

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 321 Movable Tiny Homes
SPONSOR(S): Transportation & Modals Subcommittee, Stevenson
TIED BILLS: IDEN./SIM. BILLS: SB 1404

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Modals Subcommittee	15 Y, 2 N, As CS	Johnson	Hinshelwood
2) Ways & Means Committee			
3) Infrastructure & Tourism Appropriations Subcommittee			
4) Commerce Committee			

SUMMARY ANALYSIS

The term “movable tiny home” does not appear in Florida Statutes, and there does not appear to be a standard definition of the term “movable tiny home.” Tiny homes, which are about the size of a recreational vehicle travel trailer are built using conventional building methods and are usually portable since they are often built on a flatbed trailer. Currently, movable tiny homes are registered with the Department of Highway Safety and Motor Vehicles (DHSMV) as a “park trailer”, which is a subcategory of recreational vehicles designed as seasonal or temporary living quarters that must meet specified construction standards. However, some people live in movable tiny homes year-round but must periodically leave RV and mobile home parks because of the seasonal/temporary nature of their registration as a “park trailer”.

The bill amends the statutory definition of the term “park trailer” to incorporate the permanent nature of some movable tiny homes by allowing park trailers to be used as permanent living quarters if specified building conditions are met. The bill provides minimum construction standards for these park trailers including standards for insulation, doors and windows, electrical systems, and wall framing. The bill also requires that each movable tiny home have a sticker or other documentation certifying that it was inspected by a licensed engineer or by a qualified inspector for compliance with the required construction standards.

The bill does not appear to have a fiscal impact on state or local governments. The bill has an indeterminate but likely positive fiscal impact on the private sector.

The bill has an effective date of October 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Movable Tiny Homes

The term “movable tiny home” does not appear in Florida Statutes, and there does not appear to be a standard definition of the term “movable tiny home.” Tiny homes, which are about the size of a recreational vehicle travel trailer, are built using conventional building methods and are usually portable since they are often built on a flatbed trailer.¹

Park Trailers

Currently, movable tiny homes are registered with the Department of Highway Safety and Motor Vehicles (DHSMV) as a “park trailer”, which is a subcategory of recreational vehicles. A “park trailer” is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to American National Standards Institute (ANSI)² A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development (HUD) Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.³

As stated above, the definition of “park trailer” contemplates that it would be used as “seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances.” However, some people live in movable tiny homes year-round but must periodically leave RV and mobile home parks because of the seasonal/temporary nature of their registration as a “park trailer”.

Building Standards

For purposes of mobile homes and recreational vehicles, Florida law defines the term “code” to mean the appropriate standards found in:

- The Federal Manufactured Housing Construction and Safety Standards for single-family mobile homes, adopted by HUD;
- The Uniform Standards Code ANSI A-119.2 for recreational vehicles and ANSI A-119.5 for park trailers or the HUD standard for park trailers certified as meeting that standard; or
- The Mobile and Manufactured Home Repair and Remodeling Code and the Used Recreational Vehicle Code.⁴

Under Florida law, each recreational vehicle-type unit, including park trailers, manufactured in this state or manufactured outside this state but sold or offered for sale in this state must meet the Uniform Standards Code ANSI book A-119.2 or A-119.5, as applicable, approved by the American National Standards Institute. Such standards shall include, but are not limited to, standards for the installation of

¹ Melanie Radizicki McManus, *10 Big Questions About Tiny Houses*, <https://home.howstuffworks.com/10-big-questions-about-tiny-houses.htm#:~:text=They're%20built%20using%20conventional,trailer%20so%20they%20are%20portable> (last visited Mar. 23, 2023).

² The American National Standards Institute (ANSI) is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system. The Institute works in close collaboration with stakeholders from industry and government to identify and develop standards - and conformance-based solutions to national and global priorities. American National Standards Institute, *Introduction*, <https://www.ansi.org/about/introduction> (last visited Mar. 24, 2023).

³ S. 320.01(1)(b)7., F.S.

⁴ S. 320.822(2), F.S.

plumbing, heating, and electrical systems and fire and life safety in recreational vehicle-type units and park trailers. However, those park trailers exceeding 400 square feet must meet the Federal Manufactured Home Construction and Safety Standards and have a HUD label.⁵

Effect of the Bill

The bill amends s. 320.01(1)(b)7, F.S., defining the term “park trailer” to incorporate the permanent nature of some movable tiny homes. Under the bill, a park trailer may be used to provide seasonal or temporary living quarters, as is currently in law, or it may be used as permanent living quarters for no more than one household when connected to utilities necessary for the operation of installed fixtures and appliances. The total area of such unit may not exceed 400 square feet when constructed to standards specified below, and 500 square feet when constructed to HUD Standards. A park trailer meeting this definition is commonly known as a “movable tiny home”.

The bill amends the statutory definition of the term “code” to incorporate the standards for movable tiny homes provided below.

The bill creates s. 320.8231(3), F.S., providing that a movable tiny home must, in addition to complying with building codes currently specified for a park trailer, be constructed with at least all of the following:

- Insulation with a thermal resistance value of at least R-13 in the walls and at least R-19 in the ceiling.
- Residential-grade insulated doors and windows.
- An electrical system that meets National Fire Protection Association (NFPA) 70, National Electrical Code, article 551 (recreational vehicles) or article 552 (park trailers), as applicable.
- Low-voltage electrical systems that meet the requirements of the ANSI/RVIA Low Voltage Systems in Conversion and RVs Standard.
- Wall framing consisting of structural rated studs that are between 16 and 24 inches on center, which studs are at least 2 inches by 4 inches of wood or metal, or equivalent structural insulated panels.

The bill creates s. 320.8231(4), F.S., requiring each movable tiny home to have a sticker or other documentation certifying that the movable tiny home was inspected and certified for compliance with the requirements above by a professional engineer licensed in Florida or by a third-party inspector who is qualified to inspect for ANSI compliance and is accredited pursuant to either the American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.

The bill has an effective date of October 1, 2023.

B. SECTION DIRECTORY:

- Section 1** Amends s. 320.01, F.S., relating to definitions, general.
- Section 2** Amends s. 320.822, F.S., relating to definitions; ss. 320.822-320.862.
- Section 3** Amends s. 320.8231, F.S., relating to establishment of uniform standards for recreational vehicle-type units and park trailers.
- Section 4** Provides an effective date of October 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

⁵ S. 320.8231(1), F.S.
STORAGE NAME: h0321.TMS
DATE: 3/29/2023

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Indeterminate but likely positive. Individuals who live in a movable tiny home may be required to move less frequently from their desired locale.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DHSMV will likely need to amend its rules regarding park trailers to conform to provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 29, 2023, the Transportation & Modals Subcommittee considered a proposed committee substitute and reported the bill favorably as a committee substitute. The committee substitute differs from HB 321 in the following ways:

- Specifies that if a “park trailer”, which is currently defined in law and is said to be for seasonal or temporary living quarters, is built to specified standards (i.e., those of a movable tiny home), then it may be utilized for year-round living.
- Eliminates the need for HB 323, the linked fee bill.
- Changes the effective date of the bill to October 1, 2023.

The staff analysis has been updated to reflect the committee substitute.