

SENATE BILL No. 447

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-14-3-5; IC 25-23.7.

Synopsis: Manufactured home installers. Requires the bureau of motor vehicles to provide information concerning titles for manufactured homes to the manufactured home installer licensing board (board). Requires manufactured home installers to make quarterly reports to the board. Requires the board to investigate violations by manufactured home installers. Creates the licensed manufactured home installer safety compliance fund, and continually appropriates money in the fund.

Effective: July 1, 2013.

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January 10, 2013, read first time and referred to Committee on Commerce, Economic Development & Technology.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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SENATE BILL No. 447



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

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

1 SECTION 1. IC 9-14-3-5, AS AMENDED BY P.L.125-2012,
 2 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 5. (a) Except as provided in subsection (b), (d), or
 4 (e), the bureau shall prepare and deliver information on titles,
 5 registrations, and licenses and permits upon the request of any person.
 6 All requests must be:
 7 (1) submitted in writing; or
 8 (2) made electronically through the computer gateway
 9 administered under IC 4-13.1-2-2(a)(5) by the office of
 10 technology;
 11 to the bureau and, unless exempted under IC 9-29, must be
 12 accompanied by the payment of the fee prescribed in IC 9-29-2-2.
 13 (b) The bureau shall not disclose:
 14 (1) the Social Security number;
 15 (2) the federal identification number;
 16 (3) the driver's license number;
 17 (4) the digital image of the driver's license applicant;



1 (5) a reproduction of the signature secured under IC 9-24-9-1 or
 2 IC 9-24-16-3; or

3 (6) medical or disability information;
 4 of any person except as provided in subsection (c).

5 (c) The bureau may disclose any information listed in subsection
 6 (b):

7 (1) to a law enforcement officer;

8 (2) to an agent or a designee of the department of state revenue;

9 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
 10 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or

11 (4) for voter registration and election purposes required under
 12 IC 3-7 or IC 9-24-2.5.

13 (d) As provided under 42 U.S.C. 1973gg-3(b), the bureau may not
 14 disclose any information concerning the failure of an applicant for a
 15 motor vehicle driver's license to sign a voter registration application,
 16 except as authorized under IC 3-7-14.

17 (e) The bureau may not disclose any information concerning the
 18 failure of an applicant for a title, registration, license, or permit (other
 19 than a motor vehicle license described under subsection (d)) to sign a
 20 voter registration application, except as authorized under IC 3-7-14.

21 **(f) The bureau shall provide information concerning titles for**
 22 **manufactured homes to the manufactured home installer licensing**
 23 **board established by IC 25-23.7-3-1. The manufactured home**
 24 **installer licensing board shall use the information in administering**
 25 **IC 25-23.7.**

26 SECTION 2. IC 25-23.7-5-5 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2013]: **Sec. 5. (a) Beginning April 1, 2014, a licensee shall submit**
 29 **to the board a quarterly report, due fifteen (15) days after the end**
 30 **of the quarter, for each immediately preceding quarter. The report**
 31 **must contain the following information:**

32 **(1) Contact information for the individuals for whom the**
 33 **installation was made, including each individual's:**

34 **(A) name;**

35 **(B) address; and**

36 **(C) telephone number.**

37 **(2) Name of the licensee.**

38 **(3) Date of the installation.**

39 **(4) Address at which the manufactured home was installed on**
 40 **the date of installation.**

41 **(5) Certification that the manufactured home was installed as**
 42 **follows:**

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1 (A) For a new manufactured home, to the manufacturer's
 2 installation instructions.
 3 (B) For a used manufactured home, to the manufacturer's
 4 installation instructions, if available, or to the American
 5 National Standard Institute (ANSI) standard A225.1.
 6 (b) If two (2) or more licensees are involved in the same
 7 installation, each licensee shall list the installation in the licensee's
 8 quarterly report.
 9 (c) A licensee shall file quarterly reports required under this
 10 section even if no manufactured homes were installed by the
 11 licensee.
 12 (d) The board shall adopt rules under IC 4-22-2 to implement
 13 this section.
 14 SECTION 3. IC 25-23.7-7-4.5 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2013]: Sec. 4.5. (a) For purposes of this
 17 section, "fund" refers to the licensed manufactured home installer
 18 safety compliance fund established by subsection (e).
 19 (b) The board shall obtain information from the bureau of
 20 motor vehicles concerning manufactured home title transactions.
 21 (c) The board shall compare the title data obtained under
 22 subsection (b) and installation data submitted under
 23 IC 25-23.7-5-5. If the board determines that a manufactured home
 24 has been installed by an unlicensed installer or if there is a
 25 violation of this article by a licensee, the board may impose and
 26 collect a civil penalty not to exceed one thousand dollars (\$1,000)
 27 against the unlicensed installer or the licensee. Fees collected under
 28 this subsection shall be deposited in the fund.
 29 (d) A licensee or unlicensed installer who is investigated by the
 30 board, and found by the board to have violated this article, may
 31 appeal the determination of the board under IC 4-21.5.
 32 (e) The licensed manufactured home installer safety compliance
 33 fund is established to provide funds for administering and
 34 enforcing this article. The fund shall be administered by the board.
 35 The fund consists of:
 36 (1) fines and civil penalties collected under this article; and
 37 (2) appropriations.
 38 The treasurer of state shall invest the money in the fund not
 39 currently needed to meet the obligations of the fund in the same
 40 manner as other public money may be invested. Interest that
 41 accrues from these investments shall be deposited in the fund.
 42 Money in the fund at the end of a state fiscal year does not revert

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1 to the state general fund. Money in the fund is continually
2 appropriated to the board for purposes of this section.

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