

House Bill 2333

Sponsored by Representative STARK; Representative MARSH, Senators GELSER, ROBLAN (Pre-session filed.)

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**.

Defines "park model recreational vehicle."

A BILL FOR AN ACT

1
2 Relating to recreational vehicles; amending ORS 446.003.

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

4 **SECTION 1.** ORS 446.003 is amended to read:

5 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, and for the purposes of ORS
6 chapters 195, 196, 197, 215 and 227, the following definitions apply, unless the context requires oth-
7 erwise, or unless administration and enforcement by the State of Oregon under the existing or re-
8 vised National Manufactured Housing Construction and Safety Standards Act would be adversely
9 affected, and except as provided in ORS 446.265:

10 (1) "Accessory building or structure" means any portable, demountable or permanent structure
11 established for use of the occupant of the manufactured structure and as further defined by rule by
12 the Director of the Department of Consumer and Business Services.

13 (2)(a) "Alteration" means any change, addition, repair, conversion, replacement, modification or
14 removal of any equipment or installation that may affect the operation, construction or occupancy
15 of a manufactured structure.

16 (b) "Alteration" does not include:

17 (A) Minor repairs with approved component parts;

18 (B) Conversion of listed fuel-burning appliances in accordance with the terms of their listing;

19 (C) Adjustment and maintenance of equipment; or

20 (D) Replacement of equipment or accessories in kind.

21 (3) "Approved" means approved, licensed or certified by the Department of Consumer and
22 Business Services or its designee.

23 (4) "Board" means the Residential and Manufactured Structures Board.

24 (5) "Cabana" means a stationary, lightweight structure that may be prefabricated, or demount-
25 able, with two or more walls, used adjacent to and in conjunction with a manufactured structure to
26 provide additional living space.

27 (6) "Certification" means an evaluation process by which the department verifies a
28 manufacturer's ability to produce manufactured structures to the department rules and to the de-
29 partment approved quality control manual.

30 (7) "Conversion" or "to convert" means the process of changing a manufactured structure in
31 whole or in part from one type of vehicle or structure to another.

32 (8) "Dealer" means any person engaged in the business of selling, leasing or distributing manu-

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 factured structures or equipment, or both, primarily to persons who in good faith purchase or lease
 2 manufactured structures or equipment, or both, for purposes other than resale.

3 (9) "Department" means the Department of Consumer and Business Services.

4 (10) "Director" means the Director of the Department of Consumer and Business Services.

5 (11) "Distributor" means any person engaged in selling and distributing manufactured structures
 6 or equipment for resale.

7 (12) "Equipment" means materials, appliances, subassembly, devices, fixtures, fittings and
 8 apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured
 9 structure.

10 (13) "Federal manufactured housing construction and safety standard" means a standard for
 11 construction, design and performance of a manufactured dwelling promulgated by the Secretary of
 12 Housing and Urban Development pursuant to the federal National Manufactured Housing Con-
 13 struction and Safety Standards Act of 1974 (Public Law 93-383).

14 (14) "Fire Marshal" means the State Fire Marshal.

15 (15) "Imminent safety hazard" means an imminent and unreasonable risk of death or severe
 16 personal injury.

17 (16) "Insignia of compliance" means:

18 (a) For a manufactured dwelling built to HUD standards for such dwellings, the HUD label; or

19 (b) For all other manufactured structures, the insignia issued by this state indicating compliance
 20 with state law.

21 (17) "Inspecting authority" or "inspector" means the Director of the Department of Consumer
 22 and Business Services or representatives as appointed or authorized to administer and enforce pro-
 23 visions of ORS 446.111, 446.160, 446.176, 446.225 to 446.285, 446.310 to 446.350, 446.990 and this sec-
 24 tion.

25 (18) "Installation" in relation to:

26 (a) Construction means the arrangements and methods of construction, fire and life safety,
 27 electrical, plumbing and mechanical equipment and systems within a manufactured structure.

28 (b) Siting means the manufactured structure and cabana foundation support and tiedown, the
 29 structural, fire and life safety, electrical, plumbing and mechanical equipment and material con-
 30 nections and the installation of skirting and temporary steps.

31 (19) "Installer" means any individual licensed by the director to install, set up, connect, hook
 32 up, block, tie down, secure, support, install temporary steps for, install skirting for or make elec-
 33 trical, plumbing or mechanical connections to manufactured dwellings or cabanas or who provides
 34 consultation or supervision for any of these activities, except architects registered under ORS
 35 671.010 to 671.220 or engineers registered under ORS 672.002 to 672.325.

36 (20) "Listed" means equipment or materials included in a list, published by an organization
 37 concerned with product evaluation acceptable to the department that maintains periodic inspection
 38 of production of listed equipment or materials, and whose listing states either that the equipment
 39 or materials meets appropriate standards or has been tested and found suitable in a specified man-
 40 ner.

41 (21) "Lot" means any space, area or tract of land, or portion of a manufactured dwelling park,
 42 mobile home park or recreation park that is designated or used for occupancy by one manufactured
 43 structure.

44 (22)(a) "Manufactured dwelling" means a residential trailer, mobile home or manufactured home.

45 (b) "Manufactured dwelling" does not include any building or structure constructed to conform

1 to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code adopted
 2 pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational
 3 vehicle by the manufacturer.

4 (23) “Manufactured dwelling park” means any place where four or more manufactured dwellings
 5 are located within 500 feet of one another on a lot, tract or parcel of land under the same owner-
 6 ship, the primary purpose of which is to rent or lease space or keep space for rent or lease to any
 7 person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer
 8 space free in connection with securing the trade or patronage of such person. “Manufactured
 9 dwelling park” does not include a lot or lots located within a subdivision being rented or leased for
 10 occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by
 11 the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010
 12 to 92.192.

13 (24)(a) “Manufactured home,” except as provided in paragraph (b) of this subsection, means a
 14 structure constructed for movement on the public highways that has sleeping, cooking and plumbing
 15 facilities, that is intended for human occupancy, that is being used for residential purposes and that
 16 was constructed in accordance with federal manufactured housing construction and safety standards
 17 and regulations in effect at the time of construction.

18 (b) For purposes of implementing any contract pertaining to manufactured homes between the
 19 department and the federal government, “manufactured home” has the meaning given the term in
 20 the contract.

21 (25)(a) “Manufactured structure” means a recreational vehicle, manufactured dwelling or recre-
 22 ational structure.

23 (b) “Manufactured structure” does not include any building or structure regulated under the
 24 State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code.

25 (26) “Manufacturer” means any person engaged in manufacturing, building, rebuilding, altering,
 26 converting or assembling manufactured structures or equipment.

27 (27) “Manufacturing” means the building, rebuilding, altering or converting of manufactured
 28 structures that bear or are required to bear an Oregon insignia of compliance.

29 (28) “Minimum safety standards” means the plumbing, mechanical, electrical, thermal, fire and
 30 life safety, structural and transportation standards prescribed by rules adopted by the director.

31 (29) “Mobile home” means a structure constructed for movement on the public highways that
 32 has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being
 33 used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976,
 34 and met the construction requirements of Oregon mobile home law in effect at the time of con-
 35 struction.

36 (30) “Mobile home park” means any place where four or more manufactured structures are lo-
 37 cated within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the
 38 primary purpose of which is to rent space or keep space for rent to any person for a charge or fee
 39 paid or to be paid for the rental or use of facilities or to offer space free in connection with securing
 40 the trade or patronage of such person. “Mobile home park” does not include a lot or lots located
 41 within a subdivision being rented or leased for occupancy by no more than one manufactured
 42 dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under
 43 an ordinance adopted pursuant to ORS 92.010 to 92.192.

44 (31) “Municipality” means a city, county or other unit of local government otherwise authorized
 45 by law to enact codes.

1 **(32) “Park model recreational vehicle” is a recreational vehicle that:**

2 **(a) Is designed and marketed as temporary living quarters for recreation, camping, travel**
3 **or seasonal use;**

4 **(b) Is not permanently affixed to land;**

5 **(c) Is not used for residential purposes;**

6 **(d) Is built on a single chassis mounted on wheels;**

7 **(e) Has a maximum gross trailer area of 400 square feet; and**

8 **(f) Complies with American National Standards Institute manufacturing standards for**
9 **recreational park trailers.**

10 [(32)] **(33)** “Recreational structure” means a campground structure with or without plumbing,
11 heating or cooking facilities intended to be used by any particular occupant on a limited-time basis
12 for recreational, seasonal, emergency or transitional housing purposes and may include yurts, cab-
13 ins, fabric structures or similar structures as further defined, by rule, by the director.

14 [(33)] **(34)** “Recreational vehicle” means a vehicle with or without motive power, that is designed
15 for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes
16 and as further defined, by rule, by the director. **“Recreational vehicle” includes, but is not**
17 **limited to, park model recreational vehicles.**

18 [(34)] **(35)** “Residential trailer” means a structure constructed for movement on the public high-
19 ways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that
20 is being used for residential purposes and that was constructed before January 1, 1962.

21 [(35)] **(36)** “Sale” means rent, lease, sale or exchange.

22 [(36)] **(37)** “Skirting” means a weather resistant material used to enclose the space below the
23 manufactured structure.

24 [(37)] **(38)** “Tiedown” means any device designed to anchor a manufactured structure securely
25 to the ground.

26 [(38)] **(39)** “Transitional housing accommodations” means accommodations described under ORS
27 446.265.

28 [(39)] **(40)** “Utilities” means the water, sewer, gas or electric services provided on a lot for a
29 manufactured structure.

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