

# SENATE BILL No. 1257

May 25, 2004, Introduced by Senators GARCIA, BRATER, CROUSEY, BASHAM, HAMMERSTROM, GILBERT, HARDIMAN and JELINEK and referred to the Committee on Local, Urban and State Affairs.

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

1 in this subsection.

2 (2) The director of ~~commerce~~ **the department of labor and**  
3 **economic growth** or an authorized representative of the director  
4 shall do all of 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. 1256  
16 of the 92nd Legislature is enacted into  
17 law.