INTRODUCED BY July Xaveren 1 2 3

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS 4

69-2105 AND 69-2123, R.C.M. 1947, TO STANDARDIZE THE 5

6 DEFINITIONS OF MOBILE HOMES AND RECREATIONAL

COVERED BY THE BUILDING AND MOBILE HOME STANDARDS OF THE

STATE OF MONTANA AND CLARIFYING WHAT HOMES AND VEHICLES ARE 8

INCLUDED UNDER COMPLIANCE WITH THOSE STANDARDS."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 69-2105, R.C.M. 1947, is amended to

13 read as follows:

"69-2105. Definitions. As used in this chapter, unless 14

the context requires otherwise:

"Municipality" means any incorporated city or 16 town and its jurisdictional area as defined by subsection

(12) of this section.

"Building regulations" means any law, rule, 19

resolution, regulation, ordinance, or code, general or 20

21 special. or compilation thereof enacted or adopted by the

state or any municipality, including departments, boards,

bureaus, commissions, or other agencies of the state or a

24 municipality relating to the design, construction,

25 reconstruction, alteration, conversion, repair inspection,

or use of buildings and installation of equipment in 1 buildings. The term does not include zoning ordinances.

- 3 (3) "Department" means the department of administration provided for in Title 82A, chapter 2.
- 5 "Local building department" means the agency or 6 agencies of anv municipality charged with administration, supervision, or enforcement of building 7 8 regulations, approval of plans, inspection of buildings, or 9 the issuance of permits, licenses, certificates and similar 10 documents, prescribed or required by state or local building 11 regulations.
- 12 (5) agency" "State means any state officer. 13 department, board, bureau, commission, or other agency of 14 this state.
- "Building" means a combination of any materials, 15 (6) 16 whether mobile, portable, or fixed to form a structure and the related facilities for the use or occupancy by persons, 17 18 or property. The word "building" shall be construed as though followed by the words "or part or parts thereof." 19
- 20 "Equipment" means plumbing, heating, electrical, (7) 21 ventilating, air conditioning, and refrigerating equipment, 22 elevators, dumb-waiters, escalators, and other mechanical 23 additions or installations.
- 24 "Construction" means the original construction, 25 and equipment of buildings, and requirements or standards -2- HB 623

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- relating to or affecting materials used including provisions
  for safety and sanitary conditions.
- 3 (9) "Owner" means the owner or owners of the premises
  4 or lesser estate, a mortgagee or vendee in possession,
  5 assignee of rents, receiver, executor, trustee, lessee or
  6 other person, firm, or corporation, in control of a
  7 building.
- 8 (10) "Local legislative body" means the council or 9 commission charged with governing the municipality.
- 10 (11) "State building code" means the state building
  11 code provided for in section 69-2111 or any portion of the
  12 code of limited application, and any of its modifications or
  13 amendments.

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- within the limits of an incorporated municipality unless the area is extended at the written request of a municipality. Upon request the council may approve extension of the jurisdictional area to include all or part of the area within four and one-half (4 1/2) miles of the corporate limits of a municipality, measured in a straight line in a horizontal plane.
- 22 (13) "Public place" means any place which a 23 municipality or state maintains for the use of the public, 24 or a place where the public has a right to go and be.
- 25 (14) "Mobile home" means any--dwelling--unit--larger

1 than-two-hundred-fifty-six-(256)-square-feet-in--area--which 2 is--either--wholly-or-in-substantial-part-manufactured-at-an 3 off-site-location-and-any-movable-or-portable-dwelling--over thirty-two-(32)-feet-in-length-and-over-eight-(6)-feet-wide, 5 constructed -- to--be--towed--on--its-om-chassis-and-designed 6 without-a-permanent--foundation--for--year-round--occupancy; 7 which--includes--one--{1}--or--more--components--that-can-be retrasted-for-towing-purposes-and-subsequently-expanded--for additional--capacity,-or-of-two-(2)-or-more-units-separately 9 10 towable-but-designed-to-be--joined--into--one--(1)--integral 11 unity--as--well--as-a-portable-dwelling-composed-of-a-single 12 unit anything defined as a mobile home in the edition of 13 National Fire Protection Association (NFPA) No. 501B or 14 American National Standards Institute (ANSI) Al19.1 nost recently adopted by the state in accordance with section 15 16 69-2122.

- (15) "Recreational vehicle" means any-movable--er pertable--dwelling--primarily--designed--as-temperary-living quarters-for--recreational,--comping--or--travel--use--which either-has-its-own-motive-power-or-is-mounted-on-or-drawn-by another--vehicle-and-which-is-less-than-thirty-two-(32)-feet in-length- anything defined as a recreational vehicle in the edition of NFPA No. 501C or ANSI All9.2 most recently adopted by the state in accordance with section 69-2122."
- 25 Section 2. Section 69-2123, R.C.M. 1947, is amended to

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l read as follows:

2 "69-2123. Compliance with the department's rules. No 3 person, firm or corporation may manufacture, sell, or offer 4 for sale any mobile home or recreational vehicle, whether 5 new or used unless such mobile home or recreational vehicle, its components, systems and appliances have been constructed 6 and assembled in accordance with the standards herein 7 defined. Any mobile home or recreational vehicle unit which 8 9 has been approved by the department shall be deemed to be in 10 full compliance with the standards and rules and regulations 11 prescribed in this chapter. All mobile home or recreational 12 vehicle units thus approved shall be acceptable as meeting the requirements of this chapter throughout the state of 13 Montana without further inspection or fees except for 14 15 zoning, utility connections and foundation permits required by local ordinance." 16

-End-



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## Approved by Committee on Business and Industry

2	INTRODUCED BY FINLEY, HALVORSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
5	69-2105 AND 69-2123, R.C.M. 1947, TO STANDARDIZE THE
6	DEFINITIONS OF MOBILE HOMES AND RECREATIONAL VEHICLES
7	COVERED BY THE BUILDING AND MOBILE HOME STANDARDS OF THE
8	STATE OF MONTANA AND CLARIFYING WHAT HOMES AND VEHICLES ARE
9	INCLUDED UNDER COMPLIANCE WITH THOSE STANDARDS.*
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 69-2105, R.C.M. 1947, is amended to
13	read as follows:
14	*69-2105. Definitions. As used in this chapter, unless
15	the context requires otherwise:
16	(1) "Municipality" means any incorporated city or town
17	and its jurisdictional area as defined by subsection (12) of
18	this section.
19	(2) "Building regulations" means any law, rule,
20	resolution, regulation, ordinance, or code, general or
21	special, or compilation thereof enacted or adopted by the
22	state or any municipality, including departments, boards,
23	bureaus, commissions, or other agencies of the state or a
24	municipality relating to the design, construction,
25	reconstruction, alteration, conversion, repair inspection,

HOUSE BILL NO. 623

- or use of buildings and installation of equipment in buildings. The term does not include zoning ordinances.
- 3 (3) "Department" means the department of 4 administration provided for in Title 82A, chapter 2.
- (4) "Local building department" means the agency or 5 agencies municipality charged with 6 any 7 administration, supervision, or enforcement of building 8 regulations, approval of plans, inspection of buildings, or 9 the issuance of permits, licenses, certificates and similar 10 documents, prescribed or required by state or local building 11 regulations.
- 12 (5) "State agency" means any state officer,
  13 department, board, bureau, commission, or other agency of
  14 this state.
- 15 (6) "Building" means a combination of any materials,
  16 whether mobile, portable, or fixed to form a structure and
  17 the related facilities for the use or occupancy by persons,
  18 or property. The word "building" shall be construed as
  19 though followed by the words "or part or parts thereof."
  - (7) "Equipment" means plumbing, heating, electrical, ventilating, air conditioning, and refrigerating equipment, elevators, dumb-waiters, escalators, and other mechanical additions or installations.
- (8) "Construction" means the original construction,and equipment of buildings, and requirements or standards

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- 1 relating to or affecting materials used including provisions 2 for safety and sanitary conditions.
- 3 (9) "Owner" means the owner or owners of the premises 4 or lesser estate, a mortgagee or vendee in possession. 5 assignee of rents, receiver, executor, trustee, lessee or other person, firm, or corporation, in control of a 7 building.
- 8 (10) "Local legislative body" means the council or 9 commission charged with governing the municipality.
- 10 (11) "State building code" means the state building 11 code provided for in section 69-2111 or any portion of the 12 code of limited application, and any of its modifications or 13 amendments.

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- (12) "Municipal jurisdictional area" means the area within the limits of an incorporated municipality unless the area is extended at the written request of a municipality. Upon request the council may approve extension of the jurisdictional area to include all or part of the area within four and one-half (4 1/2) miles of the corporate limits of a municipality, measured in a straight line in a horizontal plane.
- 22 (13) "Public place" means any place which a 23 municipality or state maintains for the use of the public, 24 or a place where the public has a right to go and be.
- 25 (14) "Mobile home" means any-dwelling-unit-larger-than

2 either--wholly--or--in--substantial--part-manufactured-at-an off-site-location-and-any-movable-or-portable-dwelling--over 3 thirty-two-(32)-feet-in-length-and-over-cight-(8)-feet-wide7 constructed -- to--be--towed -- on -- its-own-chassis-and-designed 5 without-a-permanent--foundation--for--year-round--eccupancy; 6 which--includes--one--{1}--or--more--components--that-can-be 7 R retracted-for-towing-purposes-and-subsequently-expanded--for additional -- capacity -- or -of-two-(2) -or-more-units-separately 9 towable-but-designed-to-be--joined--into--enc--(1)--integral 10 unity--as--well--as-a-portable-dwelling-composed-of-a-single 11 12 unity anything defined as a mobile home in the edition of 13 National Fire Protection Association (NPPA) No. 5013 or 14 American National Standards Institute (ANSI) All9.1 most 15 recently adopted by the state in accordance with section 69-2122. 16

two-hundred-fifty-six-(256)-square-feet--in--area--which--is

- 17 (15) "Recreational vehicle" means any---movable---or 18 portable--dwelling--primarily--designed--as-temporary-living 19 quarters-for--recreationaly--camping--or--travel--use--which 20 either-has-its-own-motive-power-or-is-mounted-on-or-drawn-by 21 another--vehicle-and-which-is-less-than-thirty-two-(32)-feet 22 in-length; anything defined as a recreational vehicle in the edition of NFPA No. 501C or ANSI All9.2 most recently 24 adopted by the state in accordance with section 69-2122."
- 25 Section 2. Section 69-2123, R.C.M. 1947, is amended to

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HB 623

**HB** 623 -31 read as follows:

2 \*69-2123. Compliance with the department's rules. No 3 person, firm or corporation may manufacture, sell, or offer 4 for sale any mobile home or recreational vehicle, whether 5 new or used unless such mobile home or recreational vehicle, 6 its components, systems and appliances have been constructed 7 and assembled in accordance with the standards herein 3 defined, WITH THE EXCEPTION OF USED MOBILE HOMES OR 9 RECREATIONAL VEHICLES WHICH HAVE A WRITTEN NOTICE INFORMING 10 THE PURCHASER, AND SIGNED BY THE PURCHASER, OF POSSIBLE NONCOMPLIANCE WITH SUCH STANDARDS. Any mobile home or 11 12 recreational vehicle unit which has been approved by the 13 department shall be deemed to be in full compliance with the standards and rules and regulations prescribed in this 14 15 chapter. All mobile home or recreational vehicle units thus 16 approved shall be acceptable as meeting the requirements of 17 this chapter throughout the state of Montana without further inspection or fees except for zoning, utility connections 18 and foundation permits required by local ordinance." 19

-End-

HB 0623/02 44th Legislature HB 0623/02

1	HOUSE BILL NO. 623
2	INTRODUCED BY FINLEY, HALVORSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
5	69-2105 AND 69-2123, R.C.M. 1947, TO STANDARDIZE THE
6	DEFINITIONS OF MOBILE HOMES AND RECREATIONAL VEHICLES
7	COVERED BY THE BUILDING AND MOBILE HOME STANDARDS OF THE
8	STATE OF MONTANA AND CLARIFYING WHAT HOMES AND VEHICLES ARE
9	INCLUDED UNDER COMPLIANCE WITH THOSE STANDARDS."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 69-2105, R.C.M. 1947, is amended to
13	read as follows:
14	*69-2105. Definitions. As used in this chapter, unless
15	the context requires otherwise:
16	(1) "Municipality" means any incorporated city or town
17	and its jurisdictional area as defined by subsection (12) of
18	this section.
19	(2) "Building regulations" means any law, rule,
20	resolution, regulation, ordinance, or code, general or
21	special, or compilation thereof enacted or adopted by the
22	state or any municipality, including departments, boards,
23	bureaus, commissions, or other agencies of the state or a
24	municipality relating to the design, construction,

reconstruction, alteration, conversion, repair inspection,

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- or use of buildings and installation of equipment in 2 buildings. The term does not include zoning ordinances.
- 3 (3) "Department" means department the οf administration provided for in Title 82A, chapter 2.

(4) "Local building department" means the agency or

- 6 agencies of any municipality charged with administration, supervision, or enforcement of building regulations, approval of plans, inspection of buildings, or
- 9 the issuance of permits, licenses, certificates and similar 10 documents, prescribed or required by state or local building
  - regulations.

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- (5) \*State agency" means any state officer, department, board, bureau, commission, or other agency of this state.
- 15 (6) "Building" means a combination of any materials, 16 whether mobile, portable, or fixed to form a structure and the related facilities for the use or occupancy by persons, 17
- 18 or property. The word "building" shall be construed as
- 19 though followed by the words "or part or parts thereof."
- (7) "Equipment" means plumbing, heating, electrical, 21 ventilating, air conditioning, and refrigerating equipment,
- elevators, dumb-waiters, escalators, and other mechanical
- 23 additions or installations.
- 24 (8) "Construction" means the original construction, 25 and equipment of buildings, and requirements or standards

1 relating to or affecting materials used including provisions
2 for safety and sanitary conditions.

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- (9) \*Owner\* means the owner or owners of the premises or lesser estate, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm, or corporation, in control of a building.
- 8 (10) "Local legislative body" means the council or 9 commission charged with governing the municipality.
- 10 (11) "State building code" means the state building
  11 code provided for in section 69-2111 or any portion of the
  12 code of limited application, and any of its modifications or
  13 amendments.
  - (12) "Municipal jurisdictional area" means the area within the limits of an incorporated municipality unless the area is extended at the written request of a municipality. Upon request the council may approve extension of the jurisdictional area to include all or part of the area within four and one-half (4 1/2) miles of the corporate limits of a municipality, measured in a straight line in a horizontal plane.
- 22 (13) "Public place" means any place which a
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(15) "Recreational vehicle" means any---movable---or portable--dwelling--primarily--designed--as-temporary-living quarters-for--recreationaly--camping--or--travel--use--which either-has-its-own-motive-power-or-is-mounted-on-or-drawn-by another--vehicle-and-which-is-less-than-thirty-two-(32)-feet in-length; anything defined as a recreational vehicle in the edition of NFPA No. 501C or ANSI Al19.2 most recently adopted by the state in accordance with section 69-2122."

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25 Section 2. Section 69-2123, R.C.M. 1947, is amended to

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-End-

44th Legislature #B 0623/02 #B 0623/02

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- or use of buildings and installation of equipment in buildings. The term does not include zoning ordinances.
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- 25 Section 2. Section 69-2123, R.C.M. 1947, is amended to

-3- HB 623

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HB 0623/02

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-End-

-5- HB 623