

*Substituted for by SF2109
4-8-98 (P. 1398)*

*3/19/98 Unfiled Business
Calendar*

FEB 25 1998

Place On Calendar

HOUSE FILE **2447**
BY COMMITTEE ON TRANSPORTATION

WITHDRAWN
4-8-98

(SUCCESSOR TO HF 2133)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to mobile home dealers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

HF 2447

1 Section 1. Section 322B.2, subsections 3 and 4, Code 1997,
2 are amended by striking the subsections.

3 Sec. 2. Section 322B.2, subsections 5 and 7, Code 1997,
4 are amended to read as follows:

5 5. "Mobile home" means a structure, transportable in one
6 or more sections, which exceeds eight feet in width and
7 thirty-two feet in length, and which is built on a permanent
8 chassis and designed to be used as a dwelling with or without
9 a permanent foundation when connected to one or more
10 utilities. "Mobile home" also includes "manufactured home" as
11 the term is defined in section 435.1.

12 7. "Mobile home distributor" means a person who sells or
13 distributes mobile homes to mobile home dealers ~~either~~
14 ~~directly or through a distributor's representative.~~

15 Sec. 3. Section 322B.3, subsection 3, Code 1997, is
16 amended to read as follows:

17 3. SURETY BOND. Before the issuance of a mobile home
18 dealer's license, an applicant for a license shall file with
19 the department a surety bond executed by the applicant as
20 principal and executed by a corporate surety company, licensed
21 and qualified to do business within this state, which bond
22 shall run to the state of Iowa, be in the amount of ~~twenty-~~
23 ~~five~~ five fifty thousand dollars and be conditioned upon the
24 faithful compliance by the applicant as a dealer with all of
25 the statutes of this state regulating the business of the
26 dealer and indemnifying any person dealing or transacting
27 business with the dealer in connection with a mobile home from
28 a loss or damage occasioned by the failure of the dealer to
29 comply with this chapter, including, but not limited to, the
30 furnishing of a proper and valid document of title to the
31 mobile home involved in the transaction.

32 Sec. 4. Section 322B.3, Code 1997, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 5. MOBILE HOME HOOKUPS. A mobile home
35 dealer or an employee of a mobile home dealer may perform

1 hookups from mobile homes to outside water, gas, or electrical
2 connections without having any additional license. However,
3 the electrical connection shall be within a mobile home space
4 or within ten feet of the exterior boundary of the space.

5 Sec. 5. Section 322B.4, subsection 2, Code 1997, is
6 amended by striking the subsection.

7 Sec. 6. Section 322B.6, unnumbered paragraph 1, Code 1997,
8 is amended to read as follows:

9 The department may revoke, suspend, or refuse the license
10 of a mobile home dealer, mobile home manufacturer, or mobile
11 home distributor, ~~manufacturer's-representative~~₇-~~or~~
12 ~~distributor's-representative~~₇ as applicable, if the department
13 finds that the mobile home dealer, manufacturer, or
14 distributor₇-~~or-representative~~ is guilty of any of the
15 following acts or offenses:

16 Sec. 7. Section 322B.6, subsections 2 and 3, Code 1997,
17 are amended to read as follows:

18 2. Knowingly making misleading, deceptive, untrue or
19 fraudulent representations in the business of a mobile home
20 dealer, manufacturer, or distributor₇-~~manufacturer's~~
21 ~~representative-or-distributor's-representative~~ or engaging in
22 unethical conduct or practice harmful or detrimental to the
23 public.

24 3. Conviction of a felony related to the business of a
25 mobile home dealer, manufacturer, or distributor₇
26 ~~manufacturer's-representative-or-distributor's-representative~~.
27 A copy of the record of conviction or plea of guilty shall be
28 sufficient evidence for the purposes of this section.

29 Sec. 8. Section 322B.6, subsection 6, Code 1997, is
30 amended by striking the subsection.

31 Sec. 9. Section 322B.8, Code 1997, is amended to read as
32 follows:

33 322B.8 UNLAWFUL PRACTICE.

34 It is unlawful for a person to engage in business as a
35 mobile home dealer, mobile home manufacturer, or mobile home

1 distributor, ~~manufacturer's representative or distributor's~~
2 representative in this state without first acquiring and
3 maintaining a license in accordance with this chapter. A
4 person convicted of violating the provisions of this section
5 is guilty of a serious misdemeanor.

6

EXPLANATION

7 This bill amends Code chapter 322B relating to the
8 licensing of mobile home dealers to provide that the licensing
9 provisions also apply to dealers of manufactured homes. The
10 term mobile home is defined to include manufactured homes.
11 The bill also increases the amount of the surety bond for
12 dealers from \$25,000 to \$50,000.

13 The bill authorizes a dealer or an employee of a dealer to
14 perform hookups to water, gas, and electrical connections
15 outside the mobile home without having an additional license.

16 The bill also removes requirements for the licensing of
17 manufacturer's and distributor's representatives and removes
18 other references to the representatives.

19 The bill also strikes a requirement that a dealer mail or
20 deliver to the county treasurer within 48 hours of purchase a
21 signed purchase receipt of a mobile home sold by the dealer.

22

23

24

25

26

27

28

29

30

31

32

33

34

35

HOUSE FILE 2447

H-8406

- 1 Amend House File 2447 as follows:
- 2 1. Page 2, line 4, by inserting after the word
- 3 "space." the following: "The hookups are subject to
- 4 inspection and approval by local building code
- 5 officials and the mobile home dealer shall pay the
- 6 inspection fee, if any."

By RICHARDSON of Warren

H-8406 FILED MARCH 16, 1998

W/D 4/8/98
(P.1398)

HOUSE FILE 2447

H-8449

- 1 Amend House File 2447 as follows:
- 2 1. By striking page 1, line 32, through page 2,
- 3 line 4.
- 4 2. By renumbering as necessary.

By HUSER of Polk
MORELAND of Wapello

H-8449 FILED MARCH 16, 1998

W/D 4/8/98 (P.1398)

HOUSE FILE 2447

H-8450

- 1 Amend House File 2447 as follows:
- 2 1. Page 2, line 2, by inserting after the word
- 3 "license" the following: "unless a political
- 4 subdivision has established a license requirement".

By HUSER of Polk
MORELAND of Wapello

H-8450 FILED MARCH 16, 1998

W/D 4/8/98
(P.1398)

HOUSE FILE 2447

H-8566

- 1 Amend House File 2447 as follows:
- 2 1. Page 2, by striking lines 2 through 4 and
- 3 inserting the following: "connections without having
- 4 any additional license."

By RAYHONS of Hancock

H-8566 FILED MARCH 23, 1998

Adapted
4.8.98
(P.1398)