

1 House BILL NO. 623
 2 INTRODUCED BY Fred Halverson
 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
 17 town and its jurisdictional area as defined by subsection
 18 (12) of 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,

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

3 (3) "Department" means the department of
 4 administration provided for in Title 82A, chapter 2.

5 (4) "Local building department" means the agency or
 6 agencies of any municipality charged with the
 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."

20 (7) "Equipment" means plumbing, heating, electrical,
 21 ventilating, air conditioning, and refrigerating equipment,
 22 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.

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.

14 (12) "Municipal jurisdictional area" means the area
15 within the limits of an incorporated municipality unless the
16 area is extended at the written request of a municipality.
17 Upon request the council may approve extension of the
18 jurisdictional area to include all or part of the area
19 within four and one-half (4 1/2) miles of the corporate
20 limits of a municipality, measured in a straight line in a
21 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~~
4 ~~thirty two (32) feet in length and over eight (8) feet wide,~~
5 ~~constructed to be towed on its own chassis and designed~~
6 ~~without a permanent foundation for year-round occupancy,~~
7 ~~which includes one (1) or more components that can be~~
8 ~~retracted for towing purposes and subsequently expanded for~~
9 ~~additional capacity, or of two (2) or more units separately~~
10 ~~towable but designed to be joined into one (1) integral~~
11 ~~unit, 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) A119.1 most~~
15 ~~recently adopted by the state in accordance with section~~
16 ~~69-2122.~~

17 (15) "Recreational vehicle" means ~~any movable or~~
18 ~~portable dwelling primarily designed as temporary living~~
19 ~~quarters for recreational, 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~~
23 ~~edition of NFPA No. 501C or ANSI A119.2 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

1 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
8 defined. Any mobile home or recreational vehicle unit which
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
13 the requirements of this chapter throughout the state of
14 Montana without further inspection or fees except for
15 zoning, utility connections and foundation permits required
16 by local ordinance."

-End-

H B 623

Approved by Committee
on Business and Industry

HOUSE BILL NO. 623

INTRODUCED BY FINLEY, HALVORSON

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS 69-2105 AND 69-2123, R.C.M. 1947, TO STANDARDIZE THE DEFINITIONS OF MOBILE HOMES AND RECREATIONAL VEHICLES COVERED BY THE BUILDING AND MOBILE HOME STANDARDS OF THE STATE OF MONTANA AND CLARIFYING WHAT HOMES AND VEHICLES ARE INCLUDED UNDER COMPLIANCE WITH THOSE STANDARDS."

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

Section 1. Section 69-2105, R.C.M. 1947, is amended to read as follows:

"69-2105. Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Municipality" means any incorporated city or town and its jurisdictional area as defined by subsection (12) of this section.

(2) "Building regulations" means any law, rule, resolution, regulation, ordinance, or code, general or 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 municipality relating to the design, construction, reconstruction, alteration, conversion, repair inspection,

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

(3) "Department" means the department of administration provided for in Title 82A, chapter 2.

(4) "Local building department" means the agency or agencies of any municipality charged with the administration, supervision, or enforcement of building regulations, approval of plans, inspection of buildings, or the issuance of permits, licenses, certificates and similar documents, prescribed or required by state or local building regulations.

(5) "State agency" means any state officer, department, board, bureau, commission, or other agency of this state.

(6) "Building" means a combination of any materials, whether mobile, portable, or fixed to form a structure and the related facilities for the use or occupancy by persons, or property. The word "building" shall be construed as 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

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
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.

14 (12) "Municipal jurisdictional area" means the area
15 within the limits of an incorporated municipality unless the
16 area is extended at the written request of a municipality.
17 Upon request the council may approve extension of the
18 jurisdictional area to include all or part of the area
19 within four and one-half (4 1/2) miles of the corporate
20 limits of a municipality, measured in a straight line in a
21 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~~

1 ~~two-hundred-fifty-six-(256)-square-feet--in--area--which--is~~
2 ~~either--wholly--or--in--substantial--part--manufactured--at--an~~
3 ~~off-site--location--and--any--movable--or--portable--dwelling--over~~
4 ~~thirty-two-(32)--feet--in--length--and--over--eight-(8)--feet--wide,~~
5 ~~constructed--to--be--towed--on--its--own--chassis--and--designed~~
6 ~~without--a--permanent--foundation--for--year-round--occupancy,~~
7 ~~which--includes--one--(1)--or--more--components--that--can--be~~
8 ~~retracted--for--towing--purposes--and--subsequently--expanded--for~~
9 ~~additional--capacity,--or--of--two-(2)--or--more--units--separately~~
10 ~~towable--but--designed--to--be--joined--into--one--(1)--integral~~
11 ~~unit,--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. 5013 or~~
14 ~~American National Standards Institute (ANSI) A119.1 most~~
15 ~~recently adopted by the state in accordance with section~~
16 ~~69-2122.~~

17 (15) "Recreational vehicle" means ~~any--movable--or~~
18 ~~portable--dwelling--primarily--designed--as--temporary--living~~
19 ~~quarters--for--recreational--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~~
23 ~~edition of NFPA No. 501C or ANSI A119.2 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

1 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
8 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
11 NONCOMPLIANCE WITH SUCH STANDARDS. Any mobile home or
12 recreational vehicle unit which has been approved by the
13 department shall be deemed to be in full compliance with the
14 standards and rules and regulations prescribed in this
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
18 inspection or fees except for zoning, utility connections
19 and foundation permits required by local ordinance."

-End-

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,
25 reconstruction, alteration, conversion, repair inspection,1 or use of buildings and installation of equipment in
2 buildings. The term does not include zoning ordinances.3 (3) "Department" means the department of
4 administration provided for in Title 82A, chapter 2.5 (4) "Local building department" means the agency or
6 agencies of any municipality charged with the
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."20 (7) "Equipment" means plumbing, heating, electrical,
21 ventilating, air conditioning, and refrigerating equipment,
22 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.

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.

14 (12) "Municipal jurisdictional area" means the area
15 within the limits of an incorporated municipality unless the
16 area is extended at the written request of a municipality.
17 Upon request the council may approve extension of the
18 jurisdictional area to include all or part of the area
19 within four and one-half (4 1/2) miles of the corporate
20 limits of a municipality, measured in a straight line in a
21 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

1 ~~two-hundred-fifty-six (256) square feet in area which is~~
2 ~~either wholly or in substantial part manufactured at an~~
3 ~~off-site location and any movable or portable dwelling over~~
4 ~~thirty-two (32) feet in length and over eight (8) feet wide,~~
5 ~~constructed to be towed on its own chassis and designed~~
6 ~~without a permanent foundation for year-round occupancy,~~
7 ~~which includes one (1) or more components that can be~~
8 ~~retracted for towing purposes and subsequently expanded for~~
9 ~~additional capacity, or of two (2) or more units separately~~
10 ~~towable but designed to be joined into one (1) integral~~
11 ~~unit, 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) A119.1 most~~
15 ~~recently adopted by the state in accordance with section~~
16 ~~69-2122.~~

17 (15) "Recreational vehicle" means any ~~movable or~~
18 ~~portable dwelling primarily designed as temporary living~~
19 ~~quarters for recreational 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~~
23 ~~edition of NFPA No. 501C or ANSI A119.2 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

1 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
8 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
11 NONCOMPLIANCE WITH SUCH STANDARDS. Any mobile home or
12 recreational vehicle unit which has been approved by the
13 department shall be deemed to be in full compliance with the
14 standards and rules and regulations prescribed in this
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
18 inspection or fees except for zoning, utility connections
19 and foundation permits required by local ordinance."

-End-

HOUSE BILL NO. 623

INTRODUCED BY FINLEY, HALVORSON

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS 69-2105 AND 69-2123, R.C.M. 1947, TO STANDARDIZE THE DEFINITIONS OF MOBILE HOMES AND RECREATIONAL VEHICLES COVERED BY THE BUILDING AND MOBILE HOME STANDARDS OF THE STATE OF MONTANA AND CLARIFYING WHAT HOMES AND VEHICLES ARE INCLUDED UNDER COMPLIANCE WITH THOSE STANDARDS."

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

Section 1. Section 69-2105, R.C.M. 1947, is amended to read as follows:

"69-2105. Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Municipality" means any incorporated city or town and its jurisdictional area as defined by subsection (12) of this section.

(2) "Building regulations" means any law, rule, resolution, regulation, ordinance, or code, general or 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 municipality relating to the design, construction, reconstruction, alteration, conversion, repair inspection,

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

(3) "Department" means the department of administration provided for in Title 82A, chapter 2.

(4) "Local building department" means the agency or agencies of any municipality charged with the administration, supervision, or enforcement of building regulations, approval of plans, inspection of buildings, or the issuance of permits, licenses, certificates and similar documents, prescribed or required by state or local building regulations.

(5) "State agency" means any state officer, department, board, bureau, commission, or other agency of this state.

(6) "Building" means a combination of any materials, whether mobile, portable, or fixed to form a structure and the related facilities for the use or occupancy by persons, or property. The word "building" shall be construed as 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

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
 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.

14 (12) "Municipal jurisdictional area" means the area
 15 within the limits of an incorporated municipality unless the
 16 area is extended at the written request of a municipality.
 17 Upon request the council may approve extension of the
 18 jurisdictional area to include all or part of the area
 19 within four and one-half (4 1/2) miles of the corporate
 20 limits of a municipality, measured in a straight line in a
 21 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~~

1 ~~two-hundred-fifty-six-(256)-square-feet--in--area--which--is~~
 2 ~~either--wholly--or--in--substantial--part--manufactured--at--an~~
 3 ~~off-site-location-and-any-movable-or-portable-dwelling--over~~
 4 ~~thirty-two-(32)-feet-in-length-and-over-eight-(8)-feet-wide,~~
 5 ~~constructed--to--be--towed--on--its-own-chassis-and-designed~~
 6 ~~without-a-permanent--foundation--for--year-round--occupancy,~~
 7 ~~which--includes--one--(1)--or--more--components--that-can-be~~
 8 ~~retracted-for-towing-purposes-and-subsequently-expanded--for~~
 9 ~~additional--capacity,--or--of-two-(2)--or--more--units--separately~~
 10 ~~towable-but-designed-to-be--joined--into--one--(1)--integral~~
 11 ~~unit,--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) A119.1 most~~
 15 ~~recently adopted by the state in accordance with section~~
 16 ~~69-2122.~~

17 (15) "Recreational vehicle" means ~~any--movable--or~~
 18 ~~portable--dwelling--primarily--designed--as-temporary-living~~
 19 ~~quarters-for--recreational,--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~~
 23 ~~edition of NFPA No. 501C or ANSI A119.2 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

1 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
8 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
11 NONCOMPLIANCE WITH SUCH STANDARDS. Any mobile home or
12 recreational vehicle unit which has been approved by the
13 department shall be deemed to be in full compliance with the
14 standards and rules and regulations prescribed in this
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
18 inspection or fees except for zoning, utility connections
19 and foundation permits required by local ordinance."

-End-