

Bill No. CS for SB 1788

Barcode 031004

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Crist) recommended the following amendment:

Senate Amendment (with title amendment)

On page 4, between lines 15 and 16,

insert:

Section 5. Section 507.05, Florida Statutes, is amended to read:

507.05 Estimates and contracts for moving and
accessorial services ~~service~~.--Before providing any moving or
accessorial services, a contract and estimate must be provided
to a prospective shipper in writing and must be signed and
dated by the shipper and the mover. A mover may not require,
and a shipper may not be allowed to waive the requirement of a
written estimate. The written estimate and contract, ~~and~~ must
include:

(1) The name, telephone number, and physical address
where the mover's employees are available during normal
business hours.

(2) The date the contract or estimate is prepared and

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1 any proposed date of the move.

2 (3) The name and address of the shipper, the addresses
3 where the articles are to be picked up and delivered, and a
4 telephone number where the shipper may be reached.

5 (4) The name, telephone number, and physical address
6 of any location where the goods will be held pending further
7 transportation, including situations where the mover retains
8 possession of goods pending resolution of a fee dispute with
9 the shipper.

10 (5) An itemized breakdown and description and total of
11 all costs and services for loading, transportation or
12 shipment, unloading, and accessorial services to be provided
13 during a household move or storage of household goods.

14 (6) The name and telephone number of any other person
15 authorized by the shipper to direct the pickup or delivery of
16 any items to be transported. The shipper's authorization to
17 the third party must be in writing.

18 ~~(7)(6)~~ Acceptable forms of payment. A mover shall
19 accept a minimum of two of the three following forms of
20 payment:

21 (a) Cash, cashier's check, money order, or traveler's
22 check;

23 (b) Valid personal check, showing upon its face the
24 name and address of the shipper or authorized representative;
25 or

26 (c) Valid credit card, which shall include, but not be
27 limited to, Visa or MasterCard.

28
29 A mover must clearly and conspicuously disclose to the shipper
30 in the estimate and contract for services the forms of
31 payments the mover will accept, including the forms of payment

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1 described in paragraphs (a)-(c).

2 (8) A brief description of the procedures for handling
3 shipper inquiries and complaints and a telephone number that
4 the shipper may use to communicate with the mover.

5 (9) If the cost for services provided is based on
6 weight, a statement that the shipper has a right to observe
7 any weighing before and after loading.

8 (10) A statement of acknowledgement to be signed by
9 the shipper verifying that the shipper received a copy of a
10 consumer's bill of rights entitled "Now You Know . . .
11 Intrastate Household Moving," the content of which the
12 department shall establish by rule and must be provided to the
13 shipper at the time of the estimate.

14 (11) Notice to the shipper of the opportunity to
15 request, at an additional cost to the shipper, a written
16 inventory as provided in s. 507.055.

17 (12) The following notice in bold and capitalized
18 letters of at least 12-point type:

19
20 PLEASE READ CAREFULLY:

21
22 THIS CONTRACT FOR SERVICE IS REQUIRED BY STATE
23 LAW AND MUST INCLUDE THE TERMS AND COSTS
24 ASSOCIATED WITH YOUR MOVE. IN ORDER FOR THE
25 CONTRACT FOR SERVICE TO BE ACCURATE, YOU MUST
26 DISCLOSE ALL INFORMATION RELEVANT TO THE MOVE
27 TO THE MOVER. STATE LAW REQUIRES THAT A MOVER
28 RELINQUISH POSSESSION OF YOUR GOODS AND
29 COMPLETE YOUR MOVE UPON PAYMENT OF NO MORE THAN
30 THE SPECIFIED MAXIMUM AMOUNT DUE AT DELIVERY.

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1 Section 6. Section 507.055, Florida Statutes,
2 is created to read:

3 507.055 Written inventory; offer to shipper
4 required.--

5 (1) A mover shall offer to prepare at an additional
6 cost to the shipper, a written inventory of all items to be
7 moved by the shipper. A shipper may waive, in writing, the
8 preparation of a written inventory which shall be expressed at
9 the time the written estimate for moving and accessorial
10 services is prepared and signed by the mover and shipper. If
11 preparation of a written inventory is not waived, the
12 inventory shall be prepared and signed by the shipper and the
13 mover prior to departure of the mover's motor vehicle from the
14 shipper's pick-up point.

15 (2) A mover may not charge for preparing an inventory
16 unless, before preparing the inventory, the mover clearly and
17 conspicuously discloses in writing to the shipper the amount
18 of the charge for preparing the inventory or, if the amount
19 cannot be determined, the complete basis upon which the charge
20 will be calculated.

21 (3) A mover may not require a shipper to waive the
22 preparation of an inventory.

23
24 (Redesignate subsequent sections.)

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26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 1, line 23, after the first semicolon,

30
31 insert:

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1 amending s. 507.05, F.S.; prohibiting a mover
2 from requiring and a shipper from waiving the
3 requirement of a written estimate; requiring
4 the additional requirements be contained within
5 a written estimate and contract; creating s.
6 507.055, F.S.; requiring the mover to prepare a
7 written inventory; authorizing the shipper to
8 waive such requirements for a written
9 inventory; prohibiting a mover from charging
10 for a written inventory; providing an
11 exception; prohibiting a mover from requiring a
12 shipper to waive the preparation of a written
13 inventory;

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