

HOUSE BILL 1134

I3

11r2249

By: **Delegates Hucker, Barkley, Burns, and Frick**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Household Goods Movers – Estimates and Charges**

3 FOR the purpose of requiring a household goods mover to provide a written estimate
4 to a consumer before providing household goods moving services for an
5 intrastate move; specifying the contents of the written estimate; providing that
6 a consumer that receives a binding estimate may not be required to pay more
7 than a certain price for certain household goods moving services; providing that
8 a consumer that receives a nonbinding estimate may not be required to pay
9 more than a certain percentage of a certain price for certain household goods
10 moving services; and generally relating to the regulation of household goods
11 movers.

12 BY repealing and reenacting, without amendments,
13 Article – Commercial Law
14 Section 14–3101(a) and (c) through (f)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Commercial Law
19 Section 14–3102.1, 14–3103, and 14–3104
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2010 Supplement)

22 BY adding to
23 Article – Commercial Law
24 Section 14–3103
25 Annotated Code of Maryland
26 (2005 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Commercial Law**

4 14–3101.

5 (a) In this subtitle the following words have the meanings indicated.

6 (c) “Consumer” has the meaning stated in § 13–101 of this article.

7 (d) “Household goods” means goods used primarily for personal, family, or
8 household purposes.

9 (e) “Household goods mover” means a person who provides household goods
10 moving services.

11 (f) (1) “Household goods moving services” means the loading, packing,
12 moving, transporting, storing while in transit, unloading, or otherwise taking
13 possession or control from a consumer of household goods for the purpose of moving
14 them to another location at the direction of the consumer for a fee.

15 (2) “Household goods moving services” does not include moving
16 household goods for disposal or destruction.

17 **14–3103.**

18 **(A) A HOUSEHOLD GOODS MOVER SHALL PROVIDE A WRITTEN**
19 **ESTIMATE TO A CONSUMER BEFORE PROVIDING HOUSEHOLD GOODS MOVING**
20 **SERVICES FOR AN INTRASTATE MOVE.**

21 **(B) THE WRITTEN ESTIMATE SHALL:**

22 **(1) SEPARATELY IDENTIFY EACH HOUSEHOLD GOODS MOVING**
23 **SERVICE THAT THE HOUSEHOLD GOODS MOVER WILL PROVIDE AND THE PRICE**
24 **OF EACH SERVICE;**

25 **(2) SEPARATELY IDENTIFY EACH FEE THAT THE CONSUMER WILL**
26 **OR MAY BE REQUIRED TO PAY;**

27 **(3) STATE THE ESTIMATED TOTAL PRICE;**

28 **(4) STATE THE TIME AND METHOD OF PAYMENT FOR THE**
29 **HOUSEHOLD GOODS MOVING SERVICES; AND**

1 **(5) INDICATE CLEARLY WHETHER THE ESTIMATE IS BINDING ON**
2 **THE CONSUMER AND HOUSEHOLD GOODS MOVER.**

3 **(c) (1) A CONSUMER THAT RECEIVES A BINDING ESTIMATE FROM A**
4 **HOUSEHOLD GOODS MOVER MAY NOT BE REQUIRED TO PAY MORE THAN THE**
5 **ESTIMATED TOTAL PRICE STATED IN THE ESTIMATE FOR THE HOUSEHOLD**
6 **GOODS MOVING SERVICES DESCRIBED IN THE ESTIMATE.**

7 **(2) A CONSUMER THAT RECEIVES A NONBINDING ESTIMATE**
8 **FROM A HOUSEHOLD GOODS MOVER MAY NOT BE REQUIRED TO PAY MORE THAN**
9 **110% OF THE ESTIMATED TOTAL PRICE STATED IN THE ESTIMATE FOR THE**
10 **HOUSEHOLD GOODS MOVING SERVICES DESCRIBED IN THE ESTIMATE.**

11 **[14-3102.1.] 14-3104.**

12 On completion of household goods moving services for an intrastate move for a
13 consumer, a household goods mover shall provide the consumer with a written receipt
14 that states:

15 (1) The household goods mover's legal name; and

16 (2) The address and telephone number of:

17 (i) The household goods mover's resident agent in the State; or

18 (ii) If the household goods mover does not have a resident agent
19 in the State, the household goods mover's principal place of business.

20 **[14-3103.] 14-3105.**

21 (a) A violation of this subtitle is an unfair or deceptive trade practice within
22 the meaning of Title 13 of this article and is subject to the enforcement and penalty
23 provisions contained in Title 13 of this article.

24 (b) In addition to being subject to the enforcement and penalty provisions
25 contained in Title 13 of this article, a household goods mover that violates this subtitle
26 is subject to any other civil or criminal action provided by law.

27 **[14-3104.] 14-3106.**

28 This subtitle may be cited as the Maryland Household Goods Movers Act.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2011.