

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 426 (Delegate Vogt, *et al.*)
Environment and Transportation

Manufactured Homes - Severance From Real Property - Emergency Evacuations

This bill establishes, in the event of an emergency, that the owner of a manufactured home is exempt from (1) the requirement to file an affidavit of severance before moving the manufactured home from a parcel of real property to which it has been affixed, as specified, and (2) specified vehicle registration requirements.

Fiscal Summary

State Effect: The bill is not anticipated to materially impact State operations or finances.

Local Effect: The bill is not anticipated to materially impact local government operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: An owner of a manufactured home is not required to record and file a specified affidavit of severance if a manufactured home is severed from real property after an emergency evacuation is directed that is applicable to the property. The exemption applies so long as the manufactured home remains severed for a period of 90 days or less after the emergency evacuation is directed.

The owner of a manufactured home who severs it from real property due to an emergency evacuation, and is exempt from the requirement to record and file an affidavit of severance, is also exempt from the general requirement to be registered with the Maryland Department of Transportation (MDOT) before driving on a highway.

Current Law: “Manufactured home” means a structure that is (1) transportable in one or more sections; (2) eight body feet or more in width or 40 body feet or more in length in traveling mode, or is more than 320 square feet when erected on site; (3) built on a permanent chassis; and (4) designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

“Sever” means to separate a manufactured home that has been converted to real property from the parcel of real property to which it has been affixed. If a manufactured home for which an affidavit of affixation has been recorded is to be severed from real property, the owner must record and file an affidavit of severance containing specified information. The notarized affidavit of severance must be filed with the clerk of the circuit court of the county in which the real property from which the manufactured home is to be severed is located.

Generally, each motor vehicle, trailer, semitrailer, and pole trailer driven on a highway must be registered with MDOT. Registration is not required for specified vehicles, including vehicles owned and used by the United States, farm equipment, a towed vehicle, or a golf cart operating in specified jurisdictions.

Background: Data published by the [Manufactured Housing Institute](#) indicates that, in 2016, 357 *new* manufactured homes were shipped to locations in the State.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; State Department of Assessments and Taxation; Manufactured Housing Institute; Department of Legislative Services

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