

1 A bill to be entitled

2 An act relating to moving services; amending s. 507.03,  
3 F.S.; revising mover registration requirements; providing  
4 for proof of bond or certificate of deposit in lieu of  
5 proof of insurance coverage; amending s. 507.04, F.S.;  
6 revising a requirement to maintain cargo legal liability  
7 coverage; providing for bond or certificate of deposit in  
8 lieu of insurance coverage for a mover operating a certain  
9 number of vehicles; limiting use of such bond or  
10 certificate of deposit to claims adjudicated by the  
11 Department of Agriculture and Consumer Services; providing  
12 that aggregate payout by the department for all claims  
13 shall not exceed the amount of the bond or certificate of  
14 deposit; providing for revocation of a mover's license for  
15 failure to maintain the required bond or certificate of  
16 deposit; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsections (1) and (9) of section 507.03,  
21 Florida Statutes, are amended to read:

22 507.03 Registration.--

23 (1) Each mover shall annually register with the  
24 department, providing its legal business and trade name, mailing  
25 address, and business locations; the full names, addresses, and  
26 telephone numbers of its owners or corporate officers and  
27 directors and the Florida agent of the corporation; a statement  
28 whether it is a domestic or foreign corporation, its state and

29 | date of incorporation, its charter number, and, if a foreign  
 30 | corporation, the date it registered with the State of Florida,  
 31 | and occupational license where applicable; the date on which a  
 32 | mover registered its fictitious name if the mover is operating  
 33 | under a fictitious or trade name; the name of all other  
 34 | corporations, business entities, and trade names through which  
 35 | each owner of the mover operated, was known, or did business as  
 36 | a mover within the preceding 5 years; and proof of bonding or  
 37 | insurance coverage as required by this act.

38 | (9) Each mover shall provide evidence of current and valid  
 39 | insurance coverage or a bond or certificate of deposit as  
 40 | described in s. 507.04.

41 | Section 2. Paragraph (a) of subsection (1) of section  
 42 | 507.04, Florida Statutes, is amended to read:

43 | 507.04 Cargo legal liability valuation and insurance  
 44 | coverage.--

45 | (1) A mover operating in this state shall maintain current  
 46 | and valid cargo legal liability valuation and insurance coverage  
 47 | which includes:

48 | (a) 1. For a mover operating three or more vehicles,  
 49 | coverage for cargo legal liability for loss or damage to  
 50 | household goods arising or resulting from the negligence of the  
 51 | mover, its employees, or its agents, in an amount not less than  
 52 | \$10,000 per shipment.

53 | 2. A mover who operates fewer than three vehicles shall  
 54 | have the option of maintaining the cargo legal liability  
 55 | described in this paragraph or maintaining a performance bond in  
 56 | the amount of \$25,000. The surety on such bond shall be a surety

57 company authorized to do business in the state. In lieu of the  
58 bond required in this subparagraph, the mover may establish a  
59 certificate of deposit in a Florida banking institution in the  
60 amount of the bond. The original bond or certificate of deposit  
61 shall be filed with the department and the department shall be  
62 the beneficiary to said document. The bond or certificate of  
63 deposit shall be in favor of the department for the use and  
64 benefit of any consumer who is injured by the fraud,  
65 misrepresentation, breach of contract, or financial failure of  
66 the mover or by the violation of any provision of this section  
67 by the mover. Such liability may be enforced either by  
68 proceeding in an administrative action or by filing a judicial  
69 suit at law in a court of competent jurisdiction. However, in  
70 such court suit, the bond or certificate of deposit posted with  
71 the department shall not be amenable or subject to any judgment  
72 or other legal process issuing out of or from such court in  
73 connection with such lawsuit, but such bond or certificate of  
74 deposit shall be amenable to and enforceable only by and through  
75 administrative proceedings before the department. It is the  
76 intent of the Legislature that such bond or certificate of  
77 deposit shall be applicable and liable only for the payment of  
78 claims duly adjudicated by order of the department. The bond or  
79 certificate of deposit shall be open to successive claims, but  
80 the aggregate amount may not exceed the amount of the bond or  
81 certificate of deposit. If proceeds from a bond or certificate  
82 of deposit are exhausted, the mover must obtain and maintain an  
83 additional bond or certificate of deposit in the amount of

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84 | \$25,000. Failure to do so shall result in the department  
85 | revoking the license of the mover.

86 |       Section 3. This act shall take effect upon becoming a law.