

CHAPTER 118**(SB 76)**

AN ACT relating to manufactured housing.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 227.570 is amended to read as follows:

- (1) The office shall enforce such standards and requirements for the installation of plumbing, heating, and electrical systems in **manufactured homes and** mobile homes and for **previously owned** recreational vehicles as it determines are reasonably necessary in order to protect the health and safety of the occupants and the public. These standards and requirements shall be those adopted by the Manufactured Home Certification and Licensure Board~~[or the Recreational Vehicle Certification and Licensure Board]~~.
- (2) The office shall enforce such standards and requirements for the body and frame design, construction, and installation of **manufactured homes and** mobile homes as it determines are reasonably necessary in order to protect the health and safety of the occupants and the public. These standards and requirements shall be those adopted by the Manufactured Home Certification and Licensure Board. If any part of 1976 Ky. Acts ch. 136 conflicts with Title 6 of the Federal Housing and Community Development Act of 1974, the federal act shall take precedence.
- (3) All installations of manufactured homes and mobile homes shall be performed by an installer certified under the provisions of KRS 227.560 in accordance with the manufacturer's instructions, if available, or **ANSI A225.1**~~[ANSI 225.1]~~, Manufactured Home Installations.
- (4) ***A certified installer shall apply for a certified installer seal prior to installing a manufactured home or a mobile home. The board shall promulgate administrative regulations in accordance with KRS Chapter 13A. The administrative regulations shall provide for the fees, purchase and application of the seal, report procedures, and attachment of the certified installer seal.***

➔Section 2. KRS 227.491 is amended to read as follows:

- (1) An electrical inspector who certifies an electrical installation shall furnish and attach an approval sticker, bearing his or her signature and certification number in a conspicuous place on the main service entrance equipment. He or she shall also provide the owner of the electrical installation or his or her authorized agent with a certificate of approval if the same is requested. A complete record of each inspection shall be kept by the inspector and these records shall be made available to the Office of Housing, Buildings and Construction upon its request.
- (2) No electrical inspector shall:
 - (a) Attempt to supplant, overrule, or otherwise invalidate the judgment of another electrical inspector whose services for a particular building, structure, or other project have been solicited by an owner, contractor, municipality, or other person without first obtaining express written consent from the designated inspector's office supervising the original inspector;~~[or]~~
 - (b) Certify an unlicensed or unlawful electrical **installations**~~[installation]~~;
 - (c) ***Certify or inspect an electrical installation in a manufactured home or mobile home where the certified installer seal is not present pursuant to Section 1 of this Act; or***
 - (d) ***Certify or inspect an electrical installation in a previously owned manufactured home or a previously owned mobile home when a Class B1 seal is not present as required by KRS 227.605.***
- (3) Failure of an electrical inspector to observe subsection (2) of this section shall subject that inspector to review by the executive director of housing, buildings and construction with possible suspension of certification for a period not to exceed one (1) year from the date of the executive director's ruling.

➔Section 3. KRS 278.030 is amended to read as follows:

- (1) Every utility may demand, collect and receive fair, just and reasonable rates for the services rendered or to be rendered by it to any person.

- (2) Every utility shall furnish adequate, efficient and reasonable service, and may establish reasonable rules governing the conduct of its business and the conditions under which it shall be required to render service.
- (3) Every utility may employ in the conduct of its business suitable and reasonable classifications of its service, patrons and rates. The classifications may, in any proper case, take into account the nature of the use, the quality used, the quantity used, the time when used, the purpose for which used, and any other reasonable consideration.
- (4) *Notwithstanding the provisions of subsection (2) of this section, no utility shall energize power to an electrical service in a manufactured home or mobile home where the certified installer's seal is not present pursuant to Section 1 of this Act.*
- (5) *Notwithstanding the provisions of subsection (2) of this section, no utility shall energize power to an electrical service in a previously owned manufactured home or previously owned mobile home where the Class B1 seal is not present pursuant to KRS 227.600.*

➔Section 4. KRS 227.590 is amended to read as follows:

- (1) The board shall make and the office shall enforce rules and regulations reasonably required to effectuate the provisions of KRS 227.550 to 227.660 and to carry out *the state fire marshal's office's*~~their~~ responsibilities as a state administrative agency for the enforcement and administration of the federal act.
- (2) At least thirty (30) days before the adoption or promulgation of any change in or addition to the rules and regulations authorized in subsection (5) of this section the office shall mail to all manufacturers possessing valid certificates of acceptability and retailers possessing valid licenses a notice including a copy of the proposed changes and additions and the time and place that the board will consider any objections to the proposed changes and additions. After giving the notice required by this section, the board shall afford interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity to present the same orally in any manner.
- (3) Every rule or regulation or modification, amendment, or repeal of a rule or regulation adopted by the board shall state the date it shall take effect.
- (4) Notwithstanding the provisions of KRS 227.550 to 227.660, the board shall have the authority to promulgate rules and regulations exempting manufacturers and retailers from the provisions of KRS 227.550 to 227.660 when manufactured homes or mobile homes are brought into this state for exhibition only.
- (5) All rules, regulations, codes, fees, and charges adopted by the board pursuant to KRS 227.550 to 227.660 shall be prepared and filed in accordance with KRS Chapter 13A.
- (6) The board shall have the authority to promulgate rules and regulations to issue temporary licenses, not to exceed thirty (30) days, to out-of-state retailers for the purpose of participating in manufactured home shows in the Commonwealth of Kentucky.

➔Section 5. The provisions of this Act shall take effect on January 1, 2009.

Signed by Governor April 14, 2008.