

1 **TITLE TO MANUFACTURED HOUSING OR**
2 **MOBILE HOMES**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Thomas V. Hatch**

6 House Sponsor: Michael E. Noel

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Motor Vehicle Act by amending title provisions related to
11 manufactured housing or mobile homes.

12 **Highlighted Provisions:**

13 This bill:

13a **§→ ▶ requires an owner of a manufactured home or mobile home to apply to the Motor**
13b **Vehicle Division for a certificate of title unless the manufactured home or mobile home is**
13c **previously registered as real property; ←§**

14 ▶ provides that a manufactured home or mobile home that has been converted to real
15 property is not subject to titling in this state if:

16 • the home is permanently affixed to real property;

16a **§→ • the home is not registered with the Motor Vehicle Division; ←§**

17 • the home is taxed as an improvement to real estate by the county assessor; and

18 • the manufacturer's identification **§→ [number is] number or numbers are ←§**

18a included in the deed or loan **§→ document ←§**

19 recorded with the county recorder; and

20 ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

26a **§→ 41-1a-503, as renumbered and amended by Chapter 1, Laws of Utah 1992 ←§**

27 **41-1a-506, as last amended by Chapter 47, Laws of Utah 2005**



28

29 *Be it enacted by the Legislature of the state of Utah:*

29a **§→ Section 1. Section 41-1a-503 is amended to read:**

29b **41-1a-503. Certificate of title or Affidavit of Mobile Home Affixture required -- Application**

29c **by owner.**

29d (1) **The owner of a manufactured home or mobile home shall apply to the division for a**

29e **certificate of title [~~or an Affidavit of Mobile Home Affixture~~] unless the manufactured home or**

29f **mobile home is previously registered §→ as real property ←§ under §→ Subsection ←§**

29g **41-1a-506(1).**

29h (2) (a) **An owner of a manufactured home or mobile home previously issued a**

29i **certificate of title who attaches that home to real property shall apply for an Affidavit of**

29j **Mobile Home Affixture within 30 days of attaching to the property.**

29k (b) **Upon application, the division shall issue an Affidavit of Mobile Home Affixture in**

29l **lieu of a certificate of title.**

29m (c) **However, manufactured homes and mobile homes are not exempt from the other**

29n **requirements of this part.**

29o (3) (a) **The owner of a manufactured home or mobile home previously issued an**

29p **Affidavit of Mobile Home Affixture who separates that home from the real property shall**

29q **apply for a certificate of title within 30 days of the separation, prior to any transfer of**

29r **ownership of that home.**

29s (b) **Upon application, the division shall issue a certificate of title in lieu of an Affidavit**

29t **of Mobile Home Affixture. ←§**

30 Section **§→ [1] 2 ←§ . Section 41-1a-506 is amended to read:**

31 **41-1a-506. Exceptions to title requirements for manufactured homes or mobile**

32 **homes.**

33 (1) **Each manufactured home or mobile home in this state is subject to the titling**

34 **provisions of this part except:**

35 (a) **manufactured homes and mobile homes owned and operated by the federal**

36 **government; and**

37 (b) **manufactured homes and mobile homes that have been converted to real property**

38 **under Section 70D-1-20 if:**

39 (i) **(A) an Affidavit Of Mobile Home Affixture has been issued by the division for that**

40 **home; and**

41 **[~~(ii)~~] (B) the home is permanently affixed to real property[-]; or**

42 **(ii) (A) the home is permanently affixed to real property;**

43 **(B) §→ the home is not registered with the division;**

43a **(C) ←§ the home is taxed as an improvement to real estate by the county assessor**

43b ~~§~~ → as permitted under Section 59-2-1503 ~~←§~~ ; and
 44 ~~§~~ → [~~(C)~~] (D) ~~←§~~ the manufacturer's identification ~~§~~ → [number-is] number or numbers
 44a are ~~←§~~ included in the deed or loan ~~§~~ → document ~~←§~~ recorded
 45 with the county recorder.

46 (2) A manufactured home or mobile home previously converted to real property but
 47 that has been separated from the real property is subject to the titling provisions of this part
 48 upon separation.

Legislative Review Note
 as of 12-7-05 3:10 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0107

Title to Manufactured Housing or Mobile Homes

14-Jan-06

8:08 PM

State Impact

No fiscal impact.

Individual and Business Impact

Affected individuals would not be subject to titling fees.

Office of the Legislative Fiscal Analyst