

Union Calendar No. 263

110TH CONGRESS
1ST SESSION

H. R. 2787

[Report No. 110-415]

To amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2007

Mr. ELLSWORTH (for himself, Ms. GRANGER, and Mr. MOORE of Kansas) introduced the following bill; which was referred to the Committee on Financial Services

OCTOBER 30, 2007

Additional sponsors: Mr. BACHUS, Mr. BURTON of Indiana, Mr. BURGESS, Ms. CARSON, Mrs. MCCARTHY of New York, Mrs. BOYDA of Kansas, Mr. HILL, Mrs. GILLIBRAND, Ms. GINNY BROWN-WAITE of Florida, Mr. VIS-CLOSKY, Mr. CLEAVER, Mr. CRENSHAW, Ms. HARMAN, Mr. LAMPSON, Mr. DAVIS of Illinois, and Mr. CRAMER

OCTOBER 30, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 20, 2007]

A BILL

To amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weath-

er radios be installed in all manufactured homes manufactured or sold in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “CJ’s Home Protection*
5 *Act of 2007”.*

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 *The Congress finds that—*

8 (1) *nearly 20,000,000 Americans live in manu-*
9 *factured homes, which often provide a more accessible*
10 *and affordable way for many families to buy their*
11 *own homes;*

12 (2) *manufactured housing plays a vital role in*
13 *providing housing for low- and moderate-income fam-*
14 *ilies in the United States;*

15 (3) *NOAA Weather Radio (NWR) is a nation-*
16 *wide network of radio stations broadcasting contin-*
17 *uous weather information directly from a nearby Na-*
18 *tional Weather Service (NWS) office, and broadcasts*
19 *NWS warnings, watches, forecasts, and other all-haz-*
20 *ard information 24 hours a day;*

21 (4) *the operators of manufactured housing com-*
22 *munities should be encouraged to provide a safe place*
23 *of shelter for community residents or a plan for the*
24 *evacuation of community residents to a safe place of*

1 *shelter within a reasonable distance of the community*
2 *for use by community residents in times of severe*
3 *weather, including tornados and high winds, and*
4 *local municipalities should be encouraged to require*
5 *approval of these plans;*

6 *(5) the operators of manufactured housing com-*
7 *munities should be encouraged to provide a written*
8 *reminder semiannually to all owners of manufactured*
9 *homes in the manufactured housing community to re-*
10 *place the batteries in their weather radios; and*

11 *(6) weather radio manufacturers should include,*
12 *in the packaging of weather radios, a written re-*
13 *minder to replace the batteries twice each year and*
14 *written instructions on how to do so.*

15 **SEC. 3. FEDERAL MANUFACTURED HOME CONSTRUCTION**
16 **AND SAFETY STANDARD.**

17 *Section 604 of the National Manufactured Housing*
18 *Construction and Safety Standards Act of 1974 (42 U.S.C.*
19 *5403) is amended by adding at the end the following new*
20 *subsection:*

21 “(i) **WEATHER RADIOS.**—

22 “(1) **CONSTRUCTION AND SAFETY STANDARD.**—
23 *The Federal manufactured home construction and*
24 *safety standards established by the Secretary under*
25 *this section shall require that each manufactured*

1 *home delivered for sale shall be supplied with a*
2 *weather radio inside the manufactured home that—*

3 *“(A) is capable of broadcasting emergency*
4 *information relating to local weather conditions;*

5 *“(B) is equipped with a tone alarm;*

6 *“(C) is equipped with Specific Alert Mes-*
7 *sage Encoding, or SAME technology; and*

8 *“(D) complies with Consumer Electronics*
9 *Association (CEA) Standard 2009–A (or current*
10 *revision thereof) Performance Specification for*
11 *Public Alert Receivers.*

12 *“(2) LIABILITY PROTECTIONS.—*

13 *“(A) No aspect of the function, operation,*
14 *performance, capabilities, or utilization of the*
15 *weather radio required under this subsection, or*
16 *any instructions related thereto, shall be subject*
17 *to the requirements of section 613 or 615 or any*
18 *regulations promulgated by the Secretary pursu-*
19 *ant to the authority under such sections.*

20 *“(B) Manufacturers of manufactured homes,*
21 *as such term is defined in section 603, shall be*
22 *immune from common law civil liability for any*
23 *aspect of the function, operation, performance,*
24 *capabilities, or utilization of the weather radio*
25 *receiver mandated by the Federal manufactured*

1 *home construction and safety standard promul-*
2 *gated in accordance with this subsection, includ-*
3 *ing any instructions related thereto.*

4 “(C) *Any reminder, assistance, or instruc-*
5 *tions provided by the operator of a manufactured*
6 *housing community concerning the function of a*
7 *weather radio contained in a manufactured*
8 *home shall not subject the operator, an owner or*
9 *employee of the manufactured home community,*
10 *or the manufacturer of the manufactured home*
11 *to liability for the functionality of that weather*
12 *radio.”.*

13 **SEC. 4. ESTABLISHMENT.**

14 *Not later than the expiration of the 90-day period be-*
15 *ginning on the date of the enactment of this Act, the con-*
16 *sensus committee established pursuant to section 604(a)(3)*
17 *of the National Manufactured Housing Construction and*
18 *Safety Standards Act of 1974 (42 U.S.C. 5304(a)(3)) shall*
19 *develop and submit to the Secretary of Housing and Urban*
20 *Development a proposed Federal manufactured home con-*
21 *struction and safety standard required under section 604(i)*
22 *of such Act (as added by the amendment made by section*
23 *3 of this Act). Notwithstanding section 604(a)(5)(B) of such*
24 *Act, the Secretary of Housing and Urban Development shall*
25 *issue a final order promulgating the standard required by*

1 *such section 604(i) not later than the expiration of the 90-*
2 *day period beginning upon receipt by the Secretary of the*
3 *proposed standard developed and submitted by the con-*
4 *sensus committee.*

5 **SEC. 5. STUDY.**

6 *The Secretary of Housing and Urban Development*
7 *shall conduct of study regarding conditioning the applica-*
8 *bility of the requirement under the amendment made by*
9 *section 3 of this Act (relating to supplying weather radios*
10 *in manufactured homes) on the geographic location at*
11 *which a manufactured home is placed, but only to the extent*
12 *that such requirement applies to new manufactured homes*
13 *and new site-built homes. In conducting such study and*
14 *making determinations under to the study, the Secretary*
15 *shall take into consideration severe weather conditions, such*
16 *as high winds and flooding, and wind zones and other se-*
17 *vere weather data available from the National Weather*
18 *Service. Not later than the expiration of the 18-month pe-*
19 *riod beginning on the date of the enactment of this Act,*
20 *the Secretary shall complete the study and submit a report*
21 *regarding the results of the study to the Committee on Fi-*
22 *nancial Services of the House of Representatives and to the*
23 *Committee on Banking, Housing, and Urban Affairs of the*
24 *Senate.*

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