

1 A bill to be entitled
2 An act relating to household moving services; amending s.
3 507.01, F.S.; revising 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 to establish staggered
8 dates; requiring the calculation of biennial registration
9 fees based on an annual rate; deleting a provision
10 requiring certain movers and moving brokers to obtain a
11 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; authorizing certain counties to
24 require registration and bonding of movers and moving
25 brokers; specifying that local business taxes are not
26 preempted; providing an effective date.

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

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

507.03 Registration.—

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

507.04.

(3) Registration fees shall be calculated at the rate of \$300 per year per mover or moving broker. All amounts collected

57 shall be deposited by the Chief Financial Officer to the credit
 58 of the General Inspection Trust Fund of the department for the
 59 sole purpose of administration of this chapter.

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

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

73 507.04 Required insurance coverages; liability
 74 limitations; valuation coverage.-

75 (4) LIABILITY LIMITATIONS; VALUATION RATES.-

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

82 (b) A mover may exclude liability for any household goods
 83 packed by the shipper if the exclusion is declared, and the
 84 shipper declines, in writing, to allow the mover to open and

85 inspect the box or crate in which the goods were packed by the
86 shipper.

87 (c) If a mover limits its liability for a shipper's goods,
88 the mover must disclose the limitation, including the valuation
89 rate, to the shipper in writing at the time that the estimate
90 and contract for services are executed and before any moving or
91 accessorial services are provided. The disclosure must also
92 inform the shipper of the opportunity to purchase valuation
93 coverage if the mover offers that coverage under subsection (5).

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

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

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

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

111 (3)~~(2)~~ A mover may not refuse to relinquish household
112 goods to a shipper or fail to place the goods inside a shipper's

113 dwelling or, if directed by the shipper, inside a storehouse or
114 warehouse that is owned or rented by the shipper or the
115 shipper's agent, based on the mover's refusal to accept an
116 acceptable form of payment.

117 (4)~~(3)~~ A mover that lawfully fails to relinquish a
118 shipper's household goods may place the goods in storage until
119 payment is tendered; however, the mover must notify the shipper
120 of the location where the goods are stored and the amount due
121 within 5 days after receipt of a written request for that
122 information from the shipper, which request must include the
123 address where the shipper may receive the notice. A mover may
124 not require a prospective shipper to waive any rights or
125 requirements under this section.

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

128 507.07 Violations.—It is a violation of this chapter to:

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

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

135 507.13 Local regulation.—

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

141 (b) This chapter does not preempt an ordinance or
142 regulation enacted by a county before January 1, 2010, or
143 subsequent amendments to such ordinance or regulation. However,
144 ~~As provided in s. 507.03(4), counties and municipalities may~~
145 ~~require, levy, or collect any registration~~ fees required by such
146 ordinance or regulation must be reasonable and may not exceed
147 the cost of administering the ordinance or regulation. Such
148 ordinance or regulation may only apply to a ~~fee or tax or~~
149 ~~require the registration or bonding in any manner of any mover~~
150 ~~or moving broker~~ whose principal place of business is located
151 within the county's jurisdiction.

152 (c) This section does not preempt a local government's
153 authority to levy a local business tax pursuant to chapter 205.

154 Section 7. This act shall take effect July 1, 2010.