

HOUSE No. 1359

The Commonwealth of Massachusetts

PRESENTED BY:

Lenny Mirra

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act allowing movable tiny houses as permanent residential dwellings and accessory dwelling units.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------|---|------------------|
| <i>Lenny Mirra</i> | <i>2nd Essex</i> | <i>1/20/2023</i> |
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>2/15/2023</i> |
| <i>Jacob R. Oliveira</i> | <i>Hampden, Hampshire and Worcester</i> | <i>2/23/2023</i> |
| <i>Jonathan D. Zlotnik</i> | <i>2nd Worcester</i> | <i>3/1/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>3/10/2023</i> |
| <i>Shirley B. Arriaga</i> | <i>8th Hampden</i> | <i>5/9/2023</i> |

HOUSE No. 1359

By Representative Mirra of Georgetown, a petition (accompanied by bill, House, No. 1359) of Lenny Mirra and others relative to using movable tiny houses as permanent residential dwellings and accessory dwelling units. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act allowing movable tiny houses as permanent residential dwellings and accessory dwelling units.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1A of chapter 40A of the General Laws, as amended by chapter 358
2 of the acts of 2020, is hereby further amended by inserting after the definition of “MBTA
3 community” the following definition:-

4 “Movable tiny house”, a transportable dwelling unit built on a frame or chassis with not
5 more than 400 square feet, excluding lofts, projections from bay windows, open decks, porches
6 or exterior utility and storage compartments, intended for residential use on an individual house
7 lot where single-family dwellings are allowed or as an accessory dwelling unit; provided,
8 however, that a “movable tiny house” shall be permanently affixed to a chassis approved by the
9 Massachusetts Department of Transportation capable of carrying the total weight of the structure
10 and the exterior width shall not exceed any dimension prohibited by the Massachusetts
11 Department of Transportation for movement on a public way or highway; provided further, that a
12 “movable tiny house” shall be built in conformance with the regulations and standards of the

13 state building code but shall not be required to have insulation in walls and floors exceeding R-
14 13 or in ceilings exceeding R-18.

15 SECTION 2. Section 3 of said chapter 40A, as is hereby amended by adding the
16 following 4 paragraphs:-

17 The Massachusetts Department of Transportation, registry of motor vehicles and the
18 secretary of the commonwealth shall establish a new category for movable tiny houses. The
19 registry of motor vehicles shall establish a process to apply for, issue and cancel certificates of
20 title for movable tiny houses that meet all additional safety and equipment requirements
21 established by the registry of motor vehicles; provided, however, that the registration fee for said
22 certificates of titles for movable tiny houses and manufactured movable tiny houses shall be
23 \$100.

24 A movable tiny house may be placed on a lot as defined in section 1A of chapter 40A of
25 the General Laws and lived in for not less than 180 days before an on-site inspection; provided,
26 however, that after 180 days, a movable tiny house shall be required to have an established
27 address, energy and water source and wastewater system; provided further, that after 180 days,
28 the authority having jurisdiction of said lot shall provide for the inspection of the moveable tiny
29 house by a certified member of a third-party inspection agency and if the moveable tiny house
30 meets the standards of the inspection a certificate of occupancy shall be issued.

31 Notwithstanding any general or special law to the contrary, a city or town may establish
32 less restrictive rules and regulations than are permitted by this section; provided, however, that a
33 city or town shall not establish design criteria having the effect of excluding movable tiny
34 houses.

35 A city or town may incentivize hosted parking of movable tiny houses with tax
36 abatements or other tax incentives.