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HOUSE BILL NO. 1122

Offered January 12, 2022

A BILL to amend and reenact §§ 46.2-209.1 and 46.2-216 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 36-85.11:1, relating to certain manufactured homes; recordation as real property; release of manufactured home records.

Patrons—Campbell, J.L. and O'Quinn

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-209.1 and 46.2-216 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 36-85.11:1 as follows:

§ 36-85.11:1. Recordation process; certain manufactured homes.

The owner of a new manufactured home that is and always has been affixed to real property shall record the certificate of origin provided by the manufacturer of such manufactured home with the commissioner of revenue in the locality where the real property is located. Upon proper recordation of the certification of origin, the manufactured home shall be considered real property and shall be subject to all local, state, and federal rules, laws, and regulations regarding real property. Nothing in this section shall be construed to (i) require a manufactured home described herein to be titled by the Department of Motor Vehicles pursuant to Chapter 6 (§ 46.2-600 et seq.) of Title 46.2 or (ii) apply to existing manufactured homes that have been titled by the Department of Motor Vehicles. The process for converting such existing manufactured home to real property shall be carried out in accordance with § 46.2-653.1.

§ 46.2-209.1. Release of vehicle information by Department to prospective vehicle purchasers.

Notwithstanding the provisions of subsection A of § 46.2-208, the Commissioner may furnish vehicle information to a prospective purchaser of that vehicle, if the prospective purchaser completes an application therefor, including the vehicle's make, model, year, and vehicle identification number, and pays the fee prescribed by the Commissioner. Such information furnished by the Commissioner may be provided from the Department's own records, or may be obtained by the Commissioner through the National Motor Vehicle Title Information System or any other nationally recognized system providing similar information.

Notwithstanding the provisions of § 46.2-208, the Commissioner shall furnish vehicle information for a manufactured home to a prospective purchaser of such manufactured home, a real estate agent, or a loan officer provided that any requester completes an application therefor, provides sufficient information to identify the manufactured home, and pays the fee prescribed by the Commissioner. Such information furnished by the Commissioner may be provided from the Department's own records, or may be obtained by the Commissioner through the National Motor Vehicle Title Information System or any other nationally recognized system providing similar information.

Nothing in this section shall be construed to authorize the release of any personal information, driver information, or special identification card information as defined in § 46.2-208.

§ 46.2-216. Destruction of records.

In accordance with the provisions of Chapter 7 (§ 42.1-76 et seq.) of Title 42.1, the Commissioner may establish standards for the disposal of any paper or record which need not be preserved as a permanent record. *However, the Department shall not dispose of any vehicle information, as defined in § 46.2-208, for any manufactured home.*

INTRODUCED

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