

Chapter 685

(Senate Bill 712)

AN ACT concerning

Household Goods Movers Registration

FOR the purpose of prohibiting a person from providing household goods moving services using a certain commercial motor vehicle in the State unless the person is registered as a household goods mover under this Act; requiring a person to submit to the Department of Labor, Licensing, and Regulation a certain application and a certain fee to apply for a certain registration; establishing certain requirements and procedures for the registration of household goods movers under this Act; requiring the Department to issue a certain annual registration under certain circumstances; requiring a household goods mover to pay a certain fee each year and to retain a copy of a certain registration in certain vehicles; requiring the Department to adopt certain regulations; authorizing the Department to impose a certain penalty for certain violations of this Act; defining certain terms; and generally relating to household goods moving services and the registration of household goods movers.

BY adding to

Article – Business Regulation

Section 8.5–101 through 8.5–107 to be under the new title “Title 8.5. Household Goods Movers”

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Business Regulation

TITLE 8.5. HOUSEHOLD GOODS MOVERS.

8.5–101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “HOUSEHOLD GOODS MOVERS” HAS THE MEANING STATED IN § 14–3101 OF THE COMMERCIAL LAW ARTICLE.

(C) “HOUSEHOLD GOODS MOVING SERVICES” HAS THE MEANING STATED IN § 14–3101 OF THE COMMERCIAL LAW ARTICLE.

8.5-102.

(A) A PERSON MAY NOT PROVIDE OR OFFER TO PROVIDE HOUSEHOLD GOODS MOVING SERVICES IN THE STATE USING A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN 49 C.F.R. 390.5 OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS, UNLESS THE PERSON IS REGISTERED AS A HOUSEHOLD GOODS MOVER UNDER THIS TITLE.

(B) THIS TITLE MAY NOT BE CONSTRUED TO REQUIRE REGISTRATION OF:

(1) EMPLOYEES OF A PERSON REQUIRED TO REGISTER UNDER SUBSECTION (A) OF THIS SECTION; OR

(2) AN EMPLOYEE OF A PERSON WHOSE GOODS ARE BEING MOVED.

8.5-103.

TO APPLY FOR REGISTRATION AS A HOUSEHOLD GOODS MOVER, AN APPLICANT SHALL:

(1) SUBMIT TO THE DEPARTMENT AN APPLICATION ON THE FORM PROVIDED BY THE DEPARTMENT; AND

(2) PAY THE DEPARTMENT AN APPLICATION FEE ESTABLISHED BY THE DEPARTMENT.

8.5-104.

AN APPLICANT FOR REGISTRATION SHALL PROVIDE:

(1) THE APPLICANT'S NAME AND ALL TRADE NAMES UNDER WHICH THE APPLICANT INTENDS TO PROVIDE HOUSEHOLD GOODS MOVING SERVICES IN THE STATE;

(2) THE APPLICANT'S PHYSICAL ADDRESS, TELEPHONE NUMBER, AND, IF APPLICABLE, E-MAIL ADDRESS;

(3) (I) THE NAME OF ALL PERSONS WITH AT LEAST 25% OWNERSHIP IN THE APPLICANT'S BUSINESS; AND

(II) IF A PERSON IDENTIFIED UNDER ITEM (I) OF THIS ITEM HAS PREVIOUSLY APPLIED FOR REGISTRATION FOR ANOTHER ENTITY, IDENTIFICATION

OF THAT PERSON AND THE DISPOSITION OF THE APPLICATION FOR THE OTHER ENTITY;

(4) THE APPLICANT'S FEDERAL EMPLOYEE IDENTIFICATION NUMBER;

(5) THE NAME OF THE APPLICANT'S REGISTERED AGENT IN THE STATE;

(6) THE APPLICANT'S U.S. DEPARTMENT OF TRANSPORTATION OR STATE DEPARTMENT OF TRANSPORTATION NUMBER;

(7) INSURANCE CARRIER AND POLICY NUMBER SHOWING LIABILITY AND CARGO COVERAGE WITH THE MINIMUM STANDARDS IN 49 C.F.R. PART 387.303; AND

(8) PROOF OF WORKERS' COMPENSATION COVERAGE FOR ALL COVERED EMPLOYEES.

8.5-105.

(A) A HOUSEHOLD GOODS MOVER SHALL PAY AN ANNUAL REGISTRATION FEE ESTABLISHED BY THE DEPARTMENT.

(B) ON APPROVAL OF A NEW OR RENEWAL APPLICATION, THE DEPARTMENT SHALL ASSIGN A UNIQUE REGISTRATION NUMBER AND ISSUE AN ANNUAL REGISTRATION TO THE APPLICANT.

(C) A HOUSEHOLD GOODS MOVER SHALL RETAIN A COPY OF ITS ANNUAL REGISTRATION IN EACH VEHICLE USED TO PERFORM HOUSEHOLD GOODS MOVING SERVICES.

8.5-106.

THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS TITLE, INCLUDING REGULATIONS ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION OF HOUSEHOLD GOODS MOVERS AND PROVIDING FOR THE ENFORCEMENT OF THIS TITLE.

8.5-107.

THE DEPARTMENT MAY IMPOSE ON A PERSON WHO VIOLATES THIS TITLE A CIVIL PENALTY NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.