

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.

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

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.

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