
By: **Delegates Frush, Cardin, and Moe**
Introduced and read first time: February 24, 2006
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection - Household Goods Movers**

3 FOR the purpose of requiring a household goods mover, before providing household
4 goods moving services to a consumer for an intrastate move, to provide the
5 consumer or the consumer's agent with a written estimate of the charges for the
6 household goods moving services; requiring the estimate to include a certain
7 statement; requiring a household goods mover to provide a consumer with a
8 written, itemized statement of certain excess charges at a certain time;
9 providing that the excess charges may not exceed the written estimate by more
10 than certain percentages without the consent of the consumer; prohibiting a
11 household goods mover from requiring a consumer to pay, at the time household
12 goods moving services are completed, a certain amount; requiring a household
13 goods mover to allow a consumer a certain period of time to pay certain excess
14 charges; authorizing a household goods mover to refuse to relinquish control of
15 household goods to a consumer under certain circumstances; requiring a
16 household goods mover to include a certain statement in certain documents;
17 defining a certain term; and generally relating to household goods movers.

18 BY adding to
19 Article - Commercial Law
20 Section 14-3102.2
21 Annotated Code of Maryland
22 (2005 Replacement Volume)

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

25 **Article - Commercial Law**

26 14-3102.2.

27 (A) IN THIS SECTION, "EXCESS CHARGES" MEANS AN AMOUNT, IN EXCESS OF
28 THE ESTIMATE PROVIDED TO A CONSUMER, CHARGED BY A HOUSEHOLD GOODS
29 MOVER FOR EVENTS THAT:

- 1 (1) OCCUR BEFORE OR DURING AN INTRASTATE MOVE;
- 2 (2) ARE BEYOND THE CONTROL OF THE HOUSEHOLD GOODS MOVER;
- 3 AND
- 4 (3) COULD NOT HAVE BEEN REASONABLY ANTICIPATED BY THE
- 5 HOUSEHOLD GOODS MOVER.

6 (B) (1) BEFORE PROVIDING HOUSEHOLD GOODS MOVING SERVICES FOR AN

7 INTRASTATE MOVE FOR A CONSUMER, A HOUSEHOLD GOODS MOVER SHALL PROVIDE

8 THE CONSUMER OR THE CONSUMER'S AGENT WITH A WRITTEN ESTIMATE OF THE

9 CHARGES FOR THE HOUSEHOLD GOODS MOVING SERVICES.

10 (2) THE ESTIMATE SHALL INCLUDE A STATEMENT NOTIFYING THE

11 CONSUMER:

12 (I) OF THE CIRCUMSTANCES UNDER WHICH THE HOUSEHOLD

13 GOODS MOVER MAY REFUSE TO RELINQUISH CONTROL OF HOUSEHOLD GOODS TO

14 THE CONSUMER, AS PROVIDED IN SUBSECTION (D)(1) OF THIS SECTION; AND

15 (II) THAT THE HOUSEHOLD GOODS MOVER MAY NOT REFUSE TO

16 RELINQUISH CONTROL OF HOUSEHOLD GOODS TO THE CONSUMER UNDER ANY

17 OTHER CIRCUMSTANCES.

18 (C) (1) ON COMPLETION OF HOUSEHOLD GOODS MOVING SERVICES

19 PROVIDED FOR AN INTRASTATE MOVE FOR A CONSUMER, A HOUSEHOLD GOODS

20 MOVER SHALL PROVIDE THE CONSUMER WITH A WRITTEN, ITEMIZED STATEMENT

21 OF ANY EXCESS CHARGES.

22 (2) WITHOUT THE CONSENT OF THE CONSUMER, EXCESS CHARGES MAY

23 NOT EXCEED:

24 (I) FOR AN ESTIMATE BASED ON MILEAGE OR WEIGHT, 10% OF THE

25 ESTIMATE PROVIDED UNDER SUBSECTION (B) OF THIS SECTION; OR

26 (II) FOR AN ESTIMATE BASED ON AN HOURLY RATE, 15% OF THE

27 ESTIMATE PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

28 (3) A HOUSEHOLD GOODS MOVER MAY NOT REQUIRE A CONSUMER TO

29 PAY, AT THE TIME HOUSEHOLD GOODS MOVING SERVICES ARE COMPLETED, AN

30 AMOUNT IN EXCESS OF:

31 (I) THE ESTIMATE PROVIDED UNDER SUBSECTION (B) OF THIS

32 SECTION; AND

33 (II) THE LESSER OF:

34 1. 50% OF THE EXCESS CHARGES AUTHORIZED UNDER

35 PARAGRAPH (2)(I) OR (II) OF THIS SUBSECTION; OR

1 (3) OF THE PROCEDURES FOR FILING A COMPLAINT WITH THE
2 CONSUMER PROTECTION DIVISION IN THE OFFICE OF THE ATTORNEY GENERAL; AND

3 (4) (I) OF ANY VOLUNTARY ARBITRATION PROGRAM FOR RESOLVING
4 COMPLAINTS OR DISPUTES THAT IS AVAILABLE TO THE CONSUMER THROUGH THE
5 HOUSEHOLD GOODS MOVER; OR

6 (II) THAT THE HOUSEHOLD GOODS MOVER DOES NOT HAVE A
7 VOLUNTARY ARBITRATION PROGRAM AVAILABLE TO THE CONSUMER.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
9 effect October 1, 2006.