

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CONTRACTORS STATE LICENSE BOARD
INITIAL STATEMENT OF REASONS

Hearing Date: April 22, 2008

Subject Matter of Proposed Regulation(s): Class C-47 – General Manufactured Housing Contractor

Section(s) Affected: Title 16, California Code of Regulations (CCR), Section 832.47

Purpose

The Contractors State License Board (CSLB) is mandated to protect the public health, safety, and welfare by ensuring that only those individuals who meet the qualifications for licensure are granted contractor licenses in California. Contractor's licenses are organized into four major groups – General Engineering, General Building, Specialty Contractors, and Limited Specialty Contractors.

Business and Professions (B&P) Code Section 7058 establishes the specialty contractor license classification and defines "specialty contractor" as "a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts." Section 7059 authorizes the Board to adopt rules and regulations that are reasonably necessary to effect the classification of contractors.

The Legislature adopted B&P Code Section 7026.11 in 2007 (Senate Bill 538, Chapter 540, Statutes of 2007) to establish the permissible scope of work for the General Manufactured Housing Contractor (C-47) to include manufactured homes, mobilehomes, and multifamily manufactured homes, as defined in Health and Safety Code Sections 18007, 18008, and 18008.7, respectively.

The existing regulation sets forth the scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

CSLB initiated the proposed regulatory action for the purpose of making the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

§ 832.47. Class C-47 – General Manufactured Housing Contractor

The existing language of Section 832.47 sets forth scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

The proposed amendment is being made in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

Factual Basis/Rationale

§ 832.47. Class C-47 – General Manufactured Housing Contractor

The existing language of Section 832.47 sets forth scope of work for a C-47 General Manufactured Housing Contractor as it relates to any type of manufactured housing, as defined in Section 18007 of the Health and Safety Code.

The proposed regulatory action would amend the regulation in order to make the definition of a C-47 General Manufactured Housing Contractor consistent with the definition contained in the newly-adopted B&P Code Section 7026.11, which includes mobilehomes and multifamily manufactured homes, as defined in Health and Safety Code Sections 18008 and 18008.7, respectively.

This regulation is necessary to clarify the definition of a C-47 General Manufactured Housing Contractor. Regulatory action is needed because without the regulatory language making the General Manufactured Housing Contractor definition consistent with the definition that is contained in statute (B&P Code Section 7026.11), CSLB staff and affected contractors and applicants may not be able to accurately apply the appropriate definition in relation to the licensure and enforcement of such contractors.

Underlying Data

Senate Bill 538, Chapter 540, Statutes of 2007

Business Impact

CSLB is not aware of any significant adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it simply clarifies the definition of C-47 General Manufactured Housing Contractor, making it consistent with the definition contained in the newly-adopted B&P Code Section 7026.11.

Requirements for Specific Technologies or Equipment

This proposed regulatory action does not mandate the use of specific technologies or equipment.

Consideration of Alternatives / Description of Alternatives

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulation.