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1                   A bill to be entitled  
2           An act relating to household moving services; amending s.  
3           507.01, F.S.; redefining the term "storage"; amending s.  
4           507.03, F.S.; providing for the biennial renewal of mover  
5           and moving broker registrations; authorizing the  
6           Department of Agriculture and Consumer Services to extend  
7           registration expiration dates in order to establish  
8           staggered dates; requiring the calculation of biennial  
9           registration fees based on an annual rate; deleting a  
10          provision requiring certain movers and moving brokers to  
11          obtain a local license or registration and pay the state  
12          registration fee; amending s. 507.04, F.S.; authorizing a  
13          mover to exclude liability for household goods packed by  
14          the shipper under certain circumstances; amending s.  
15          507.06, F.S.; authorizing a mover to refuse to transport  
16          or ship household goods under certain circumstances;  
17          amending s. 507.07, F.S.; prohibiting a mover or moving  
18          broker from conducting business without being registered  
19          with the department; providing penalties; amending s.  
20          507.13, F.S.; preempting local ordinances and regulations  
21          except in certain counties; restricting the levy or  
22          collection of local registration fees and taxes of movers  
23          and moving brokers; providing for local registration and  
24          bonding; exempting local business taxes from preemption;  
25          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  
 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  
 36 507.03, 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.

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  
 73 limitations; 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  
 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  
 96 of 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 in writing.

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

110 (3)~~(2)~~ A mover may not refuse to relinquish household  
 111 goods 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

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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  
 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 paragraphs (b) and (c), this  
 136 chapter preempts a ~~does not preempt~~ local ordinance ~~ordinances~~  
 137 or regulation ~~regulations~~ of a county or municipality which  
 138 regulates ~~regulate~~ transactions relating to movers of household  
 139 goods or moving brokers.

140 (b) This chapter does not preempt an ordinance or

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141 regulation originally enacted by a county before January 1,  
142 2011, or a subsequent amendment to such an ordinance or  
143 regulation. However, registration fees required by such an  
144 ordinance or regulation must be reasonable and may not exceed  
145 the cost of administering the ordinance or regulation. In  
146 addition, registration and bonding may be required only of a  
147 mover or moving broker whose principal place of business is  
148 located within that county's jurisdiction.

149 (c) This section does not preempt a local government's  
150 authority to levy a local business tax pursuant to chapter 205.  
151 ~~As provided in s. 507.03(4), counties and municipalities may~~  
152 ~~require, levy, or collect any registration fee or tax or~~  
153 ~~require the registration or bonding in any manner of any mover~~  
154 ~~or moving broker.~~

155 Section 7. This act shall take effect July 1, 2011.