

By Senator Garcia

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1 A bill to be entitled
2 An act relating to household moving services; amending
3 s. 507.01, F.S.; redefining the term "storage";
4 amending s. 507.03, F.S.; providing for the biennial
5 renewal of mover and moving broker registrations;
6 authorizing the Department of Agriculture and Consumer
7 Services to extend registration expiration dates to
8 establish staggered dates; requiring the calculation
9 of biennial registration fees based on an annual rate;
10 deleting a provision requiring certain movers and
11 moving brokers to obtain a local license or
12 registration and pay the state registration fee;
13 amending s. 507.04, F.S.; authorizing a mover to
14 exclude liability for household goods packed by the
15 shipper under certain circumstances; amending s.
16 507.06, F.S.; authorizing a mover to refuse to
17 transport or ship household goods under certain
18 circumstances; amending s. 507.07, F.S.; prohibiting a
19 mover or moving broker from conducting business
20 without being registered with the department;
21 providing penalties; amending s. 507.13, F.S.;
22 preempting local ordinances and regulations except in
23 certain counties; restricting the levy or collection
24 of local registration fees and taxes of movers and
25 moving brokers; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. Subsection (13) of section 507.01, Florida

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30 Statutes, is amended to read:

31 507.01 Definitions.—As used in this chapter, the term:

32 (13) "Storage" means the temporary warehousing of a
33 shipper's goods while under the care, custody, and control of
34 the mover.

35 Section 2. Subsections (1), (3), and (4) of section 507.03,
36 Florida Statutes, are amended to read:

37 507.03 Registration.—

38 (1) Each mover and moving broker must ~~annually~~ register
39 with the department, providing its legal business and trade
40 name, mailing address, and business locations; the full names,
41 addresses, and telephone numbers of its owners or corporate
42 officers and directors and the Florida agent of the corporation;
43 a statement whether it is a domestic or foreign corporation, its
44 state and date of incorporation, its charter number, and, if a
45 foreign corporation, the date it registered with the Department
46 of State; the date on which the mover or broker registered its
47 fictitious name if the mover or broker is operating under a
48 fictitious or trade name; the name of all other corporations,
49 business entities, and trade names through which each owner of
50 the mover or broker operated, was known, or did business as a
51 mover or moving broker within the preceding 5 years; and proof
52 of the insurance or alternative coverages required under s.
53 507.04.

54 (3) Registration fees shall be calculated at the rate of
55 \$300 per year per mover or moving broker. All amounts collected
56 shall be deposited by the Chief Financial Officer to the credit
57 of the General Inspection Trust Fund of the department for the
58 sole purpose of administration of this chapter.

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59 (4) A registration must be renewed biennially on or before
60 its expiration date. In order to establish staggered expiration
61 dates, the department may extend the expiration date of a
62 registration for a period not to exceed 12 months. ~~Any mover or~~
63 ~~moving broker whose principal place of business is located in a~~
64 ~~county or municipality that requires, by local ordinance, a~~
65 ~~local license or registration to engage in the business of~~
66 ~~moving and storage of household goods must obtain the license or~~
67 ~~registration from the county or municipality. A mover or broker~~
68 ~~that obtains a local license or registration must also pay the~~
69 ~~state registration fee under subsection (3).~~

70 Section 3. Subsection (4) of section 507.04, Florida
71 Statutes, is amended to read:

72 507.04 Required insurance coverages; liability limitations;
73 valuation coverage.—

74 (4) LIABILITY LIMITATIONS; VALUATION RATES.—

75 (a) A mover may not limit its liability for the loss or
76 damage of household goods to a valuation rate that is less than
77 60 cents per pound per article. A provision of a contract for
78 moving services is void if the provision limits a mover's
79 liability to a valuation rate that is less than the minimum rate
80 allowed under this subsection.

81 (b) A mover may exclude liability for any household goods
82 packed by the shipper if the exclusion is declared, and the
83 shipper declines, in writing, to allow the mover to open and
84 inspect the box or crate in which the goods were packed by the
85 shipper.

86 (c) If a mover limits its liability for a shipper's goods,
87 the mover must disclose the limitation, including the valuation

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88 rate, to the shipper in writing at the time that the estimate
89 and contract for services are executed and before any moving or
90 accessorial services are provided. The disclosure must also
91 inform the shipper of the opportunity to purchase valuation
92 coverage if the mover offers that coverage under subsection (5).

93 Section 4. Section 507.06, Florida Statutes, is amended to
94 read:

95 507.06 Transportation or shipment, delivery, and storage of
96 household goods.—

97 (1) A mover, before transporting or shipping a shipper's
98 household goods, may refuse to transport or ship any of the
99 goods, if the mover notifies the shipper and the shipper
100 acknowledges the refusal.

101 (2)~~(1)~~ A mover must relinquish household goods to a shipper
102 and must place the goods inside a shipper's dwelling or, if
103 directed by the shipper, inside a storehouse or warehouse that
104 is owned or rented by the shipper or the shipper's agent, unless
105 the shipper has not tendered payment in the amount specified in
106 a written contract or estimate signed and dated by the shipper.
107 A mover may not refuse to relinquish prescription medicines and
108 goods for use by children, including children's furniture,
109 clothing, or toys, under any circumstances.

110 (3)~~(2)~~ A mover may not refuse to relinquish household goods
111 to a shipper or fail to place the goods inside a shipper's
112 dwelling or, if directed by the shipper, inside a storehouse or
113 warehouse that is owned or rented by the shipper or the
114 shipper's agent, based on the mover's refusal to accept an
115 acceptable form of payment.

116 (4)~~(3)~~ A mover that lawfully fails to relinquish a

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117 shipper's household goods may place the goods in storage until
118 payment is tendered; however, the mover must notify the shipper
119 of the location where the goods are stored and the amount due
120 within 5 days after receipt of a written request for that
121 information from the shipper, which request must include the
122 address where the shipper may receive the notice. A mover may
123 not require a prospective shipper to waive any rights or
124 requirements under this section.

125 Section 5. Subsection (1) of section 507.07, Florida
126 Statutes, is amended to read:

127 507.07 Violations.—It is a violation of this chapter to:

128 (1) Conduct business as a mover or moving broker, or
129 advertise to engage in the business of moving or offering to
130 move, without ~~first~~ being registered ~~annually~~ with the
131 department.

132 Section 6. Subsection (1) of section 507.13, Florida
133 Statutes, is amended to read:

134 507.13 Local regulation.—

135 (1) (a) Except as provided in paragraph (b), this chapter
136 preempts ~~does not preempt~~ local ordinances or regulations of a
137 county or municipality which regulate transactions relating to
138 movers of household goods or moving brokers.

139 (b) This chapter does not preempt ordinances or regulations
140 originally enacted by a county before January 1, 2009. The
141 ordinance or regulation ~~As provided in s. 507.03(4), counties~~
142 ~~and municipalities~~ may require the, levy, or collection of
143 ~~collect~~ any reasonable registration fee or tax, not to exceed
144 the cost of administering the ordinance or regulation, and may
145 ~~or~~ require the registration or bonding in any manner of any

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146 mover or moving broker.

147 Section 7. This act shall take effect July 1, 2009.