

HOUSE BILL No. 4909

July 1, 2003, Introduced by Reps. Robertson, Hune, Hummel, Ward, Stakoe, Stahl, Wenke, Jannick, Minore, Vander Veen, Julian, Steil and Shaffer and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1987 PA 96, entitled
"The mobile home commission act,"
by amending sections 4, 5, and 6 (MCL 125.2304, 125.2305, and 125.2306).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) The commission may do all of the following:
- 2 (a) Promulgate rules to implement and administer this act.
- 3 (b) Act for the purpose of establishing a uniform policy
- 4 relating to all phases of mobile home businesses, mobile home
- 5 parks, and seasonal mobile home parks.
- 6 (c) Determine the sufficiency of local mobile home ordinances
- 7 ~~which~~ **that** are designed to provide **a** local ~~governments~~
- 8 **government** with superintending control over mobile home
- 9 businesses, mobile home parks, or seasonal mobile homes parks.
- 10 (d) Conduct public hearings relating to the powers prescribed

HOUSE BILL No. 4909

1 in this subsection.

2 (2) The director of ~~commerce~~ **consumer and industry services**
3 or an authorized representative of the director shall do all of
4 the following:

5 (a) Administer the rules promulgated by the commission.

6 (b) Conduct hearings relating to violations of this act or
7 rules promulgated under this act.

8 (c) Make investigations to determine compliance with this act
9 and rules promulgated under this act.

10 (d) Provide assistance to the commission as the commission
11 requires.

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

17 Sec. 5. ~~(1)~~ The commission shall promulgate the mobile
18 home code subject to section 4. The code shall consist of rules
19 governing all of the following:

20 (a) The licensure ~~—, density, layout, permits for~~
21 ~~construction, construction~~ of mobile home parks. ~~including~~
22 ~~standards for roads, utilities, open space, or proposed~~
23 ~~recreational facilities, and safety measures sufficient to~~
24 ~~protect health, safety, and welfare of mobile home park~~
25 ~~residents, except water supply, sewage collection and treatment,~~
26 ~~and drainage facilities which are regulated by the department of~~
27 ~~public health.~~

1 (b) The business, sales, and service practices of mobile home
2 dealers.

3 (c) The business practices of mobile home installers and
4 repairers.

5 (d) The licensure and ~~regulations~~ **regulation** of mobile home
6 installers and repairers.

7 (e) The setup and installation of mobile homes inside mobile
8 home parks or seasonal mobile home parks.

9 (f) The regulation of the responsibilities, under the mobile
10 home warranty, of the mobile home components manufacturer, the
11 mobile home assembler or manufacturer, and the mobile home
12 dealer, including the time period and relationships of each under
13 the warranty, and the remedies available, if any, if the
14 responsible parties cease to operate as a business.

15 (g) Abuses relating to all of the following:

16 (i) Consumer deposits, except utility deposits from consumers
17 who are direct customers of utilities regulated by the Michigan
18 public service commission.

19 (ii) Detailed listing of furnishings and fixtures by a
20 manufacturer of a new mobile home or a mobile home dealer for a
21 used mobile home.

22 (iii) Disclosure and delivery of manufacturer's warranties.

23 (iv) Used mobile homes. A mobile home dealer shall provide
24 detailed listing of its service records for used mobile homes
25 ~~which~~ **that** are being sold by the dealer and of which the dealer
26 has knowledge.

27 (h) Applications for and issuance of certificates of title

1 for mobile homes.

2 ~~(2) As part of the code, the commission shall also~~
 3 ~~promulgate rules governing the licensure, density, layout,~~
 4 ~~permits for construction, and construction of seasonal mobile~~
 5 ~~home parks, including standards for roads, utilities, open space,~~
 6 ~~proposed recreational facilities, and safety measures sufficient~~
 7 ~~to protect the health, safety, and welfare of seasonal mobile~~
 8 ~~home park residents, except water supply, sewage collection and~~
 9 ~~treatment, and drainage facilities, which shall be regulated by~~
 10 ~~the department of public health.~~

11 ~~—— (3) The rules promulgated for seasonal mobile home parks may~~
 12 ~~impose a less stringent standard than the rules promulgated for~~
 13 ~~mobile home parks.~~

14 Sec. 6. (1) The department of ~~public health~~ **environmental**
 15 **quality** shall promulgate rules for mobile home parks and seasonal
 16 mobile home parks setting forth minimum standards regulating ~~—~~
 17 **the certification of compliance under section 17.**

18 ~~(a) Water supply system.~~

19 ~~—— (b) Sewage collection and disposal system.~~

20 ~~—— (c) Drainage.~~

21 ~~—— (d) Garbage and rubbish storage and disposal.~~

22 ~~—— (e) Insect and rodent control.~~

23 ~~—— (f) General operation, maintenance, and safety.~~

24 ~~—— (g) Certification of compliance under section 17.~~

25 **(2) The local government shall promulgate rules for mobile**
 26 **home parks and seasonal mobile home parks setting forth minimum**
 27 **standards regulating:**

1 (a) Water supply system.

2 (b) Sewage collection and disposal system.

3 (c) Drainage.

4 (d) Garbage and rubbish storage and disposal.

5 (e) Insect and rodent control.

6 (f) General operation, maintenance, and safety.

7 (3) ~~-(2)-~~ Representatives of local government shall act in an
8 advisory capacity in the promulgation of the code.

9 (4) ~~-(3)-~~ The commission shall consult with appropriate state
10 and local governments in developing the procedures for effective
11 coordination of efforts. The commission shall recommend
12 procedures to the governor and the legislature for coordinating
13 state agency decisions and activities pertaining to this act.

14 Enacting section 1. This amendatory act does not take
15 effect unless Senate Bill No. _____ or House Bill No. 4910
16 (request no. 03050'03) of the 92nd Legislature is enacted into
17 law.