

111TH CONGRESS  
1ST SESSION

# H. R. 320

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

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

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## A BILL

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.

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 2009”.

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

7       The Congress finds that—

1           (1) nearly 20,000,000 Americans live in manu-  
2           factured homes, which often provide a more acces-  
3           sible and affordable way for many families to buy  
4           their own homes;

5           (2) manufactured housing plays a vital role in  
6           providing housing for low- and moderate-income  
7           families in the United States;

8           (3) NOAA Weather Radio (NWR) is a nation-  
9           wide network of radio stations broadcasting contin-  
10          uous weather information directly from a nearby Na-  
11          tional Weather Service (NWS) office, and broadcasts  
12          NWS warnings, watches, forecasts, and other all-  
13          hazard information 24 hours a day;

14          (4) the operators of manufactured housing com-  
15          munities should be encouraged to provide a safe  
16          place of shelter for community residents or a plan  
17          for the evacuation of community residents to a safe  
18          place of shelter within a reasonable distance of the  
19          community for use by community residents in times  
20          of severe weather, including tornados and high  
21          winds, and local municipalities should be encouraged  
22          to require approval of these plans;

23          (5) the operators of manufactured housing com-  
24          munities should be encouraged to provide a written  
25          reminder semiannually to all owners of manufac-

1       tured homes in the manufactured housing commu-  
 2       nity to replace the batteries in their weather radios;  
 3       and

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

8   **SEC. 3. FEDERAL MANUFACTURED HOME CONSTRUCTION**  
 9               **AND SAFETY STANDARD.**

10       Section 604 of the National Manufactured Housing  
 11   Construction and Safety Standards Act of 1974 (42  
 12   U.S.C. 5403) is amended by adding at the end the fol-  
 13   lowing new subsection:

14       “(i) WEATHER RADIOS.—

15               “(1) CONSTRUCTION AND SAFETY STAND-  
 16       ARD.—The Federal manufactured home construction  
 17       and safety standards established by the Secretary  
 18       under this section shall require that each manufac-  
 19       tured home delivered for sale shall be supplied with  
 20       a weather radio inside the manufactured home  
 21       that—

22                       “(A) is capable of broadcasting emergency  
 23       information relating to local weather conditions;

24                       “(B) is equipped with a tone alarm;

1           “(C) is equipped with Specific Alert Mes-  
2           sage Encoding, or SAME technology; and

3           “(D) complies with Consumer Electronics  
4           Association (CEA) Standard 2009–A (or cur-  
5           rent revision thereof) Performance Specification  
6           for Public Alert Receivers.

7           “(2) LIABILITY PROTECTIONS.—No aspect of  
8           the function, operation, performance, capabilities, or  
9           utilization of the weather radio required under this  
10          subsection, or any instructions related thereto, shall  
11          be subject to the requirements of section 613 or 615  
12          or any regulations promulgated by the Secretary  
13          pursuant to the authority under such sections.”.

14 **SEC. 4. ESTABLISHMENT.**

15          Not later than the expiration of the 90-day period  
16          beginning on the date of the enactment of this Act, the  
17          consensus committee established pursuant to section  
18          604(a)(3) of the National Manufactured Housing Con-  
19          struction and Safety Standards Act of 1974 (42 U.S.C.  
20          5304(a)(3)) shall develop and submit to the Secretary of  
21          Housing and Urban Development a proposed Federal  
22          manufactured home construction and safety standard re-  
23          quired under section 604(i) of such Act (as added by the  
24          amendment made by section 3 of this Act). Notwith-  
25          standing section 604(a)(5)(B) of such Act, the Secretary

1 of Housing and Urban Development shall issue a final  
2 order promulgating the standard required by such section  
3 604(i) not later than the expiration of the 90-day period  
4 beginning upon receipt by the Secretary of the proposed  
5 standard developed and submitted by the consensus com-  
6 mittee.

7 **SEC. 5. STUDY.**

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

1 to the Committee on Banking, Housing, and Urban Af-  
2 fairs of the Senate.

