

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 2342

SPONSOR: Senator Alexander

SUBJECT: Mobile Homes and Recreational Vehicles

DATE: April 8, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Meyer	TR	Pre-meeting
2.	_____	_____	CA	_____
3.	_____	_____	JU	_____
4.	_____	_____	GE	_____
5.	_____	_____	TA	_____
6.	_____	_____	_____	_____

I. Summary:

This bill transfers all responsibilities relating to the regulation and administration of mobile homes from the Bureau of Mobile Home and Recreational Vehicle Construction within the Department of Highway Safety and Motor Vehicles (DHSMV) to the Department of Community Affairs (DCA). Responsibilities include licensing mobile home manufacturers and dealers, regulating the construction of new mobile homes, and licensing and regulating mobile home installers. The bill provides DCA and DHSMV may enter into interagency agreements with each other to affect this transfer of authority. The bill would promulgate a new chapter for this purpose and amend ch. 320, F.S., by repealing certain sections and deleting references to mobile homes in other sections.

Although the bill removes responsibilities relating to mobile homes, the responsibility for park trailers remains with the DHSMV.

The bill provides for a much larger bond requirement for mobile home manufacturers and dealers. Specifically, the bill provides a mobile home manufacturer must post a \$100,000 bond. Also, a mobile home dealer must post a \$100,000 bond if it has less than four locations and a \$200,000 bond if it has four or more locations. Currently, a mobile home manufacturer must post a \$50,000 bond and a mobile home dealer must post a \$25,000 bond if it has less than four locations and a \$50,000 bond if it has four or more locations. Also, surety bond amounts are increased for mobile home dealers. The maximum amount of the required performance bond for a mobile home installer was also increased from \$5,000 to \$100,000.

The bill transfers the portion of the Mobile Home and Recreational Vehicle Protection Trust Fund relating to mobile homes to the Operating Trust Fund of DCA.

This bill substantially amends the following sections of the Florida Statutes: 20.18; 205.193; 319.001; 320.131; 320.27; 320.28; 320.71; 320.771; 320.781; 320.822; 320.8225; 320.8232; 320.824; 320.8245; 320.8285; 320.831; 320.8325; 320.835; 320.865; 553.415; 627.351; and 1013.37.

The bill creates numerous undesignated sections of the Florida Statutes.

The bill repeals the following sections of the Florida Statutes: 320.77; 320.823; 320.8249; 320.8251; 320.8255; 320.827; 320.830; 320.8335; 320.834; and 320.840.

II. Present Situation:

Federal Regulation

The National Manufactured Housing Construction and Safety Standards Act of 1974 (act) established federal construction and safety standards for manufactured homes.¹ The 2000 amendments to this act provided this title may be cited as the “Manufactured Housing Improvement Act.”² The Department of Housing and Urban Development (HUD) was directed to develop a federal standard building code for mobile homes. The intent of the program is to reduce personal injuries, deaths, property damage, insurance costs, and to improve the quality and durability of manufactured homes. These standards supersede any state standards regarding mobile home construction or safety. Thus, federal regulations preempt any state regulations to the extent the local or state regulations are governed by the federal act and the corresponding rules promulgated by HUD.³

State Enforcement

With the approval of the secretary of HUD, states may assume responsibility for enforcement of the federal standards established under the act. Florida entered into two contracts with HUD in 1976 to carry out the enforcement of the federal program. The Bureau of Mobile Home and Recreational Vehicle Construction (bureau) within DHSMV has since administered the contracts. The bureau includes the Bureau Chief’s Office (in-plant inspection and consumer complaint programs), Engineering, Seals, Labels, and Installer Licensing sections. The bureau is the “State Administrative Agency” (SAA) for monitoring all manufactured housing produced or installed in Florida. The bureau inspects manufacturer facilities and dealer lots for compliance with the federal code; investigates and resolves consumer complaints against manufacturers and dealers; monitors retail lots; approves alterations made by retailers; and monitors the installation of mobile homes. The state’s responsibilities for the installation program include regulating the installation of mobile homes by testing and licensing mobile home installers, testing and approving anchoring and tie-down products for use in Florida, and inspecting the actual installation of mobile homes. In addition, the bureau conducts training for city and county building officials on how to inspect for proper installation, and consults with these officials on a regular basis regarding installation issues.

¹ 42 U.S.C. 5401. et seq.

² Pub.L. 106-569, Title VI, § 601(a), Dec. 27, 2000, 114 Stat. 2997

³ 42 U.S.C. 5422.

Florida is one of 38 states approved by the secretary of HUD to perform these functions. Ten of those 38 states also perform as an in-plant primary inspection agency (IPIA) under a second contract. Florida is one of these states. According to the IPIA contract, DHSMV must certify a manufacturer is following approved quality control procedures and must provide on-going in-plant inspection of the manufacturing process to assure conformance with the federal code standards. If the manufacturer complies, a federal certification label is then issued and affixed to each newly completed mobile home manufactured in Florida.

According to DHSMV, Florida is one of the top three states receiving the largest number of manufactured homes. Florida is ranked in the top eight in the nation in the production of mobile homes. During FY 2003-04, the program registered 22,209 new mobile homes and inspected 14,581 mobile homes in 14 manufacturing plants. The program issued 2,882 manufacturer non-compliance notices. As of June 30, 2004, Florida licensed 471 manufactured home installers.

Inspection and monitoring activities are funded through fees. DHSMV estimates the program will generate \$1,327,256 in revenue for the 2004/05 fiscal year. Mobile Home Seal fees account for \$542,578 and Dealer License fees account for \$194,078, both of which are deposited in the General Revenue fund. Revenue deposited in the Highway Safety Operating Trust Fund totals \$491,000. DHSMV also estimates \$99,600 will be collected for additional dealer license and title fees for deposit in the Mobile Home and Recreational Vehicle Protection Trust Fund. Of this amount, \$79,680 relates to mobile home transactions and \$19,920 relates to recreational vehicle transactions. Program expenditures are estimated to be \$1,643,543 (excluding claims). The bureau currently has 38 FTE.

III. **Effect of Proposed Changes:**

This bill transfers all responsibilities relating to the regulation and administration of mobile home manufacturers, dealers, and brokers from the bureau within the DHSMV to the DCA.

Various provisions of chapter 320, F.S., relating to the regulation and administration of mobile home manufacturers, dealers, and brokers are duplicated, as they relate to mobile homes, in numerous undesignated sections of the Florida Statutes. Related provisions in chapter 320, F.S., are amended to delete references to mobile homes. Various other provisions are amended to replace statutory references effectuated by this bill.

Section 1 provides for the transfer of all responsibilities relating to the regulation and administration of mobile homes from the bureau at DHSMV to DCA.

Section 2 provides for the transfer of the mobile home portion of the Mobile Home and Recreational Vehicle Protection Trust Fund of DHSMV into DCA's Operating Trust Fund to be administered and managed by DCA.

Section 3 creates an undesignated section of the Florida Statutes to define "department" to mean DCA and to add definitions for "mobile home", "manufactured home", "nonresident", "owner", "person", and "resident".

Section 4 creates an undesignated section of the Florida Statutes to regulate nonresident dealers in secondhand mobile homes. This provision duplicates s. 320.28, F.S., as it relates to mobile home dealers. **Section 41** amends s. 320.28, F.S., to remove references to mobile homes.

Section 5 creates an undesignated section of the Florida Statutes to provide for licensing of nonresident mobile home dealers. This provision duplicates s. 320.71, F.S., as it relates to mobile home dealers. However, license proceeds are to be deposited in DCA's Operating Trust Fund rather than the General Revenue Fund of the State, as is required under current law. Also, the provision provides an obsolete reference to the Department of Banking and Finance, but the correct reference should be the Department of Financial Services. **Section 42** amends s. 320.71, F.S., to remove references to mobile homes.

Section 6 creates an undesignated section of the Florida Statutes to provide procedures for licensing mobile home dealers. This provision substantially duplicates s. 320.77, F.S., which was repealed by **section 43**. However, the following are also included: (1) Requires licensed mobile home dealer to place certain deposit monies in escrow with a title company, banking institution, credit union, or savings and loan association doing business in this state; (2) Includes appropriate statutory references effectuated by this bill; (3) The required background investigation fees are to be deposited in DCA's Operation Trust Fund rather than the DHSMV's Highway Safety Operating Trust Fund, as is required under current law; (4) Allows DCA to deny, suspend, or revoke a mobile home dealer license for certain activities; (5) A mobile home dealer must post a \$100,000 bond if it has less than four locations and a \$200,000 bond if it has four or more locations, which is an increase from \$25,000 and \$50,000 respectively; and (6) The requirement that persons transacting business in both mobile homes and recreational vehicles provide the same surety bond required of mobile home dealers is deleted.

Section 7 creates an undesignated section of the Florida Statutes to provide for claims against mobile home dealers. This provision substantially duplicates s. 320.781, F.S., as it relates to mobile home dealers. However, license proceeds are to be deposited in DCA's Operating Trust Fund rather than the DHSMV's Mobile Home and Recreational Vehicle Protection Trust Fund, as is required under current law. In addition, references to DHSMV are replaced with references to DCA. Statutory references are replaced with appropriate statutory references effectuated by this bill. **Section 45** amends s. 320.871, F.S., to delete relevant references to mobile homes.

Section 8 creates an undesignated section of the Florida Statutes to provide definitions for the appropriate statutory references effectuated by this bill. This provision duplicates s. 320.822, F.S., as they relate to mobile homes. **Section 46** amends s. 320.822, F.S., to delete relevant references to mobile homes.

Section 9 creates an undesignated section of the Florida Statutes to provide for licensing mobile home manufacturers. This provision substantially duplicates s. 320.8225, F.S., as it relates to mobile home manufacturers. However, there are some differences. Specifically, the required surety bond, cash bond or letter of credit for a mobile home manufacturer was increased from \$50,000 to \$100,000 and includes appropriate statutory references effectuated by this bill. **Section 47** amends s. 320.8225, F.S., to delete references to mobile homes.

Section 10 creates an undesignated section of the Florida Statutes to require mobile homes manufactured or sold in this state to meet the Federal Mobile Home Construction and Safety Standards promulgated by HUD or mobile home construction standards adopted by the department which do not exceed the authority granted to the state in 42 U.S.C. 5403(d). This provision duplicates s. 320.823, F.S., which is repealed by **section 48**.

Section 11 creates an undesignated section of the Florida Statutes to provide for the establishment of uniform standards for the repair and remodeling code for mobile homes. This provision duplicates s. 320.8232, F.S., (**section 49**) as it relates to mobile homes.

Section 12 creates an undesignated section of the Florida Statutes to provide DCA authority to administer, enforce and adopt rules relating to the provisions of this bill. This provision substantially duplicates s. 320.824, F.S., as they relate to mobile homes. **Section 50** amends s. 320.824, F.S., to delete relevant references to mobile homes.

Section 13 creates an undesignated section of the Florida Statutes to limit the alteration or modification to mobile homes. This provision duplicates s. 320.8245, F.S., as they relate to mobile homes. **Section 51** amends s. 320.8245, F.S., to delete relevant references to mobile homes.

Section 14 creates an undesignated section of the Florida Statutes to provide procedures for licensing mobile home installers. This provision duplicates s. 320.8249, F.S., (**section 52**). However, there are some differences. Specifically, the maximum amount of the required performance bond for a mobile home installer was increased from \$5,000 to \$100,000, removes an obsolete exemption relating to the training and examination requirements, and funds received pursuant to this section are to be deposited into DCA's Operating Trust Fund rather than the Highway Safety Operating Trust Fund, as is required under current law. In addition, references to DHSMV are replaced with references to DCA. Statutory references are replaced with appropriate statutory references effectuated by this bill.

Section 15 creates an undesignated section of the Florida Statutes to provide for mobile home installation products and product approval. This provision duplicates s. 320.8251, F.S., and includes appropriate statutory references effectuated by this bill. In addition, the provision specifies any product, component, or system used in the installation of mobile homes on June 10, 2004, is not required to be certified until July 1, 2009. **Section 53** repeals s. 320.8251, F.S.

Section 16 creates an undesignated section of the Florida Statutes to provide for mobile home inspections. This provision duplicates s. 320.8225, F.S., and includes appropriate statutory references effectuated by this bill. **Section 54** repeals s. 320.8225, F.S.

Section 17 creates an undesignated section of the Florida Statutes to provide for mobile home labels and certifications on new mobile homes. This provision duplicates s. 320.827, F.S., and includes appropriate statutory references effectuated by this bill. **Section 55** repeals s. 320.827, F.S.

Section 18 creates an undesignated section of the Florida Statutes to provide for onsite inspections of mobile homes. This provision duplicates s. 320.8285, F.S., (**section 56**) and

references to DHSMV are replaced with references to DCA. A statutory reference is replaced with the appropriate statutory reference effectuated by section 22 of this bill.

Section 19 creates an undesignated section of the Florida Statutes to provide for reciprocity with other states relating to mobile home codes. This provision duplicates s. 320.830, F.S., and includes appropriate statutory references effectuated by this bill. **Section 57** repeals s. 320.830, F.S.

Section 20 creates an undesignated section of the Florida Statutes to provide penalties for noncompliance with construction and safety standards. This provision duplicates s. 320.831, F.S., with statutory references replaced with appropriate statutory references effectuated by this bill. **Section 58** amends s. 320.831, F.S., to make technical bill drafting changes.

Section 21 creates an undesignated section of the Florida Statutes to express the intent of the Legislature that nothing in sections 3 through 35 of this bill shall act to nullify or supersede ch. 527, F.S., which addresses the sale of liquefied petroleum gas. This provision duplicates s. 320.832, F.S., as it relates to mobile homes.

Section 22 creates an undesignated section of the Florida Statutes to address mobile home tie-downs and uniform installation standards. This provision duplicates s. 320.8325, F.S., with statutory references replaced with appropriate statutory references effectuated by this bill. **Section 59** amends s. 320.8325, F.S., to remove references to mobile homes and mobile home installers.

Section 23 creates an undesignated section of the Florida Statutes to provide for the retention, destruction, and reproduction of records. This provision duplicates s. 320.833, F.S., with references to DHSMV replaced with references to DCA and statutory references replaced with appropriate statutory references effectuated by this bill. The provision also specifies DCA may maintain all records required or obtained in compliance with, and in the implementation of, sections 3 through 35 of this bill exclusively by electronic means.

Section 24 creates an undesignated section of the Florida Statutes to provide for the disclosure of the manner used in determining the length of mobile homes. This provision duplicates s. 320.8335, F.S., which is repealed by **section 60**.

Section 25 creates an undesignated section of the Florida Statutes to express the intent of the Legislature and purpose of a mobile home inspection program. This provision duplicates s. 320.834, F.S., with references to DHSMV replaced with references to DCA. **Section 61** repeals s. 320.834, F.S.

Section 26 creates an undesignated section of the Florida Statutes to specify mobile home manufacturer, dealer, installer, and supplier warranty responsibilities for new mobile homes. This provision duplicates s. 320.835, F.S., as it relates to mobile homes. **Section 62** amends s. 320.835, F.S., to remove references to mobile homes and mobile home installers.

Section 27 creates an undesignated section of the Florida Statutes to provide procedures for presenting warranty claims. This provision duplicates s. 320.836, F.S.

Section 28 creates an undesignated section of the Florida Statutes to address warranty service. This provision duplicates s. 320.837, F.S., with statutory references replaced with appropriate statutory references effectuated by section 26 of this bill.

Section 29 creates an undesignated section of the Florida Statutes to address civil actions brought by buyers to resolve a warranty claim. This provision duplicates s. 320.838, F.S.

Section 30 creates an undesignated section of the Florida Statutes to address cumulative remedies in suits brought by buyers of mobile homes. This provision duplicates s. 320.839, F.S., with statutory references replaced with appropriate statutory references effectuated by this bill.

Section 31 creates an undesignated section of the Florida Statutes to allow mobile home retailers to retain damages according to specified terms. This provision duplicates s. 320.840, F.S., which is repealed by **section 63**.

Section 32 creates an undesignated section of the Florida Statutes to provide for the inspection of records regarding written complaints against a dealer or manufacturer licensee. This provision is very similar to s. 320.67, F.S., as it relates to mobile homes.

Section 33 creates an undesignated section of the Florida Statutes to provide for the denial, suspension, or revocation of a license held by firms or corporations. This provision duplicates s. 320.68, F.S., as it relates to mobile homes.

Section 34 creates an undesignated section of the Florida Statutes to provide for the maintenance of records. This provision duplicates s. 320.865, F.S., (**section 64**) and statutory references are replaced with appropriate statutory references effectuated by this bill.

Section 35 creates an undesignated section of the Florida Statutes to provide for electronic or telephonic transactions. This provision duplicates s. 320.95, F.S.

Section 36 amends s. 20.18, F.S., to provide DCA is the agency of state government responsible for the state's role in the installation of mobile homes to such an extent the residents of this state are as safe as possible with respect to destructive weather.

Section 37 amends s. 205.193, F.S., which addresses mobile home setup operations and prohibition of local licenses, to include a conforming statutory reference that will be added as a result of the bill.

Section 38 amends s. 319.001, F.S., to replace a statutory reference effectuated by section 6 of this bill.

Section 39 amends s. 320.131, F.S., to replace a statutory reference effectuated by section 6 of this bill.

Section 40 amends s. 320.27, F.S., to remove a statutory reference made obsolete as a result of the bill.

Section 41 amends s. 320.28, F.S., which addresses nonresident dealers in second-hand motor vehicles, recreational vehicles, or mobile homes, to remove references to mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 4 of this bill.

Section 42 amends s. 320.71, F.S., which addresses nonresident dealers' motor vehicle, recreational vehicle, or mobile home dealer licenses, to remove references to mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 5 of this bill.

Section 43 repeals s. 320.77, F.S., which addresses procedures for licensing mobile home dealers. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 6 of this bill.

Section 44 amends s. 320.771, F.S., which addresses procedures for licensing recreational vehicle dealers. Statutory references are replaced with appropriate statutory references effectuated by this bill.

Section 45 amends s. 320.781, F.S., which addresses the Mobile Home and Recreational Vehicle Protection Trust Fund, to remove references to mobile homes. The bill specifies beginning July 31, 2005, the additional \$1 fee collected for new mobile home transactions shall be deposited into the Operating Trust Fund of DCA for the purposes specified in section 8 of this bill. All fees collected relating to recreational vehicles will still be deposited into the Recreational Vehicle Protection Trust Fund.

Section 46 amends s. 320.822, F.S., which addresses definitions, to remove definitions and references to mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 8 of this bill.

Section 47 amends s. 320.8225, F.S., which addresses mobile home and recreational vehicle manufacturers' licenses, to remove references to mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 9 of this bill.

Section 48 repeals s. 320.823, F.S., which establishes uniform mobile home standards. This reflects the transfer of mobile home related responsibilities to DCA. This provision was addressed by section 10 of this bill.

Section 49 amends s. 320.8232, F.S., which addresses uniform standards for used recreational vehicles and the repair and remodeling code for mobile homes, to remove references to the mobile home repair and remodeling code. This provision was duplicated, as it relates to mobile homes, by section 11 of this bill.

Section 50 amends s. 320.824, F.S., which addresses changes and modifications of standards, to remove references to mobile homes. This reflects the transfer of mobile home related

responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 12 of this bill.

Section 51 amends s. 320.8245, F.S., which limits the alteration or modification of mobile homes or recreational vehicles, to remove references to mobile homes and to delete the authority of DHSMV to promulgate rules and regulations relating to alterations and modifications of mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated, as it relates to mobile homes, by section 13 of this bill.

Section 52 repeals s. 320.8249, F.S., which addresses mobile home installers' licenses. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated by section 14 of this bill.

Section 53 repeals s. 320.8251, F.S., which addresses mobile home installation products and product approval. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated by section 15 of this bill.

Section 54 repeals s. 320.8255, F.S., which addresses mobile home inspections. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated by section 16 of this bill.

Section 55 repeals s. 320.827, F.S., which addresses procedures for issuance of labels, certification and requirements for display of labels, as it relates to mobile homes. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated by section 17 of this bill.

Section 56 amends s. 320.8285, F.S., which addresses onsite inspections of mobile homes, to remove references to mobile homes and manufactured homes. This provision was duplicated, as it relates to mobile homes, by section 18 of this bill. In addition, the provision includes a conforming statutory reference that will be added as a result of the bill.

Section 57 repeals s. 320.830, F.S., which addresses reciprocity with other states relating to mobile home codes. This provision was duplicated by section 19 of this bill.

Section 58 amends s. 320.831, F.S., which addresses penalties for violation of the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C., 5401 et seq., to make technical bill drafting changes. This provision was duplicated, as it relates to mobile homes, by section 20 of this bill.

Section 59 amends s. 320.8325, F.S., which addresses uniform installation standards, injunctions, and penalties relating to mobile homes, manufactured homes, and park trailers, to remove references to mobile homes and manufactured homes. This provision was duplicated, as it relates to mobile homes, by section 22 of this bill.

Section 60 repeals s. 320.8335, F.S., which addresses the manner of disclosure used in determining the length of mobile homes. This provision was duplicated by section 24 of this bill.

Section 61 repeals s. 320.834, F.S., which establishes legislative purpose. This reflects the transfer of mobile home related responsibilities to DCA. This provision was duplicated by section 25 of this bill.

Section 62 amends s. 320.835, F.S., which addresses mobile home and recreational vehicle warranties, to remove references to mobile homes and mobile home installers. This provision was duplicated, as it relates to mobile homes, by section 26 of this bill.

Section 63 repeals s. 320.840, F.S., which addresses liquidated damages to a retail seller of a mobile home. This provision was duplicated by section 31 of this bill.

Section 64 amends s. 320.865, F.S., which addresses the maintenance of records by DHSMV, to remove references to statutory cites relating to mobile homes, which reference will be made obsolete by section 43 of the bill. This provision was duplicated, as it relates to mobile homes, by section 34 of this bill.

Section 65 amends s. 553.415, F.S., which addresses factory-built school buildings, to include a conforming statutory reference that will be added as a result of the bill.

Section 66 amends s. 627.351, F.S., which addresses windstorm insurance risk apportionment, to replace a reference to the DHSMV with DCA, and to replace a conforming statutory reference relating to mobile home tie-down and installation standards, which reference will be changed as a result of the bill.

Section 67 amends s. 1013.37, F.S., which addresses the state uniform building code for public educational facilities construction, to include a conforming statutory reference that will be added as a result of the bill.

Section 68 provides this bill will take effect July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill provides a mobile home manufacturer must post a \$100,000 bond. Also, a mobile home dealer must post a \$100,000 bond if it has less than four locations and a \$200,000 bond if it has four or more locations. Finally, the bill provides an increase of the maximum amount of the required performance bond for a mobile home installer to \$100,000.

C. Government Sector Impact:

DCA will most likely incur moving expenses and expenses related to administratively integrating the new division into its existing agency structure.

The DHSMV estimates the program will generate \$1,327,256 in revenue for the 2004-2005 fiscal year of which \$736,656 will be deposited in the General Revenue Fund and \$491,000 will be deposited in the Highway Safety Operating Trust Fund. The DHSMV also estimates that \$99,600 will be collected for additional mobile home and recreational vehicle dealer license and title fees for deposit in the Mobile Home and Recreational Vehicle Protection Trust Fund. Of this amount, approximately \$79,680 relates to mobile home transactions and \$19,920 relates to recreational vehicle transactions. Program expenditures are estimated at \$1,643,543 in the Highway Safety Operating Trust Fund and \$99,600 in the Mobile Home and R.V. Trust Fund. The Bureau currently has 38 established positions.

According to DHSMV, this bill will have a positive revenue impact on DHSMV as total program costs are funded from the Highway Safety Operating Trust Fund while program revenue generates only \$491,000. With the transfer of this program approximately \$1,152,543 in Highway Safety Operating Trust Fund Revenue will be available for use by other DHSMV programs. This legislation would not require contracted programming modifications to the Driver License and Motor Vehicle software systems.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The DHSMV has commented this bill fails to repeal three sections of ch. 320, F.S., related to current DHSMV's regulation of mobile homes; specifically, s. 320.831, F.S., regarding violations of the National Mobile Home Construction and Safety Standards Act of 1974, s. 320.837, F.S., regarding warranty service for mobile homes, and s. 320.838, F.S., regarding civil

actions for failure to honor mobile home warranties. All of these statutory provisions are addressed in the bill providing mobile home regulation authority to DCA.

To clearly transfer all responsibility for mobile home regulation to DCA from DHSMV, the bill should provide for the repeal of ss. 320.831, 320.837 and 320.838, F.S.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
