

AMENDMENT TO H.R. 2787
OFFERED BY MR. FRANK OF MASSACHUSETTS

Page 2, strike lines 8 through 15 (and redesignate succeeding paragraphs accordingly).

Strike line 22 on page 2 and all that follows through page 3, line 12, and insert the following:

- 1 (4) the operators of manufactured housing com-
2 munities should be encouraged to provide a safe
3 place of shelter for community residents or a plan
4 for the evacuation of community residents to a safe
5 place of shelter within a reasonable distance of the
6 community for use by community residents in times
7 of severe weather, including tornados and high
8 winds, and local municipalities should be encouraged
9 to require approval of these plans;
- 10 (5) the operators of manufactured housing com-
11 munities should be encouraged to provide a written
12 reminder semiannually to all owners of manufac-
13 tured homes in the manufactured housing commu-
14 nity to replace the batteries in their weather radios;
15 and

Page 4, strike lines 15 through 23 and insert the following:

1 “(2) LIABILITY PROTECTIONS.—

2 “(A) No aspect of the function, operation,
3 performance, capabilities, or utilization of the
4 weather radio required under this subsection, or
5 any instructions related thereto, shall be subject
6 to the requirements of section 613 or 615 or
7 any regulations promulgated by the Secretary
8 pursuant to the authority under such sections.

9 “(B) Manufacturers of manufactured
10 homes, as such term is defined in section 603,
11 shall be immune from common law civil liability
12 for any aspect of the function, operation, per-
13 formance, capabilities, or utilization of the
14 weather radio receiver mandated by the Federal
15 manufactured home construction and safety
16 standard promulgated in accordance with this
17 subsection, including any instructions related
18 thereto.

19 “(C) Any reminder, assistance, or instruc-
20 tions provided by the operator of a manufac-
21 tured housing community concerning the func-
22 tion of a weather radio contained in a manufac-
23 tured home shall not subject the operator, an

1 owner or employee of the manufactured home
2 community, or the manufacturer of the manu-
3 factured home to liability for the functionality
4 of that weather radio.”.

Page 5, strike lines 1 through 9, and insert the following:

5 **SEC. 4. ESTABLISHMENT.**

6 Not later than the expiration of the 90-day period
7 beginning on the date of the enactment of this Act, the
8 consensus committee established pursuant to section
9 604(a)(3) of the National Manufactured Housing Con-
10 struction and Safety Standards Act of 1974 (42 U.S.C.
11 5304(a)(3)) shall develop and submit to the Secretary of
12 Housing and Urban Development a proposed Federal
13 manufactured home construction and safety standard re-
14 quired under section 604(h) of such Act (as added by the
15 amendment made by section 3 of this Act). Notwith-
16 standing section 604(a)(5)(B) of such Act, the Secretary
17 of Housing and Urban Development shall issue a final
18 order promulgating the standard required by such section
19 604(h) not later than the expiration of the 90-day period
20 beginning upon receipt by the Secretary of the proposed
21 standard developed and submitted by the consensus com-
22 mittee.

1 **SEC. 5. STUDY.**

2 The Secretary of Housing and Urban Development
3 shall conduct of study regarding conditioning the applica-
4 bility of the requirement under the amendment made by
5 section 3 of this Act (relating to supplying weather radios
6 in manufactured homes) on the geographic location at
7 which a manufactured home is placed, but only to the ex-
8 tent that such requirement applies to new manufactured
9 homes and new site-built homes. In conducting such study
10 and making determinations under to the study, the Sec-
11 retary shall take into consideration severe weather condi-
12 tions, such as high winds and flooding, and wind zones
13 and other severe weather data available from the National
14 Weather Service. Not later than the expiration of the 18-
15 month period beginning on the date of the enactment of
16 this Act, the Secretary shall complete the study and sub-
17 mit a report regarding the results of the study to the Com-
18 mittee on Financial Services of the House of Representa-
19 tives and to the Committee on Banking, Housing, and
20 Urban Affairs of the Senate.