

By Senator Saunders

37-799A-07

See HB 765

1                                   A bill to be entitled

2           An act relating to household moving services;

3           amending s. 507.01, F.S.; amending the

4           definition of the term "storage"; amending s.

5           507.02, F.S.; stating that chapter 507, F.S.,

6           relating to household moving services, does not

7           supersede certain rights of a mover to refuse

8           to transport certain items or the right to

9           exclude liability of certain cause of loss

10          provided the terms are in the estimate and

11          contract for services; amending s. 507.03,

12          F.S.; removing the requirement for certain

13          movers and brokers to obtain a local license or

14          registration; removing the requirement for such

15          movers and brokers to pay state registration

16          fees as well as local fees; amending s. 507.13,

17          F.S.; preempting to the state the regulation of

18          movers of household goods and moving brokers;

19          providing an effective date.

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

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

24 Statutes, is amended to read:

25           507.01 Definitions.--As used in this chapter, the

26 term:

27           (13) "Storage" means the temporary warehousing of a

28 shipper's goods while under the care, custody, and control of

29 the mover.

30           Section 2. Subsection (5) is added to section 507.02,

31 Florida Statutes, to read:

1           507.02 Construction; intent; application.--

2           (5) This chapter does not supersede a mover's right to  
3 refuse to transport certain items, or a mover's common law  
4 right to exclude liability for certain causes of loss,  
5 provided that the terms are provided in the estimate and  
6 contract for services.

7           Section 3. Subsections (4) through (9) of section  
8 507.03, Florida Statutes, are amended to read:

9           507.03 Registration.--

10          ~~(4) Any mover or moving broker whose principal place~~  
11 ~~of business is located in a county or municipality that~~  
12 ~~requires, by local ordinance, a local license or registration~~  
13 ~~to engage in the business of moving and storage of household~~  
14 ~~goods must obtain the license or registration from the county~~  
15 ~~or municipality. A mover or broker that obtains a local~~  
16 ~~license or registration must also pay the state registration~~  
17 ~~fee under subsection (3).~~

18          ~~(4)(5)~~ Each contract of a mover or moving broker must  
19 include the phrase " (NAME OF FIRM) is registered with the  
20 State of Florida as a Mover or Moving Broker.  
21 Registration No. \_\_\_\_."

22          ~~(5)(6)~~ Each advertisement of a mover or moving broker  
23 must include the phrase "Fla. Mover Reg. No. \_\_\_\_" or "Fla.  
24 IM No. \_\_\_\_." Each of the mover's vehicles must clearly and  
25 conspicuously display a sign on the driver's side door which  
26 includes at least one of these phrases in lettering of at  
27 least 1.5 inches in height.

28          ~~(6)(7)~~ A registration is not valid for any mover or  
29 broker transacting business at any place other than that  
30 designated in the mover's or broker's application, unless the  
31 department is first notified in writing before any change of

1 location. A registration issued under this chapter is not  
2 assignable, and the mover or broker may not conduct business  
3 under more than one name except as registered. A mover or  
4 broker desiring to change its registered name or location or  
5 designated agent for service of process at a time other than  
6 upon renewal of registration must notify the department of the  
7 change.

8 ~~(7)~~(8) The department may deny, refuse to renew, or  
9 revoke the registration of any mover or moving broker based  
10 upon a determination that the mover or moving broker, or any  
11 of the mover's or moving broker's directors, officers, owners,  
12 or general partners:

13 (a) Has failed to meet the requirements for  
14 registration as provided in this chapter;

15 (b) Has been convicted of a crime involving fraud,  
16 dishonest dealing, or any other act of moral turpitude;

17 (c) Has not satisfied a civil fine or penalty arising  
18 out of any administrative or enforcement action brought by any  
19 governmental agency or private person based upon conduct  
20 involving fraud, dishonest dealing, or any violation of this  
21 chapter;

22 (d) Has pending against him or her any criminal,  
23 administrative, or enforcement proceedings in any  
24 jurisdiction, based upon conduct involving fraud, dishonest  
25 dealing, or any other act of moral turpitude; or

26 (e) Has had a judgment entered against him or her in  
27 any action brought by the department or the Department of  
28 Legal Affairs under this chapter or ss. 501.201-501.213, the  
29 Florida Deceptive and Unfair Trade Practices Act.  
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1           ~~(8)(9)~~ Each mover and moving broker shall provide  
2 evidence of the current and valid insurance or alternative  
3 coverages required under s. 507.04.

4           Section 4. Subsection (1) of section 507.13, Florida  
5 Statutes, is amended to read:

6           507.13 Local regulation.--

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

14           Section 5. This act shall take effect July 1, 2007.  
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