

SENATE BILL 712

C2, I3

9lr1570
CF HB 671

By: **Senators Beidle, Feldman, and Klausmeier**

Introduced and read first time: February 4, 2019

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Household Goods Movers Registration**

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

15 BY adding to

16 Article – Business Regulation

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

19 Annotated Code of Maryland

20 (2015 Replacement Volume and 2018 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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.

1 AN APPLICANT FOR REGISTRATION SHALL PROVIDE:

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

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

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

9 (II) IF A PERSON IDENTIFIED UNDER ITEM (I) OF THIS ITEM HAS
10 PREVIOUSLY APPLIED FOR REGISTRATION FOR ANOTHER ENTITY, IDENTIFICATION
11 OF THAT PERSON AND THE DISPOSITION OF THE APPLICATION FOR THE OTHER
12 ENTITY;

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

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

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

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

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

24 8.5-105.

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

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

30 (C) A HOUSEHOLD GOODS MOVER SHALL RETAIN A COPY OF ITS ANNUAL

1 REGISTRATION IN EACH VEHICLE USED TO PERFORM HOUSEHOLD GOODS MOVING
2 SERVICES.

3 **8.5-106.**

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

8 **8.5-107.**

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.