

CHAPTER 373

GOVERNMENT - STATE

HOUSE BILL 08-1319

BY REPRESENTATIVE(S) Soper, Gagliardi, Green, Hodge, Labuda, Madden, and Todd;
also SENATOR(S) Kester, Boyd, Penry, Schwartz, Tochtrop, and Wiens.

AN ACT

CONCERNING FACTORY-BUILT STRUCTURES, AND, IN CONNECTION THEREWITH, REQUIRING EVERY FACTORY-BUILT STRUCTURE OCCUPIED AFTER A SPECIFIED DATE TO BE CERTIFIED BY THE DIVISION OF HOUSING, SPECIFYING EDUCATIONAL, TESTING, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS FOR MANUFACTURED HOME, MOBILE HOME, AND FACTORY-BUILT RESIDENTIAL STRUCTURE INSTALLERS AND INSTALLATION INSPECTORS, AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 24-32-3303 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-32-3303. Division of housing - powers and duties. (1) The division shall have the following powers and duties pursuant to this part 33:

(d) TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE TO IMPLEMENT AND SPECIFY THE INSTALLER AND INSPECTOR EDUCATION AND TESTING REQUIREMENTS SET FORTH IN THIS PART 33 AND TO OVERSEE SUCH EDUCATION AND TESTING.

SECTION 2. 24-32-3311 (1), Colorado Revised Statutes, is amended to read:

24-32-3311. Certification of factory-built residential and nonresidential structures. (1) (a) Factory-built structures manufactured, substantially altered or repaired, sold, or offered for sale within this state after the effective date of the rules promulgated pursuant to this part 33 shall bear an insignia of approval issued by the division and affixed by the division or an authorized quality assurance representative.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) RENTED OR LEASED FACTORY-BUILT STRUCTURES THAT ARE OCCUPIED ON OR AFTER MARCH 1, 2009, SHALL BEAR AN INSIGNIA OF APPROVAL ISSUED BY THE DIVISION AND AFFIXED BY THE DIVISION OR AN AUTHORIZED QUALITY ASSURANCE REPRESENTATIVE.

SECTION 3. 24-32-3315 (4) and (6), Colorado Revised Statutes, are amended to read:

24-32-3315. Installers of manufactured homes - registration - educational requirements. (4) ON AND AFTER JULY 1, 2008, in order to be registered initially as a manufactured home installer, an applicant shall:

(a) Be at least eighteen years of age;

(b) Furnish written evidence of ~~six~~ TWELVE months of installation experience under direct supervision of a registered or certified installer or equivalent training or experience as determined by the division; ~~and~~

(b.5) FURNISH WRITTEN EVIDENCE OF COMPLETION OF EIGHT HOURS OF DIVISION-APPROVED INSTALLATION EDUCATION;

(b.7) PASS A DIVISION-APPROVED INSTALLATION TEST; AND

(c) Carry and provide proof of liability insurance in an amount set by the division but not less than one ~~hundred thousand~~ MILLION dollars.

(6) (a) BEFORE JANUARY 1, 2009, any registered installer seeking to renew registration shall, at the time of applying for renewal, provide proof of liability insurance and a letter of credit, certificate of deposit, or surety bond for the registration term in compliance with subsections (2) and (4) of this section.

(b) ON AND AFTER JANUARY 1, 2009, ANY REGISTERED INSTALLER SEEKING TO RENEW REGISTRATION SHALL, AT THE TIME OF APPLYING FOR RENEWAL, PROVIDE PROOF OF LIABILITY INSURANCE AND PROOF OF COMPLETION OF EIGHT HOURS OF DIVISION-APPROVED INSTALLATION EDUCATION WITHIN THE PAST TWELVE MONTHS.

SECTION 4. 24-32-3317 (8), Colorado Revised Statutes, is amended to read:

24-32-3317. Installation of manufactured homes - certificates - inspections - inspector qualification and education requirements - rules. (8) The division may authorize an independent contractor to perform inspections and enforcement of proper installation of manufactured homes. The division may provide training for independent contractors. Independent contractors shall be certified by the division to perform installation inspections. The division shall establish by rule the qualifications of an inspector and the areas of expertise necessary for inspecting manufactured homes. ON AND AFTER JULY 1, 2008, A NEW INSPECTOR MUST PASS A DIVISION-APPROVED INSTALLATION TEST. The qualifications for an inspector include but are not limited to those of a professional civil engineer or local housing inspector or independent contractor. COMMENCING IN 2009, INSPECTORS SHALL ALSO COMPLETE, AND MAINTAIN RECORDS OF THE COMPLETION OF, EITHER:

(a) TWELVE HOURS OF DIVISION-APPROVED EDUCATION AND TWELVE HOURS OF INTERNATIONAL CODE COUNCIL EDUCATION EVERY THREE CALENDAR YEARS; OR

(b) TWENTY-FOUR HOURS OF DIVISION-APPROVED EDUCATION EVERY THREE CALENDAR YEARS.

SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the building regulation fund created in section 24-32-3309 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of local affairs, for allocation to the division of housing, for the fiscal year beginning July 1, 2008, the sum of one hundred thirteen thousand six hundred thirty-two dollars (\$113,632) cash funds and 1.7 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 2, 2008