3).

26 (5) If a manufactured structure ceases to be exempt from the ownership document requirement,
 27 upon recording the termination of the exemption in the deed records, the county assessor shall no-
 28 tify the department of any unreleased interest shown on the deed record for the manufactured
 29 structure. The department shall note the security interest information on the ownership document
 30 issued by the department.

31 **SECTION 3.** ORS 446.621 is amended to read:

32 446.621. (1) A certificate of title for a manufactured structure issued by the Department of
 33 Transportation prior to May 1, 2005, is effective as a document evidencing ownership of the manu-
 34 factured structure. If the manufactured structure does not have a title pursuant to ORS 308.855 or
 35 308.860 (1969 Replacement Part), a tax record showing that a person has paid the ad valorem tax
 36 assessment on the structure since 1972 is a document evidencing the person's ownership of the
 37 structure.

38 (2) The owner of a manufactured structure described in subsection (1) of this section is not re-
 39 quired to obtain an ownership document for the structure unless the structure is moved or sold.
 40 Except as provided in subsections (3) and (5) of this section, upon the moving or sale of a manu-
 41 factured structure described in subsection (1) of this section, the owner shall submit the document
 42 evidencing ownership of the structure to the Department of Consumer and Business Services as
 43 provided in ORS 446.631 and 446.641. Upon receipt of the document, the department shall enter the
 44 information regarding the manufactured structure in the department's records and issue an owner-
 45 ship document for the structure.

1 (3) If the owner of a manufactured structure has misplaced a [*certificate of title*] **document evi-**
2 **dencing ownership**, the Department of Consumer and Business Services may require the person to
3 provide proof sufficient to satisfy the department concerning any questions about the ownership of
4 the manufactured structure or security interests in the structure. The proof required by the de-
5 partment may include, but is not limited to, completion of an affidavit that:

6 (a) Is in a form required by the department by rule;

7 (b) Contains any information the department requires by rule as necessary to establish owner-
8 ship of the manufactured structure or to determine any security interests in the structure; and

9 (c) Is verified by the person making the affidavit.

10 (4) The Department of Consumer and Business Services is not liable to any person for issuing
11 an ownership document based on proof provided under subsection (3) of this section.

12 (5) The movement or sale of a manufactured structure described in subsection (1) of this section
13 does not require the owner to obtain an ownership document if:

14 (a) The move or sale will qualify the manufactured structure for recording in the deed records
15 of a county under ORS 446.626; and

16 (b) The person who will own the structure after the move or sale files an affidavit with the
17 Department of Consumer and Business Services prior to the move or sale stating that the person
18 will apply within 25 business days after completion of the move or sale to have the manufactured
19 structure recorded in the county deed records.

20 (6) ORS 803.220 does not apply to a certificate of title for a manufactured structure issued by
21 the Department of Transportation.

22 (7) If the Department of Consumer and Business Services issues an ownership document for a
23 manufactured structure that was previously issued a certificate of title by the Department of
24 Transportation, the Department of Consumer and Business Services shall record in the department's
25 records and note on the ownership document any unreleased secured interest that was noted on the
26 certificate of title. A secured interest described in this subsection retains the original perfection
27 date of the interest, but provides the same creditor rights and remedies available for a secured in-
28 terest in personal property perfected under ORS 446.611 (1).

29 **SECTION 4.** ORS 446.626 is amended to read:

30 446.626. (1) The owner of a manufactured structure that qualifies under this subsection may
31 apply to the county assessor to have the structure recorded in the deed records of the county. The
32 application must be on a form approved by the Department of Consumer and Business Services. The
33 application must include a description of the location of the real property on which the manufac-
34 tured structure is or will be sited. If the structure is being sold by a manufactured structure dealer,
35 the dealer may file the application on behalf of the owner at the time the dealer notifies the county
36 assessor of the sale under ORS 308.253. A manufactured structure qualifies for recording in the deed
37 records if the owner of the structure:

38 (a) Also owns the land on which the manufactured structure is located; or

39 (b) Is the holder of a recorded leasehold estate of 20 years or more if the lease specifically
40 permits the manufactured structure owner to record the structure under this section.

41 (2) If the assessor, as agent for the department, determines that the manufactured structure
42 qualifies for recording in the deed records of the county, the assessor shall cause the structure to
43 be recorded in the deed records. The deed records must contain any unreleased security interest in
44 the manufactured structure. If the department has issued an ownership document for the manufac-
45 tured structure, the owner must submit the ownership document to the assessor with the application

1 described in subsection (1) of this section. Upon recording the manufactured structure in the deed
2 records, the assessor shall send the ownership document to the department for cancellation. The
3 department shall cancel the ownership document and send confirmation of the cancellation to the
4 assessor and the owner.

5 (3) The recording of a security interest in the deed records of the county under this section
6 satisfies the requirements for filing a financing statement for a fixture to real property under ORS
7 79.0502. The recording of a manufactured structure in the deed records of the county is independent
8 of the assessment and taxation of the structure as real property under ORS 308.875. The recording
9 of a manufactured structure in the deed records of the county makes the structure subject to the
10 same provisions of law applicable to any other building, housing or structure on the land. However,
11 the manufactured structure may not be sold separately from the land or leasehold estate unless the
12 owner complies with subsection (4) of this section.

13 (4) The owner of a manufactured structure that is recorded in the deed records of the county
14 may apply to have the structure removed from the deed records and an ownership document issued
15 for the structure. Unless the manufactured structure is subject to ORS 446.631, the owner must ap-
16 ply to the county assessor, as agent for the department, for an ownership document as provided in
17 ORS 446.571. Upon approval of the application, the assessor shall [*terminate*] **cause the termination**
18 **of** the recording of the manufactured structure in the deed records.

19 (5) If a manufactured structure described in paragraph (1)(b) of this section is recorded in the
20 deed records, the owner of the structure has a real property interest in the manufactured structure
21 for purposes of:

22 (a) Recordation of documents pursuant to ORS 93.600 to 93.800, 93.802, 93.804, 93.806 and 93.808;

23 (b) Deed forms pursuant to ORS 93.850 to 93.870;

24 (c) Mortgages, trust deeds and other liens pursuant to ORS 86.010 to 86.996 and ORS chapters
25 87 and 88; and

26 (d) Real property tax collection pursuant to ORS chapters 311 and 312. The structure owner is
27 considered the owner of the real property for purposes of assessing the structure under ORS 308.875.

28 **SECTION 5.** ORS 446.636 is amended to read:

29 446.636. (1) For a new manufactured structure, the manufactured structure dealer must obtain
30 the trip permit on behalf of the owner. If the dealer fails to obtain the trip permit prior to the
31 scheduled moving date, the vehicle transporter must obtain the trip permit on behalf of the owner.

32 (2) For a used manufactured structure, the owner, **the vehicle transporter or an agent of the**
33 **owner** must obtain a trip permit from the county assessor for the county in which the manufactured
34 structure is sited.

35 (3) Notwithstanding subsections (1) and (2) of this subsection, if a dealer or vehicle transporter
36 refuses to obtain a trip permit as required by subsection (1) of this section, or if a county assessor
37 refuses to issue a trip permit to an owner who has complied with ORS 446.631, the owner may apply
38 directly to the Department of Consumer and Business Services for a trip permit.

39 (4) The department may issue trip permits in bulk to a manufactured structure dealer or vehicle
40 transporter.

41 **SECTION 6.** ORS 446.646 is amended to read:

42 446.646. (1) The Department of Consumer and Business Services may adopt rules necessary for
43 carrying out the duties, functions and powers of the department under ORS 446.566 to 446.646.

44 (2) Except as provided in subsection (4) of this section, the department shall adopt appropriate
45 fees to cover the cost of services rendered under ORS 446.566 to 446.646 by the department and by

1 a county as agent for the department. The department may not vary the fee for issuance or renewal
2 of an ownership document, or for removal of a manufactured structure from the ownership document
3 system, based upon the applicant's status as an owner, dealer or escrow agent.

4 (3) A county carrying out **the department's** functions under ORS 446.566 to 446.646 related to
5 manufactured structure ownership documents and trip permits is an agent of the department with
6 regard to those functions.

7 (4) Unless the department adopts a different fee pursuant to subsection (2) of this section, the
8 fee amount:

9 (a) For issuance of an ownership document is \$55.

10 (b) For issuance of a trip permit is \$5.

11 **SECTION 7.** ORS 446.686 is amended to read:

12 446.686. (1) If the Department of Consumer and Business Services proceeds under ORS 446.681
13 or 455.895, the department may post a notice on any manufactured structure held in inventory by
14 a person alleged to be acting as a manufactured structure dealer without a license **issued under**
15 **ORS 446.691 or 446.696 or a temporary manufactured structure dealer license issued under**
16 **ORS 446.701**. The notice must state that the person offering the manufactured structure for sale is
17 currently the subject of a proceeding to determine whether the person has a manufactured structure
18 dealer license **issued under ORS 446.691 or 446.696 or a temporary manufactured structure**
19 **dealer license issued under ORS 446.701** and that it may be unlawful for the person to sell the
20 manufactured structure to a retail customer.

21 (2) A person may remove a notice posted in accordance with subsection (1) of this section only
22 upon authorization by the department. The department shall authorize removal within 10 days after
23 any one of the following occurs:

24 (a) The dismissal or termination of the proceeding instituted under ORS 446.681 or 455.895;

25 (b) Full payment of any lawfully owing civil penalty and compliance with ORS 446.666 to 446.756;

26 or

27 (c) A finding by the department or a court that the manufactured structure is being offered for
28 sale by a licensed manufactured structure dealer or a person who is exempt from the licensing re-
29 quirement under ORS 446.676.

30 **SECTION 8.** ORS 446.706 is amended to read:

31 446.706. (1) A person who holds a limited manufactured structure dealer license issued under
32 this section may sell during a calendar year up to 10 manufactured dwellings located at a manu-
33 factured dwelling park identified in the license. The manufactured dwellings sold under a limited
34 manufactured structure dealer license must be dwellings that:

35 (a) Have been abandoned as described in ORS 90.675 at any manufactured dwelling park. If the
36 manufactured dwelling is not subject to sale by the limited manufactured structure dealer under
37 ORS 90.675 (10), the dealer must have the [*certificate of title or registration for*] **ownership of** the
38 dwelling transferred to the dealer prior to offering the dwelling for sale; or

39 (b) Have been purchased by the park owner from [*a person holding title,*] **a person having au-**
40 **thority to sell the dwellings** and, at the time of purchase by the park owner, were sited in the
41 manufactured dwelling park identified in the license.

42 (2) Notwithstanding ORS 90.525, if a limited manufactured structure dealer sells a manufactured
43 dwelling that was abandoned at a manufactured dwelling park other than the park where the
44 dwelling is being sold, the sale terms for the manufactured dwelling must require that the dwelling
45 is to be sited under a rental agreement at the park where sold for at least 12 months following the

1 sale.

2 (3) Except as provided in ORS 446.741, the Department of Consumer and Business Services shall
3 issue a limited manufactured structure dealer license to a person if the person:

4 (a) Owns or operates a manufactured dwelling park as defined in ORS 446.003;

5 (b) Submits a completed application for a limited manufactured structure dealer license in a form
6 approved by the department;

7 (c) Delivers to the department a bond or letter of credit that meets the requirements under ORS
8 446.726, except that the bond or letter of credit must be in the sum of \$15,000 for each year that the
9 license is valid;

10 (d) Is 18 years of age or older or is legally emancipated; and

11 (e) Pays the fee specified in ORS 446.721 for issuance of a limited manufactured structure dealer
12 license.

13 (4) If the person is a firm or partnership, the application for a limited manufactured structure
14 dealer license must include the names and residence addresses of the members of the firm or part-
15 nership. If the person is a corporation, the application must include the names of the principal offi-
16 cers of the corporation and their residence addresses and the name of the state under whose laws
17 the corporation is organized. If the person is the owner of a manufactured dwelling park, the person
18 may submit a joint application on behalf of the person and a named park operator employed by the
19 person. If the person is the operator of a manufactured dwelling park, the application must include
20 the name and signature of the park owner.

21 (5) A limited manufactured structure dealer license is valid for use at a single manufactured
22 dwelling park. The manufactured dwelling park location must be specified in the license application.
23 A limited manufactured structure dealer may not employ a salesperson.

24 (6) A limited manufactured structure dealer license is valid for two years, but the department
25 may adjust the term of an initial license for the purpose of establishing uniform expiration dates.

26 (7) Notwithstanding subsection (6) of this section, the limited manufactured structure dealer li-
27 cense for the person expires immediately if the person ceases to be an operator or owner of the
28 manufactured dwelling park at which the license may be used. The owner of a manufactured dwell-
29 ing park shall immediately notify the department if a person licensed under this section ceases to
30 be an owner or operator of a manufactured dwelling park at which the license may be used.

31 (8) Notwithstanding subsections (6) and (7) of this section, if a licensed person ceases to be an
32 operator of the manufactured dwelling park, the park owner may apply to have a corrected license
33 issued to a new operator employed by the owner. A corrected license issued under this subsection
34 is valid for the unexpired portion of the original license term. The department shall charge the fee
35 specified in ORS 446.721 for issuing a corrected license.

36 (9) A limited manufactured structure dealer may renew a license as provided by the department.
37 The department shall renew a license only if the dealer:

38 (a) Submits a completed application for renewal in a form approved by the department;

39 (b) Delivers to the department a bond or letter of credit that meets the requirements described
40 in subsection (3) of this section; and

41 (c) Pays the fee specified in ORS 446.721 for renewal of a limited manufactured structure dealer
42 license.

43 **SECTION 9.** ORS 446.716 is amended to read:

44 446.716. (1) A [*licensed*] manufactured structure dealer **licensed under ORS 446.691 or 446.696**
45 may open additional places of business under the same business name by obtaining a supplemental

1 license from the Department of Consumer and Business Services. If the dealer will operate the ad-
2 ditional place of business under a different business name than that indicated on an existing dealer
3 license, the dealer must apply for a dealer license **under ORS 446.691 or 446.696** for the additional
4 place of business instead of for a supplemental license.

5 (2) A manufactured structure dealer **licensed under ORS 446.691 or 446.696** may move a place
6 of business or change a business name by obtaining a corrected dealer license from the department.
7 The department shall prescribe the form for application for a corrected license. **A corrected license**
8 **shall be valid for the unexpired portion of the original license term.** For purposes of this sub-
9 section, “place of business” includes a recreational vehicle service facility.

10 (3) The department may refuse to issue a dealer license **under ORS 446.691 or 446.696** if a
11 manufactured structure dealer license issued to the dealer by another jurisdiction is in suspended,
12 revoked or probationary status in that jurisdiction. This subsection does not authorize the depart-
13 ment to refuse a supplemental license or corrected license.

14 (4) A dealer obtaining or renewing a dealer license, supplemental license or corrected license
15 must pay the applicable fee specified in ORS 446.721.

16 **SECTION 10.** ORS 446.736 is amended to read:

17 446.736. (1) Except as provided in subsection (7) of this section, a manufactured structure dealer
18 **licensed under ORS 446.691 or 446.696, temporary manufactured structure dealer licensed**
19 **under ORS 446.701 or limited manufactured structure dealer licensed under ORS 446.706,** who
20 transfers an interest in a manufactured structure shall:

21 (a) Submit to the Department of Consumer and Business Services an application for an owner-
22 ship document on behalf of the purchaser; or

23 (b) If the purchase is being financed, submit sufficient information to a lender to allow the
24 lender to make an application to the department for an ownership document.

25 (2) An application under subsection (1) of this section must be on a form approved by the de-
26 partment and include:

27 (a) The year, make, style and identification number for the manufactured structure.

28 (b) Any existing ownership document for the structure or, if none, the manufacturer’s certificate
29 of origin or other document evidencing ownership of the manufactured structure.

30 (c) The legal description or street address for the proposed situs for the manufactured structure.

31 (d) The identity of the owner of record for the location where the manufactured structure is
32 being sited or, if the structure is being sited in a facility as defined in ORS 90.100, the name of the
33 facility.

34 (e) The name and mailing address of each person acquiring an ownership interest in the manu-
35 factured structure.

36 (f) The name and mailing address of each person acquiring a security interest in the manufac-
37 tured structure.

38 (g) Any other information required by the department by rule for processing an application.

39 (3) If a [*manufactured structure*] dealer is unable to comply with subsection (1) of this section,
40 within 25 business days of the transfer the dealer shall provide a notice of delay to the security
41 interest holder next named, if any, and the purchaser. The notice must contain:

42 (a) The reason for the delay;

43 (b) The anticipated extent of the delay; and

44 (c) A statement of the rights and remedies available to the purchaser if the delay becomes un-
45 reasonably extended.

1 (4) A *[manufactured structure]* dealer that fails to comply with this section is subject to revoca-
2 tion or suspension of the dealer's license or being placed on probation by the Department of Con-
3 sumer and Business Services pursuant to ORS 446.741. A dealer that fails to comply with subsection
4 (1) of this section within 90 days is subject to criminal penalties under ORS 446.746 (1)(h).

5 (5) Notwithstanding subsections (1) and (4) of this section, if a purchaser is not in compliance
6 with the payment terms of a purchase agreement on the 20th calendar day after the transfer, the
7 dealer is not required to perform under subsection (1) of this section until 25 calendar days after the
8 purchaser is in compliance with the payment terms of the purchase agreement. This subsection does
9 not excuse the duty of the dealer under subsection (3) of this section.

10 (6) This section does not apply to a transfer of interest in a manufactured structure that is
11 subject to an escrow transaction.

12 (7) This section does not apply to a manufactured structure for which an application is filed
13 under ORS 446.626 within 25 business days of the transfer.

14 **SECTION 11.** ORS 446.741 is amended to read:

15 446.741. (1) The Department of Consumer and Business Services may revoke or suspend a man-
16 ufactured structure dealer license **issued under ORS 446.691 or 446.696, temporary manufac-**
17 **tured structure dealer license issued under ORS 446.701 or limited manufactured structure**
18 **dealer license issued under ORS 446.706**, or place a dealer on probation, if the dealer does any
19 of the following:

20 (a) *[Violates any]* **Commits an act that is** grounds for suspension, revocation or probation
21 *[adopted]* **as provided** by the department by rule.

22 (b) Fails to comply with the requirements for notices or reports of the transfer of interest in
23 manufactured structures.

24 (c) Moves a manufactured structure or causes a manufactured structure to be moved without
25 complying with the requirements for variance permits under ORS 818.200 and trip permits under
26 ORS 446.631.

27 (d) Knowingly provides false information on an application for a dealer license, supplemental
28 license or corrected dealer license.

29 (e) Deals in a manufactured structure that both before and after the sale is assessed as real
30 property under ORS 308.875 or is recorded in the deed records of a county. This paragraph does not
31 apply if an ownership document is issued for the manufactured structure prior to sale.

32 (f) Employs a person in an administrative or managerial capacity while the person is disqualified
33 under subsection (5) of this section.

34 (2) The department shall cancel a manufactured structure dealer license **issued under ORS**
35 **446.691 or 446.696, or a temporary manufactured structure dealer license issued under ORS**
36 **446.701**, immediately upon receipt of legal notice that the bond described under ORS 446.726 is
37 canceled.

38 (3) Upon suspension, revocation or cancellation of a *[manufactured structure]* dealer license un-
39 der this section, the department shall demand the return of the license.

40 (4) The department shall cancel a dealer license or supplemental license immediately upon re-
41 ceipt of notice that zoning approval for a place of business has been revoked.

42 (5) If the department revokes a *[manufactured structure]* dealer license pursuant to subsection
43 (1) of this section, the department shall disqualify the person whose license is revoked from obtain-
44 ing any type of license as a *[manufactured structure]* dealer and from working in an administrative
45 or managerial capacity for any type of *[manufactured structure]* dealer, for a period of not more than

1 five years after the date the revocation becomes effective. If the person applies for licensing as a
2 manufactured structure dealer following a period of disqualification under this subsection, the per-
3 son must meet the requirements for issuance of an initial manufactured structure dealer license.

4 **SECTION 12.** Section 47, chapter 655, Oregon Laws 2003, is amended to read:

5 **Sec. 47.** (1) Notwithstanding [*section 26 of this 2003 Act*] **ORS 446.671**, a manufactured structure
6 dealer who holds a certificate issued by the Department of Transportation pursuant to ORS 822.020
7 or 822.040 prior to [*the operative date of section 1 of this 2003 Act*] **May 1, 2005**, may continue to
8 conduct business under authority of that certificate until the certificate expires [*or January 1, 2006,*
9 *whichever occurs first*]. A dealer described in this section is subject to regulation by the Department
10 of Consumer and Business Services in the same manner as a dealer conducting business under a li-
11 cense issued under [*section 28 or 29 of this 2003 Act*] **ORS 446.691 or 446.696**.

12 (2) Except as otherwise provided in this subsection, a dealer holding a certificate described in
13 subsection (1) of this section may obtain a manufactured structure dealer license from the Depart-
14 ment of Consumer and Business Services by complying with the requirements of [*section 29 of this*
15 *2003 Act*] **ORS 446.696** for renewal of a license.

16 **SECTION 13.** **This 2005 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
18 **on its passage.**

19