

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
B-ENGROSSED HOUSE BILL 2333  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 1 of the printed B-engrossed bill, line 4, after “801.409” insert  
2 “and section 25, chapter \_\_\_, Oregon Laws 2019 (Enrolled Senate Bill 410)”.

3 On page 2, after line 9, insert:

4 **“SECTION 2a.** If Senate Bill 410 becomes law, section 2 of this 2019 Act  
5 is amended to read:

6 **“Sec. 2.** (1) As used in this section:

7 “(a) ‘Mobile home park’ has the meaning given that term in ORS 446.003.

8 “(b) ‘Park model recreational vehicle’ means a recreational vehicle, as  
9 defined in section [6 of this 2019 Act] **25, chapter \_\_\_, Oregon Laws 2019**  
10 **(Enrolled Senate Bill 410)**, that:

11 “(A) Is designed for use as temporary living quarters;

12 “(B) Is built on a single chassis mounted on wheels;

13 “(C) Has a gross trailer area that does not exceed 400 square feet;

14 “(D) Is more than eight and one-half feet wide;

15 “(E) Complies with any manufacturing standards that the Director of  
16 Transportation recognizes as being in widespread use and applicable to park  
17 model recreational vehicles; and

18 “(F) Meets any other requirements imposed by the director by rule.

19 “(2) The Department of Transportation, by rule, may provide for optional  
20 titling under ORS 803.035. The department may not issue a registration for

1 a park model recreational vehicle.

2 “(3) The department may require an applicant for optional titling to:

3 “(a) Provide a manufacturer certificate or other information the depart-  
4 ment deems adequate for ensuring that the vehicle was constructed in com-  
5 pliance with manufacturing standards described in subsection (1)(b)(E) of  
6 this section; and

7 “(b) Attest that the vehicle:

8 “(A) Is not permanently affixed to land for use as a permanent dwelling;

9 or

10 “(B) Is located within a mobile home park.”.

11 After line 35, insert:

12 **“SECTION 5a.** If Senate Bill 410 becomes law, section 5 of this 2019 Act  
13 is amended to read:

14 **“Sec. 5.** (1) As used in this section:

15 “(a) ‘Living area components’ means flooring, roofing, building envelope,  
16 plumbing systems, electrical systems and heating and air conditioning sys-  
17 tems.

18 “(b) ‘Recreational vehicle’ has the meaning given that term in section [6  
19 of this 2019 Act] **25, chapter \_\_, Oregon Laws 2019 (Enrolled Senate Bill**  
20 **410).**

21 “(2) The seller of a new recreational vehicle shall provide the buyer with  
22 written information listing each living area component item or system men-  
23 tioned in subsection (1)(a) of this section, stating whether the component  
24 item or system is covered by a warranty and, if so, the extent and length of  
25 the warranty.”.

26 After line 45, insert:

27 **“SECTION 6a.** If Senate Bill 410 becomes law, section 6 of this 2019  
28 Act is repealed and section 25, chapter \_\_, Oregon Laws 2019 (Enrolled  
29 Senate Bill 410), is amended to read:

30 **“Sec. 25.** (1) As used in the statutes of this state, ‘manufactured

1 structure' has the meaning given that term in this section only if the statute  
2 using 'manufactured structure' makes specific reference to this section and  
3 indicates that the term used has the meaning given in this section. As used  
4 in the statutes of this state, 'recreational vehicle' has the meaning given that  
5 term in this section only if the statute using 'recreational vehicle' makes  
6 specific reference to this section or section 26 [of this 2019 Act], **chapter \_\_**,  
7 **Oregon Laws 2019 (Enrolled Senate Bill 410)**, and thereby indicates that  
8 the term used has the meaning given in this section.

9 “(2) ‘Manufactured structure’ means a manufactured dwelling, as defined  
10 in ORS 446.003, or a recreational vehicle, as defined in this section.

11 “(3) ‘Recreational vehicle’ means a vehicle with or without motive  
12 power[,] that is designed for [*human occupancy and to be used temporarily for*  
13 *recreational, seasonal or emergency purposes*] **use as temporary living**  
14 **quarters** and as further defined by rule by the Director of  
15 Transportation.”.

16 On page 6, after line 8, insert:

17 **“SECTION 7a. If Senate Bill 410 becomes law, section 7 of this 2019**  
18 **Act (amending ORS 446.003) is repealed and ORS 446.003 is amended to**  
19 **read:**

20 “446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, and for  
21 the purposes of ORS chapters 195, 196, 197, 215 and 227, the following defi-  
22 nitions apply, unless the context requires otherwise, or unless administration  
23 and enforcement by the State of Oregon under the existing or revised Na-  
24 tional Manufactured Housing Construction and Safety Standards Act would  
25 be adversely affected, and except as provided in ORS 446.265:

26 “(1) ‘Accessory building or structure’ means any portable, demountable  
27 or permanent structure established for use of the occupant of the manufac-  
28 tured structure and as further defined by rule by the Director of the De-  
29 partment of Consumer and Business Services.

30 “(2)(a) ‘Alteration’ means any change, addition, repair, conversion, re-

1 placement, modification or removal of any equipment or installation that  
2 may affect the operation, construction or occupancy of a manufactured  
3 structure.

4 “(b) ‘Alteration’ does not include:

5 “(A) Minor repairs with approved component parts;

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

8 “(C) Adjustment and maintenance of equipment; or

9 “(D) Replacement of equipment or accessories in kind.

10 “(3) ‘Approved’ means approved, licensed or certified by the Department  
11 of Consumer and Business Services or its designee.

12 “(4) ‘Board’ means the Residential and Manufactured Structures Board.

13 “(5) ‘Cabana’ means a stationary, lightweight structure that may be pre-  
14 fabricated, or demountable, with two or more walls, used adjacent to and in  
15 conjunction with a manufactured structure to provide additional living  
16 space.

17 “(6) ‘Certification’ means an evaluation process by which the department  
18 verifies a manufacturer’s ability to produce manufactured structures to the  
19 department rules and to the department approved quality control manual.

20 “(7) ‘Conversion’ or ‘to convert’ means the process of changing a manu-  
21 factured structure in whole or in part from one type of vehicle or structure  
22 to another.

23 “(8) ‘Dealer’ means any person engaged in the business of selling, leasing  
24 or distributing manufactured structures or equipment, or both, primarily to  
25 persons who in good faith purchase or lease manufactured structures or  
26 equipment, or both, for purposes other than resale.

27 “(9) ‘Department’ means the Department of Consumer and Business Ser-  
28 vices.

29 “(10) ‘Director’ means the Director of the Department of Consumer and  
30 Business Services.

1 “(11) ‘Distributor’ means any person engaged in selling and distributing  
2 manufactured structures or equipment for resale.

3 “(12) ‘Equipment’ means materials, appliances, subassembly, devices, fix-  
4 tures, fittings and apparatuses used in the construction, plumbing, mechan-  
5 ical and electrical systems of a manufactured structure.

6 “(13) ‘Federal manufactured housing construction and safety standard’  
7 means a standard for construction, design and performance of a manufac-  
8 tured dwelling promulgated by the Secretary of Housing and Urban Devel-  
9 opment pursuant to the federal National Manufactured Housing  
10 Construction and Safety Standards Act of 1974 (Public Law 93-383).

11 “(14) ‘Fire Marshal’ means the State Fire Marshal.

12 “(15) ‘Imminent safety hazard’ means an imminent and unreasonable risk  
13 of death or severe personal injury.

14 “(16) ‘Insignia of compliance’ means:

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

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

19 “(17) ‘Inspecting authority’ or ‘inspector’ means the Director of the De-  
20 partment of Consumer and Business Services or representatives as appointed  
21 or authorized to administer and enforce provisions of ORS 446.111, 446.160,  
22 446.176, 446.225 to 446.285, 446.310 to 446.350, 446.990 and this section.

23 “(18) ‘Installation’ in relation to:

24 “(a) Construction means the arrangements and methods of construction,  
25 fire and life safety, electrical, plumbing and mechanical equipment and sys-  
26 tems within a manufactured structure.

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

1       “(19) ‘Installer’ means any individual licensed by the director to install,  
2 set up, connect, hook up, block, tie down, secure, support, install temporary  
3 steps for, install skirting for or make electrical, plumbing or mechanical  
4 connections to manufactured dwellings or cabanas or who provides consul-  
5 tation or supervision for any of these activities, except architects registered  
6 under ORS 671.010 to 671.220 or engineers registered under ORS 672.002 to  
7 672.325.

8       “(20) ‘Listed’ means equipment or materials included in a list, published  
9 by an organization concerned with product evaluation acceptable to the de-  
10 partment that maintains periodic inspection of production of listed equip-  
11 ment or materials, and whose listing states either that the equipment or  
12 materials meets appropriate standards or has been tested and found suitable  
13 in a specified manner.

14       “(21) ‘Lot’ means any space, area or tract of land, or portion of a manu-  
15 factured dwelling park, mobile home park or recreation park that is desig-  
16 nated or used for occupancy by one manufactured structure.

17       “(22)(a) ‘Manufactured dwelling’ means a residential trailer, mobile home  
18 or manufactured home.

19       “(b) ‘Manufactured dwelling’ does not include any building or structure  
20 constructed to conform to the State of Oregon Structural Specialty Code or  
21 the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.100 to  
22 455.450 and 455.610 to 455.630 [*or any unit identified as a recreational vehicle*  
23 *by the manufacturer*].

24       “(23) ‘Manufactured dwelling park’ means any place where four or more  
25 manufactured dwellings are located within 500 feet of one another on a lot,  
26 tract or parcel of land under the same ownership, the primary purpose of  
27 which is to rent or lease space or keep space for rent or lease to any person  
28 for a charge or fee paid or to be paid for the rental or lease or use of facil-  
29 ities or to offer space free in connection with securing the trade or patronage  
30 of such person. ‘Manufactured dwelling park’ does not include a lot or lots

1 located within a subdivision being rented or leased for occupancy by no more  
2 than one manufactured dwelling per lot if the subdivision was approved by  
3 the local government unit having jurisdiction under an ordinance adopted  
4 pursuant to ORS 92.010 to 92.192.

5 “(24)(a) ‘Manufactured home,’ except as provided in paragraph (b) of this  
6 subsection, means a structure constructed for movement on the public high-  
7 ways that has sleeping, cooking and plumbing facilities, that is intended for  
8 human occupancy, that is being used for residential purposes and that was  
9 constructed in accordance with federal manufactured housing construction  
10 and safety standards and regulations in effect at the time of construction.

11 “(b) For purposes of implementing any contract pertaining to manufac-  
12 tured homes between the department and the federal government, ‘manufac-  
13 tured home’ has the meaning given the term in the contract.

14 “(25)(a) ‘Manufactured structure’ means a [*recreational vehicle,*] manufac-  
15 tured dwelling or recreational structure.

16 “(b) ‘Manufactured structure’ does not include any building or structure  
17 regulated under the State of Oregon Structural Specialty Code or the Low-  
18 Rise Residential Dwelling Code.

19 “(26) ‘Manufacturer’ means any person engaged in manufacturing, build-  
20 ing, rebuilding, altering, converting or assembling manufactured structures  
21 or equipment.

22 “(27) ‘Manufacturing’ means the building, rebuilding, altering or con-  
23 verting of manufactured structures that bear or are required to bear an  
24 Oregon insignia of compliance.

25 “(28) ‘Minimum safety standards’ means the plumbing, mechanical, elec-  
26 trical, thermal, fire and life safety, structural and transportation standards  
27 prescribed by rules adopted by the director.

28 “(29) ‘Mobile home’ means a structure constructed for movement on the  
29 public highways that has sleeping, cooking and plumbing facilities, that is  
30 intended for human occupancy, that is being used for residential purposes

1 and that was constructed between January 1, 1962, and June 15, 1976, and  
2 met the construction requirements of Oregon mobile home law in effect at  
3 the time of construction.

4 “(30) ‘Mobile home park’ means any place where four or more manufac-  
5 tured structures, **recreational vehicles as defined in section 25, chapter**  
6 **\_\_\_, Oregon Laws 2019 (Enrolled Senate Bill 410), or a combination**  
7 **thereof**, are located within 500 feet of one another on a lot, tract or parcel  
8 of land under the same ownership, the primary purpose of which is to rent  
9 space or keep space for rent to any person for a charge or fee paid or to be  
10 paid for the rental or use of facilities or to offer space free in connection  
11 with securing the trade or patronage of such person. ‘Mobile home park’  
12 does not include a lot or lots located within a subdivision being rented or  
13 leased for occupancy by no more than one manufactured dwelling per lot if  
14 the subdivision was approved by the municipality unit having jurisdiction  
15 under an ordinance adopted pursuant to ORS 92.010 to 92.192.

16 “(31) ‘Municipality’ means a city, county or other unit of local govern-  
17 ment otherwise authorized by law to enact codes.

18 “(32) ‘Recreational structure’ means a campground structure with or  
19 without plumbing, heating or cooking facilities intended to be used by any  
20 particular occupant on a limited-time basis for recreational, seasonal, emer-  
21 gency or transitional housing purposes and may include yurts, cabins, fabric  
22 structures or similar structures as further defined, by rule, by the director.

23 “[~~(33)~~ *‘Recreational vehicle’ means a vehicle with or without motive power,*  
24 *that is designed for human occupancy and to be used temporarily for recre-*  
25 *ational, seasonal or emergency purposes and as further defined, by rule, by the*  
26 *director.*]

27 “[~~(34)~~ **(33)** ‘Residential trailer’ means a structure constructed for move-  
28 ment on the public highways that has sleeping, cooking and plumbing facil-  
29 ities, that is intended for human occupancy, that is being used for residential  
30 purposes and that was constructed before January 1, 1962.



1       “[(35)] (34) ‘Sale’ means rent, lease, sale or exchange.

2       “[(36)] (35) ‘Skirting’ means a weather resistant material used to enclose  
3 the space below the manufactured structure.

4       “[(37)] (36) ‘Tiedown’ means any device designed to anchor a manufac-  
5 tured structure securely to the ground.

6       “[(38)] (37) ‘Transitional housing accommodations’ means accommodations  
7 described under ORS 446.265.

8       “[(39)] (38) ‘Utilities’ means the water, sewer, gas or electric services  
9 provided on a lot for a manufactured structure.”.

10       On page 7, after line 35, insert:

11       **“SECTION 10a. If Senate Bill 410 becomes law, section 10 of this 2019**  
12 **Act (amending ORS 446.561) is repealed and ORS 446.561, as amended**  
13 **by section 15, chapter \_\_\_, Oregon Laws 2019 (Enrolled Senate Bill 410),**  
14 **is amended to read:**

15       “446.561. As used in ORS 446.566 to 446.646:

16       “(1) Except as provided in subsection (2) of this section, ‘manufactured  
17 structure’ means:

18       “(a) A manufactured dwelling. As used in this paragraph, ‘manufactured  
19 dwelling’ has the meaning given that term in ORS 446.003 and also includes  
20 a structure that would meet the definition in ORS 446.003 except that the  
21 structure is being used for other than residential purposes.

22       “(b) A prefabricated structure, as defined in ORS 455.010, that is relocat-  
23 able and more than eight and one-half feet wide.

24       “[(c) A recreational vehicle, as defined in section 25 of this 2019 Act, that  
25 is more than eight and one-half feet wide.]

26       “(2) ‘Manufactured structure’ does not include a mobile modular unit as  
27 defined in ORS 308.866 or an implement of husbandry as defined in ORS  
28 801.310.”.

29       After line 44, insert:

30       **“SECTION 11a. If Senate Bill 410 becomes law, section 11 of this 2019**

1 **Act (amending ORS 446.661) is repealed and ORS 446.661 is amended to**  
2 **read:**

3 “446.661. As used in ORS 446.661 to 446.756:

4 “(1) ‘Dealer’ has the meaning given that term in ORS 446.003.

5 “(2) ‘Insured institution’ has the meaning given that term in ORS 706.008.

6 “(3) ‘Manufactured dwelling’ has the meaning given that term in ORS  
7 446.003.

8 “(4) ‘Manufactured structure’ [*has the meaning given that term in ORS*  
9 *446.561.*] **means:**

10 **“(a) A manufactured structure, as defined in ORS 446.561; or**

11 **“(b) A recreational vehicle, as defined in section 25, chapter \_\_,**  
12 **Oregon Laws 2019 (Enrolled Senate Bill 410), that is more than eight**  
13 **and one-half feet wide.”.**

14 On page 9, after line 41, insert:

15 **“SECTION 15a.** If Senate Bill 410 becomes law, section 15 of this 2019  
16 Act is amended to read:

17 **“Sec. 15.** As used in this chapter and ORS chapters 305, 308, 310 and 311,  
18 ‘manufactured structure’ means:

19 “(1) A manufactured dwelling as defined in ORS 446.003;

20 “(2) A structure that would meet the definition of ‘manufactured  
21 dwelling’ in ORS 446.003 except that the structure is being used for other  
22 than residential purposes;

23 “(3) A prefabricated structure, as defined in ORS 455.010, that is relocat-  
24 able and more than eight and one-half feet wide; and

25 “(4) A recreational vehicle, as defined in section [*6 of this 2019 Act*] **25,**  
26 **chapter \_\_, Oregon Laws 2019 (Enrolled Senate Bill 410),** that is more  
27 than eight and one-half feet wide.”.

28 On page 25, after line 26, insert:

29 **“SECTION 19a.** If Senate Bill 410 becomes law, section 19 of this 2019  
30 **Act (amending ORS 215.010) is repealed and ORS 215.010 is amended to**

1 **read:**

2 “215.010. As used in this chapter:

3 “(1) The terms defined in ORS 92.010 shall have the meanings given  
4 therein, except that ‘parcel’:

5 “(a) Includes a unit of land created:

6 “(A) By partitioning land as defined in ORS 92.010;

7 “(B) In compliance with all applicable planning, zoning and partitioning  
8 ordinances and regulations; or

9 “(C) By deed or land sales contract, if there were no applicable planning,  
10 zoning or partitioning ordinances or regulations.

11 “(b) Does not include a unit of land created solely to establish a separate  
12 tax account.

13 “(2) ‘Tract’ means one or more contiguous lots or parcels under the same  
14 ownership.

15 “(3) The terms defined in ORS chapter 197 shall have the meanings given  
16 therein.

17 “(4) ‘Farm use’ has the meaning given that term in ORS 215.203.

18 “(5) **‘Recreational vehicle’ has the meaning given that term in sec-**  
19 **tion 25, chapter \_\_, Oregon Laws 2019 (Enrolled Senate Bill 410).**

20 “[5] (6) ‘The Willamette Valley’ is Clackamas, Linn, Marion,  
21 Multnomah, Polk, Washington and Yamhill Counties and the portion of  
22 Benton and Lane Counties lying east of the summit of the Coast Range.”.

23 On page 33, after line 15, insert:

24 **“SECTION 30a. If Senate Bill 410 becomes law, sections 12 (amend-**  
25 **ing ORS 455.010), 16 (amending ORS 90.100), 18 (amending ORS 197.492),**  
26 **23 (amending ORS 319.550), 24 (amending ORS 456.594), 25 (amending**  
27 **ORS 469.155), 26 (amending ORS 469.631), 27 (amending ORS 469.649),**  
28 **28 (amending ORS 469.710), 29 (amending ORS 480.450) and 30 (amend-**  
29 **ing ORS 801.409) of this 2019 Act are repealed.”.**

30 After line 28, insert:

1        **“SECTION 32a.** If Senate Bill 410 becomes law, section 32 of this 2019  
2 Act is amended to read:

3        **“Sec. 32.** Notwithstanding section [6 of this 2019 Act] **25, chapter \_\_,**  
4 **Oregon Laws 2019 (Enrolled Senate Bill 410),** and the amendments to ORS  
5 446.003 by section [7] **7a** of this 2019 Act, a rule adopted by the Director of  
6 the Department of Consumer and Business Services under ORS 446.003 prior  
7 to the effective date of this 2019 Act defining a recreational vehicle shall  
8 continue in effect and be treated as a rule adopted by the Director of  
9 Transportation under section [6 of this 2019 Act] **25, chapter \_\_, Oregon**  
10 **Laws 2019 (Enrolled Senate Bill 410),** until repealed or amended by the  
11 Director of Transportation.”.

12        After line 33, insert:

13        **“SECTION 33a.** If Senate Bill 410 becomes law, section 33 of this 2019  
14 Act is amended to read:

15        **“Sec. 33.** Section [6 of this 2019 Act] **25, chapter \_\_, Oregon Laws 2019**  
16 **(Enrolled Senate Bill 410),** and the amendments to ORS 446.003, 446.155,  
17 446.170, 446.561[, 455.010,] **and** 455.117 [*and 480.450*] by sections [7 to 10, 12,  
18 *13 and 29*] **7a to 10a and 13** of this 2019 Act do not divest the Department  
19 of Consumer and Business Services or a municipality of the authority over  
20 a violation of [*ORS 480.420 to 480.460 or*] ORS chapter 446 or 455 committed  
21 prior to the effective date of this 2019 Act.”.

22