

Regular Session, 2010

HOUSE BILL NO. 612

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 51:911.22(1) and (12), 911.23(A), and 912.22(4), and to enact R.S. 51:911.22(13) and 911.26(F)(10), relative to modular and manufactured homes; to provide for changes to definitions; to provide for a definition of "modular home"; to provide for regulation of modular homes; to provide for additional powers and duties of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:911.22(1) and (12), 911.23(A), and 912.22(4) are hereby amended and reenacted and R.S. 51:911.22(13) and 911.26(F)(10) are hereby enacted to read as follows:

§911.22. Definitions

As used in this Part, unless the context requires a different definition:

(1)(a) "Code" for manufactured housing means the National Manufactured Home Construction and Safety Standards Act of 1974, ~~42 USC 5401 et seq.~~ 42 U.S.C. 5401 et seq., as amended, and federal regulations promulgated pursuant thereto, along with any construction or installation-related standards adopted by the Louisiana Manufactured Housing Commission.

(b) "Code" for modular housing means the International Residential Code as adopted by the Louisiana State Uniform Construction Code Council.

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(12) "Seal" or "label" means the permanently affixed device or insignia issued by the United States Department of Housing and Urban Development (HUD) or other authority having jurisdiction that is displayed on the exterior of a factory-built manufactured home, certifying that the home is in compliance with the Code.

(13) "Modular home" means a factory-built, residential dwelling unit built to the International Residential Code as adopted by the Louisiana State Uniform Construction Code Council.

§911.23. Establishment of Uniform Standards Code; code preemption

A. All new manufactured or modular homes which are sold or offered for sale in this state ~~must~~ shall be in compliance with the Code and the requirements of this Part.

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§911.26. Louisiana Manufactured Housing Commission

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F. The powers and duties of the commission shall include but are not limited to the following:

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(10) The authority to establish a mandatory uniform written transportation and installation contract that is required to be used by all transporters and installers when moving or installing a manufactured home in this state. Transporters and installers shall be required to give their customers a copy of the contract, itemizing all services being provided and the cost associated with those services, prior to beginning work. These records shall be maintained for at least three years and shall be made available to the commission for inspection. Transporters who are only passing through the state or are delivering a home to a licensee of the commission, are not required to comply with the provisions of this Paragraph. The commission shall have the authority to promulgate rules and regulations in accordance with the Administrative Procedure Act in order to implement the provisions of this Paragraph.

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§912.22. Installation standards for manufactured homes

All manufactured homes shall be installed to meet the following standards, unless otherwise specified in this Part:

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(4) As to site preparation, the under-home grade, or ground, shall be cleaned of all vegetation and organic material, such as stumps, roots, etc., except grass not exceeding three inches in height. The area beneath and around the home shall be crowned, sloped or properly drained so that water will not flow or accumulate under the home. All grass and organic material shall be removed and the pier foundation placed on stable soil or compacted fill. When the soil compaction or soil-bearing capacity is not known, the local building authority in the locale may be consulted or a reading by the use of a pocket penetrometer may be obtained. The bottom of the footer or footers shall be placed on stable soil. The pier foundation shall be a minimum of three and one-half inches by sixteen inches by sixteen inches solid concrete pad or equivalent, precast or poured in place, or approved material by the regulatory agency. The regulatory agency, or its duly authorized representatives, shall cause products to be analyzed or tested to require that the pier foundation products have a deflection of not more than three-eighths inch under design load. Such testing may be conducted by an independent third party qualified and approved by the agency. Previous testing data submitted in other jurisdictions may be considered by the agency. Where the manufacturer's specifications have additional requirements other than the above, the more stringent shall apply. The landowner shall be responsible for proper site preparation in accordance with this Paragraph.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____