

Bill No. SB 1788

Barcode 063644

CHAMBER ACTION

Senate

House

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The Committee on Commerce (Saunders) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (13) of section 507.01, Florida Statutes, is amended to read:

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

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

Section 2. Subsection (5) is added to section 507.02, Florida Statutes, to read:

507.02 Construction; intent; application.--

(5) This chapter does not supersede a mover's right to refuse to transport certain items if the terms are provided in the estimate and contract for services.

Section 3. Subsections (1), (3), and (4) of section

Bill No. SB 1788

Barcode 063644

1 507.03, Florida Statutes, are amended, and subsection (10) is
2 added to that section, to read:

3 507.03 Registration.--

4 (1) Each mover and moving broker must ~~annually~~
5 register with the department, providing its legal business and
6 trade name, mailing address, and business locations; the full
7 names, addresses, and telephone numbers of its owners or
8 corporate officers and directors and the Florida agent of the
9 corporation; a statement whether it is a domestic or foreign
10 corporation, its state and date of incorporation, its charter
11 number, and, if a foreign corporation, the date it registered
12 with the Department of State; the date on which the mover or
13 broker registered its fictitious name if the mover or broker
14 is operating under a fictitious or trade name; the name of all
15 other corporations, business entities, and trade names through
16 which each owner of the mover or broker operated, was known,
17 or did business as a mover or moving broker within the
18 preceding 5 years; and proof of the insurance or alternative
19 coverages required under s. 507.04.

20 (3) Registration fees shall be calculated at the rate
21 of \$300 per year per mover or moving broker. ~~All amounts~~
22 ~~collected shall be deposited by~~ The Chief Financial Officer
23 shall deposit all amounts collected to the credit of the
24 General Inspection Trust Fund of the department for the sole
25 purpose of administration of this chapter.

26 (4) Each registration must be renewed biennially on or
27 before its expiration date. ~~Any mover or moving broker whose~~
28 ~~principal place of business is located in a county or~~
29 ~~municipality that requires, by local ordinance, a local~~
30 ~~license or registration to engage in the business of moving~~
31 ~~and storage of household goods must obtain the license or~~

Bill No. SB 1788

Barcode 063644

1 ~~registration from the county or municipality. A mover or~~
2 ~~broker that obtains a local license or registration must also~~
3 ~~pay the state registration fee under subsection (3).~~

4 (10) In order to implement the biennial registration
5 requirements in this section, the department may adopt rules
6 to stagger the registrations over a 2-year period. This
7 subsection expires June 30, 2009.

8 Section 4. Subsection (4) of section 507.04, Florida
9 Statutes, is amended to read:

10 507.04 Required insurance coverages; liability
11 limitations; valuation coverage.--

12 (4) LIABILITY LIMITATIONS; VALUATION RATES.--

13 (a) A mover may not limit its liability for the loss
14 or damage of household goods to a valuation rate that is less
15 than 60 cents per pound per article. A provision of a contract
16 for moving services is void if the provision limits a mover's
17 liability to a valuation rate that is less than the minimum
18 rate allowed under this subsection.

19 (b) A mover may exclude itself from liability for
20 items packed by a shipper that declines, in writing, to allow
21 the mover the opportunity to open and inspect each container
22 packed by the shipper if such exclusion is declared in the
23 estimate and the contract.

24 (c) If a mover limits its liability for a shipper's
25 goods, the mover must disclose the limitation, including the
26 valuation rate, to the shipper in writing at the time that the
27 estimate and contract for services are executed and before any
28 moving or accessorial services are provided. The disclosure
29 must also inform the shipper of the opportunity to purchase
30 valuation coverage if the mover offers that coverage under
31 subsection (5).

Bill No. SB 1788

Barcode 063644

1 Section 5. Subsection (1) of section 507.13, Florida
2 Statutes, is amended to read:

3 507.13 Local regulation.--

4 (1) This chapter preempts ~~does not preempt~~ local
5 ordinances or regulations of a county or municipality which
6 regulate transactions relating to movers of household goods or
7 moving brokers. This preemption does not extend to the local
8 business taxes authorized under chapter 205. ~~As provided in s.~~
9 ~~507.03(4), counties and municipalities may require, levy, or~~
10 ~~collect any registration fee or tax or require the~~
11 ~~registration or bonding in any manner of any mover or moving~~
12 ~~broker.~~

13 Section 6. This act shall take effect upon becoming a
14 law.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 Delete everything before the enacting clause

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21 and insert:

22 A bill to be entitled
23 An act relating to household moving services;
24 amending s. 507.01, F.S.; redefining the term
25 "storage"; amending s. 507.02, F.S.; stating
26 that ch. 507, F.S., relating to household
27 moving services, does not supersede certain
28 rights of a mover to refuse to transport
29 certain items if terms are in the estimate and
30 contract for services; amending s. 507.03,
31 F.S.; requiring movers and moving brokers to

Bill No. SB 1788

Barcode 063644

1 register with the Department of Agriculture and
2 Consumer Services biennially rather than
3 annually; removing the requirement for certain
4 movers and brokers to obtain a local license or
5 registration; removing the requirement for such
6 movers and brokers to pay state registration
7 fees as well as local fees; providing for the
8 biennial registration with the department to be
9 phased in over 2 years; authorizing rulemaking
10 by the department; amending s. 507.04, F.S.;
11 providing for a mover to limit its liability
12 for items packed by a shipper under specified
13 conditions; amending s. 507.13, F.S.;
14 preempting to the state the regulation of
15 movers of household goods and moving brokers;
16 providing that the exemption does not extend to
17 local business taxes; providing an effective
18 date.

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