

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 810
Economic Matters

(Delegate Cardin, *et al.*)

Finance

Consumer Protection - Household Goods Movers - Receipts

This bill requires a household goods mover, under the Maryland Household Goods Movers Act, to provide a consumer with a written receipt that states: (1) the household goods mover's legal name; and (2) the address and telephone number of either the household goods mover's resident agent in the State, or if there is no resident agent, the principal place of business.

Fiscal Summary

State Effect: Assuming that the Consumer Protection Division receives fewer than 50 complaints per year stemming from this bill, any additional workload could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A carrier of goods has a lien on goods covered by a bill of lading for charges subsequent to the date of the carrier's receipt of the goods for: (1) storage or transportation of the goods; and (2) expenses necessary for the preservation of the goods or incident to their transportation. The holder of the lien may retain possession of the goods until the lien is paid and may sell the goods to satisfy the lien. After notifying all persons known to claim an interest in the goods, the sale may be either public or private

and may be in bloc or in parcels, at a commercially reasonable time and place, and on commercially reasonable terms.

Under the Maryland Household Goods Movers Act, a household goods mover may not enforce or threaten to enforce a carrier's lien against, or refuse to deliver, a consumer's household goods when providing household goods moving services for a move within the State. Violation is an unfair or deceptive trade practice under the Maryland Consumer Protection Act. Violators may also be subject to any other applicable civil or criminal action. Household goods are goods used primarily for personal, family, or household purposes.

Background: Under federal law and regulations, an interstate mover may give either a nonbinding or a binding written estimate of the cost of a move. An interstate mover may only charge for a binding estimate. Nonbinding estimates must be provided free of charge. An interstate mover may not charge more than the quoted price of a binding estimate, unless additional services are provided. If a nonbinding estimate is given, the interstate mover may not require the depositor to pay more than 10% more than the original estimate at the time of delivery. The depositor then has at least 30 days after delivery to pay any remaining charges. The federal regulations do not apply to intrastate moves.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division),
Department of Legislative Services

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ncs/mdr Revised - House Third Reader - April 5, 2004

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