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1
2 An act relating to household moving services; amending
3 s. 507.01, F.S.; revising definitions; amending s.
4 507.02, F.S.; providing construction; amending s.
5 507.03, F.S.; revising requirements for mover and
6 moving broker estimates, contracts, and
7 advertisements; conforming a cross-reference; revising
8 requirements relating to lists that moving brokers
9 must provide to the Department of Agriculture and
10 Consumer Services; requiring the department to publish
11 and maintain a specified list on its website;
12 prohibiting certain persons from operating as or
13 holding themselves out to be a mover or moving broker
14 without first registering with the department;
15 requiring the department to issue cease and desist
16 orders to certain persons under certain circumstances;
17 authorizing the department to seek an immediate
18 injunction under certain circumstances; making
19 technical changes; amending s. 507.04, F.S.; revising
20 alternative insurance coverage requirements for
21 movers; revising liability coverage requirements for
22 moving brokers; requiring the department to
23 immediately suspend a mover's or moving broker's
24 registration under certain circumstances; authorizing
25 the department to seek an immediate injunction under
26 certain circumstances; conforming cross-references;
27 amending s. 507.05, F.S.; revising requirements for
28 contracts and estimates for prospective shippers;
29 creating s. 507.056, F.S.; providing limitations and

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30 prohibitions for moving brokers; requiring moving
31 brokers to make a specified disclosure to shippers
32 before providing any services; prohibiting moving
33 brokers' fees from including certain costs; requiring
34 that the documents moving brokers provide to shippers
35 contain specified information; amending s. 507.07,
36 F.S.; providing that it is a violation of ch. 507,
37 F.S., for moving brokers to provide estimates or enter
38 into contracts or agreements that were not prepared
39 and signed or electronically acknowledged by a
40 registered mover; amending s. 507.09, F.S.; conforming
41 a cross-reference; requiring the department, upon
42 verification by certain entities, to immediately
43 suspend a registration or the processing of an
44 application for a registration in certain
45 circumstances; amending s. 507.10, F.S.; conforming a
46 cross-reference; amending s. 507.11, F.S.; conforming
47 provisions to changes made by the act; providing an
48 effective date.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Subsections (4), (6), and (10) of section
53 507.01, Florida Statutes, are amended to read:

54 507.01 Definitions.—As used in this chapter, the term:

55 (4) "Contract for service" or "bill of lading" means a
56 written document prepared by a registered mover which is
57 approved and electronically acknowledged or signed by the
58 shipper in writing before the performance of any service by the

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59 mover and which authorizes ~~services from~~ the named mover to
60 perform ~~and lists~~ the services and lists all costs associated
61 with the household move and accessorial services to be
62 performed.

63 (6) "Estimate" means a written document prepared by a
64 registered mover which ~~that~~ sets forth the total costs and
65 describes the basis of those costs, relating to a shipper's
66 household move, including, but not limited to, the loading,
67 transportation or shipment, and unloading of household goods and
68 accessorial services.

69 (10) "Moving broker" or "broker" means a person who, for
70 compensation, arranges with a registered mover for loading,
71 transporting or shipping, or unloading of ~~for another person to~~
72 ~~load, transport or ship, or unload~~ household goods as part of a
73 household move or who, for compensation, refers a shipper to a
74 registered mover by telephone, postal or electronic mail,
75 ~~Internet website, or other means.~~

76 Section 2. Present paragraph (b) of subsection (1) of
77 section 507.02, Florida Statutes, is redesignated as paragraph
78 (c), and a new paragraph (b) is added to that subsection, to
79 read:

80 507.02 Construction; intent; application.—

81 (1) This chapter shall be construed liberally to:

82 (b) Establish the law of this state governing the brokering
83 of moves of household goods by moving brokers.

84 Section 3. Subsections (1), (2), (5), (6), (7), (9), and
85 (11) of section 507.03, Florida Statutes, are amended, and
86 subsections (12) and (13) are added to that section, to read:

87 507.03 Registration.—

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88 (1) Each mover and moving broker must register with the
89 department, providing its legal business and trade name, mailing
90 address, and business locations; the full names, addresses, and
91 telephone numbers of its owners, ~~or~~ corporate officers, and
92 directors and the Florida agent of the corporation; a statement
93 whether it is a domestic or foreign corporation, its state and
94 date of incorporation, its charter number, and, if a foreign
95 corporation, the date it registered with the Department of
96 State; the date on which the mover or moving broker registered
97 its fictitious name if the mover or moving broker is operating
98 under a fictitious or trade name; the name of all other
99 corporations, business entities, and trade names through which
100 each owner of the mover or moving broker operated, was known, or
101 did business as a mover or moving broker within the preceding 5
102 years; and proof of the insurance or alternative coverages
103 required under s. 507.04.

104 (2) A certificate evidencing proof of registration shall be
105 issued by the department and must be prominently displayed in
106 the mover's or moving broker's primary place of business.

107 (5) (a) Each estimate or contract of a mover ~~or moving~~
108 ~~broker~~ must include the phrase "... (NAME OF FIRM) ... is
109 registered with the State of Florida as a Mover ~~or Moving~~
110 ~~Broker~~. Fla. Mover Registration No."

111 (b) Any document from a moving broker must include the
112 phrase "... (NAME OF FIRM) ... is registered with the State of
113 Florida as a Moving Broker. Fla. Moving Broker Registration No.
114"

115 (6) (a) Each advertisement of a mover ~~or moving broker~~ must
116 include the phrase "Fla. Mover Reg. No." or "Fla. IM No.

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117” Each of the mover’s vehicles must clearly and
118 conspicuously display a sign on the driver’s side door which
119 includes at least one of these phrases in lettering of at least
120 1.5 inches in height.

121 (b) Each advertisement of a moving broker must include the
122 phrase “Fla. Moving Broker Reg. No.(NAME OF MOVING
123 BROKER)... is a moving broker. ... (NAME OF MOVING BROKER)... is
124 paid by a shipper to arrange, or offer to arrange, the
125 transportation of property by a registered mover.”

126 (7) A registration is not valid for any mover or moving
127 broker transacting business at any place other than that
128 designated in the mover’s or moving broker’s application, unless
129 the department is first notified in writing before any change of
130 location. A registration issued under this chapter is not
131 assignable, and the mover or moving broker may not conduct
132 business under more than one name except as registered. A mover
133 or moving broker desiring to change its registered name or
134 location or designated agent for service of process at a time
135 other than upon renewal of registration must notify the
136 department of the change.

137 (9) The department shall deny or refuse to renew the
138 registration of a mover or a moving broker or deny a
139 registration or renewal request by any of the mover’s or moving
140 broker’s directors, officers, owners, or general partners if the
141 mover or moving broker has not satisfied a civil penalty or
142 administrative fine for a violation of s. 507.07(10) ~~s.~~
143 ~~507.07(9)~~.

144 ~~(11) At the request of the department,~~ Each moving broker
145 shall provide the department with a complete list of the

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146 registered movers that the moving broker has contracted or is
147 affiliated with, advertises on behalf of, arranges moves for, or
148 refers shippers to, including each mover's complete name,
149 address, telephone number, ~~and~~ e-mail address, and registration
150 number and the name of each mover's owners, corporate officers,
151 and directors ~~owner or other principal~~. A moving broker must
152 notify the department of any changes to the provided
153 information. The department shall publish and maintain on its
154 website a list of all moving brokers and the registered movers
155 each moving broker is contracted with.

156 (12) A person required to register pursuant to this section
157 may not operate as or hold itself out to be a mover or moving
158 broker without first registering with the department pursuant to
159 this section.

160 (13) The department must immediately issue a cease and
161 desist order to a person upon finding that the person is
162 operating as a mover or a moving broker without registering
163 pursuant to this section. In addition, and notwithstanding the
164 availability of any administrative relief under chapter 120, the
165 department may seek from the appropriate circuit court an
166 immediate injunction prohibiting the person from operating in
167 this state until the person complies with this section and pays
168 a civil penalty not to exceed \$5,000 and court costs.

169 Section 4. Present subsections (3), (4), and (5) of section
170 507.04, Florida Statutes, are redesignated as subsections (4),
171 (5), and (6), respectively, a new subsection (3) is added to
172 that section, and subsection (1) and present subsections (4) and
173 (5) of that section are amended, to read:

174 507.04 Required insurance coverages; liability limitations;

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175 valuation coverage.—

176 (1) LIABILITY INSURANCE.—

177 (a)1. Except as provided in paragraph (b), each mover
178 operating in this state must maintain current and valid
179 liability insurance coverage of at least \$10,000 per shipment
180 for the loss or damage of household goods resulting from the
181 negligence of the mover or its employees or agents.

182 2. The mover must provide the department with evidence of
183 liability insurance coverage before the mover is registered with
184 the department under s. 507.03. All insurance coverage
185 maintained by a mover must remain in effect throughout the
186 mover's registration period. A mover's failure to maintain
187 insurance coverage in accordance with this paragraph constitutes
188 an immediate threat to the public health, safety, and welfare.

189 (b) A mover that operates two or fewer vehicles, in lieu of
190 maintaining the liability insurance coverage required under
191 paragraph (a), ~~may, and each moving broker must,~~ maintain one of
192 the following alternative coverages:

193 1. A performance bond in the amount of \$50,000 ~~\$25,000~~, for
194 which the surety of the bond must be a surety company authorized
195 to conduct business in this state; or

196 2. A certificate of deposit in a Florida banking
197 institution in the amount of \$50,000 ~~\$25,000~~.

198 (c) A moving broker must maintain one of the following
199 coverages:

200 1. A performance bond in the amount of \$50,000, for which
201 the surety of the bond must be a surety company authorized to
202 conduct business in this state; or

203 2. A certificate of deposit in a Florida banking

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204 institution in the amount of \$50,000.

205

206 The original bond or certificate of deposit must be filed with
207 the department and must designate the department as the sole
208 beneficiary. The department must use the bond or certificate of
209 deposit exclusively for the payment of claims to consumers who
210 are injured by the fraud, misrepresentation, breach of contract,
211 misfeasance, malfeasance, or financial failure of the mover or
212 moving broker or by a violation of this chapter by the mover or
213 moving broker. Liability for these injuries may be determined in
214 an administrative proceeding of the department or through a
215 civil action in a court of competent jurisdiction. However,
216 claims against the bond or certificate of deposit must only be
217 paid, in amounts not to exceed the determined liability for
218 these injuries, by order of the department in an administrative
219 proceeding. The bond or certificate of deposit is subject to
220 successive claims, but the aggregate amount of these claims may
221 not exceed the amount of the bond or certificate of deposit.

222 (3) REGISTRATION SUSPENSION.—The department must
223 immediately suspend a mover's or moving broker's registration if
224 the mover or moving broker fails to maintain the performance
225 bond or certificate of deposit required under subsection (1) or
226 the insurance required under subsection (2), and the mover or
227 moving broker must immediately cease operating as a mover or
228 moving broker in this state. In addition, and notwithstanding
229 the availability of any administrative relief pursuant to
230 chapter 120, the department may seek from a circuit court an
231 immediate injunction prohibiting the mover or moving broker from
232 operating in this state until the mover or moving broker

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233 complies with subsections (1) and (2) and pays a civil penalty
234 not to exceed \$5,000 and court costs.

235 (5)~~(4)~~ LIABILITY LIMITATIONS; VALUATION RATES.—A mover may
236 not limit its liability for the loss or damage of household
237 goods to a valuation rate that is less than 60 cents per pound
238 per article. A provision of a contract for moving services is
239 void if the provision limits a mover's liability to a valuation
240 rate that is less than the minimum rate under this subsection.
241 If a mover limits its liability for a shipper's goods, the mover
242 must disclose the limitation, including the valuation rate, to
243 the shipper in writing at the time that the estimate and
244 contract for services are executed and before any moving or
245 accessorial services are provided. The disclosure must also
246 inform the shipper of the opportunity to purchase valuation
247 coverage if the mover offers that coverage under subsection (6)
248 ~~(5)~~.

249 (6)~~(5)~~ VALUATION COVERAGE.—A mover may offer valuation
250 coverage to compensate a shipper for the loss or damage of the
251 shipper's household goods that are lost or damaged during a
252 household move. If a mover offers valuation coverage, the
253 coverage must indemnify the shipper for at least the minimum
254 valuation rate required under subsection (5) ~~(4)~~. The mover must
255 disclose the terms of the coverage to the shipper in writing at
256 the time that the estimate and contract for services are
257 executed and before any moving or accessorial services are
258 provided. The disclosure must inform the shipper of the cost of
259 the valuation coverage, the valuation rate of the coverage, and
260 the opportunity to reject the coverage. If valuation coverage
261 compensates a shipper for at least the minimum valuation rate

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262 required under subsection (5) ~~(4)~~, the coverage satisfies the
263 mover's liability for the minimum valuation rate.

264 Section 5. Section 507.05, Florida Statutes, is amended to
265 read:

266 507.05 Estimates and contracts for service.—Before
267 providing any moving or accessorial services, an estimate and a
268 contract ~~and estimate~~ must be prepared by a registered mover and
269 provided to a prospective shipper in writing, and the shipper,
270 the mover, and, if applicable, the moving broker must sign or
271 electronically acknowledge and date the estimate and contract.

272 At a minimum, the estimate and contract for service ~~must be~~
273 ~~signed and dated by the shipper and the mover,~~ and must include:

274 (1) The name, telephone number, and physical address where
275 the mover's and, if applicable, the moving broker's employees
276 are available during normal business hours.

277 (2) The date the estimate and contract were ~~or estimate is~~
278 prepared by the mover and the any proposed date or dates of the
279 shipper's household move, including, but not limited to,
280 loading, transportation, shipment, and unloading of household
281 goods and accessorial services.

282 (3) The name and address of the shipper, the addresses
283 where the articles are to be picked up and delivered, and a
284 telephone number where the shipper may be reached.

285 (4) The name, telephone number, and physical address of the
286 ~~any~~ location where the household goods will be held pending
287 further transportation, including situations in which ~~where~~ the
288 mover retains possession of household goods pending resolution
289 of a fee dispute with the shipper.

290 (5) An itemized breakdown and description and total of all

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291 costs and services for loading, transportation or shipment,
292 unloading, and accessorial services to be provided during a
293 household move or storage of household goods, including the fees
294 of a moving broker, if used.

295 (6) Acceptable forms of payment, which must be clearly and
296 conspicuously disclosed to the shipper on the binding estimate
297 and the contract for services. A mover must ~~shall~~ accept at
298 least a minimum of two of the three following forms of payment:

299 (a) Cash, cashier's check, money order, or traveler's
300 check;

301 (b) Valid personal check, showing upon its face the name
302 and address of the shipper or authorized representative; or

303 (c) Valid credit card, which shall include, but not be
304 limited to, Visa or MasterCard.

305
306 A mover must clearly and conspicuously disclose to the shipper
307 in the estimate and contract for services the forms of payments
308 the mover will accept, including the forms of payment described
309 in paragraphs (a)-(c).

310 Section 6. Section 507.056, Florida Statutes, is created to
311 read:

312 507.056 Moving brokers; services.-

313 (1) A moving broker may only arrange with a registered
314 mover for the loading, transportation or shipment, or unloading
315 of household goods as part of a household move or refer a
316 shipper to a registered mover. Moving brokers may not give a
317 verbal estimate or prepare a written estimate or contract for
318 services which sets forth the total costs and describes the
319 basis of those costs relating to a shipper's household move,

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320 including, but not limited to, the loading, transportation or
321 shipment, or unloading of household goods and accessorial
322 services.

323 (2) Before providing any service to a prospective shipper,
324 a moving broker must disclose to the shipper that the broker may
325 only arrange, or offer to arrange, the transportation of
326 property by a registered mover. A moving broker's fees may not
327 include the cost of the shipper's household move, including, but
328 not limited to, the loading, transportation or shipment, or
329 unloading of household goods and accessorial services. Any
330 document provided to a shipper by a moving broker must include
331 all of the following:

332 (a) The name of the moving broker and the moving broker's
333 registration number.

334 (b) The following statement displayed at the top of the
335 document: "... (Name of Moving Broker)... is not a mover.
336 ... (Name of Moving Broker)... is paid by the shipper to arrange,
337 or offer to arrange, the transportation of property by a
338 registered mover. The moving broker's fees do not include the
339 cost of the shipper's household move, including, but not limited
340 to, the loading, transportation or shipment, or unloading of
341 household goods and accessorial services."

342 (c) The name, telephone number, and physical address where
343 the moving broker's employees are available during normal
344 business hours.

345 (d) An itemized breakdown, description, and total of all
346 fees the moving broker charges to arrange with a registered
347 mover for the loading, transportation or shipment, or unloading
348 of household goods as part of a household move or to refer the

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349 shipper to a registered mover.

350 (e) A list of all of the registered movers the moving
351 broker has contracted with or is affiliated with, advertises on
352 behalf of, arranges moves for, or refers shippers to, including
353 each mover's complete name, address, telephone number, e-mail
354 address, and Florida Intrastate Registration Number and the name
355 of each mover's owners, corporate officers, and directors.

356 (f) A list of acceptable forms of payment, which must
357 include all of the forms of payment listed in at least two of
358 the following subparagraphs:

359 1. Cash, cashier's check, money order, or traveler's check.

360 2. Valid personal check, showing upon its face the name and
361 address of the shipper or authorized representative.

362 3. Valid credit card, including, but not limited to, Visa
363 or MasterCard.

364 Section 7. Present subsections (8) and (9) of section
365 507.07, Florida Statutes, are redesignated as subsections (9)
366 and (10), respectively, and a new subsection (8) is added to
367 that section, to read:

368 507.07 Violations.—It is a violation of this chapter:

369 (8) For a moving broker to provide an estimate or enter
370 into a contract or agreement for moving, loading, shipping or
371 transporting, or unloading services with a shipper which was not
372 prepared and electronically acknowledged or signed by a mover
373 who is registered with the department pursuant to this chapter.

374 Section 8. Section 507.09, Florida Statutes, is amended to
375 read:

376 507.09 Administrative remedies; penalties.—

377 (1) The department may enter an order doing one or more of

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378 the following if the department finds that a mover or moving
379 broker, or a person employed or contracted by a mover or moving
380 broker, has violated or is operating in violation of this
381 chapter or the rules or orders issued pursuant to this chapter:

382 (a) Issuing a notice of noncompliance under s. 120.695.

383 (b) Imposing an administrative fine in the Class II
384 category pursuant to s. 570.971 for each act or omission.
385 However, the department must impose an administrative fine in
386 the Class IV category for each violation of s. 507.07(10) ~~s.~~
387 ~~507.07(9)~~ if the department does not seek a civil penalty for
388 the same offense.

389 (c) Directing that the person cease and desist specified
390 activities.

391 (d) Refusing to register or revoking or suspending a
392 registration.

393 (e) Placing the registrant on probation, subject to the
394 conditions specified by the department.

395 (2) The department, upon notification and subsequent
396 written verification by a law enforcement agency, a court, a
397 state attorney, or the Department of Law Enforcement, must
398 immediately suspend a registration or the processing of an
399 application for a registration if the registrant, applicant, or
400 officer or director of the registrant or applicant is formally
401 charged with a crime involving fraud, theft, larceny,
402 embezzlement, or fraudulent conversion or misappropriation of
403 property or a crime arising from conduct during a movement of
404 household goods until final disposition of the case or removal
405 or resignation of that officer or director.

406 (3) The administrative proceedings that ~~which~~ could result

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407 in the entry of an order imposing any of the penalties specified
408 in subsection (1) or subsection (2) are governed by chapter 120.

409 ~~(4)(3)~~ The department may adopt rules under ss. 120.536(1)
410 and 120.54 to administer this chapter.

411 Section 9. Subsection (2) of section 507.10, Florida
412 Statutes, is amended to read:

413 507.10 Civil penalties; remedies.—

414 (2) The department may seek a civil penalty in the Class II
415 category pursuant to s. 570.971 for each violation of this
416 chapter. However, the department must seek a civil penalty in
417 the Class IV category for each violation of s. 507.07(10) ~~s.~~
418 ~~507.07(9)~~ if the department does not impose an administrative
419 fine for the same offense.

420 Section 10. Subsection (1) of section 507.11, Florida
421 Statutes, is amended to read:

422 507.11 Criminal penalties.—

423 (1) The refusal of a mover or a mover's employee, agent, or
424 contractor to comply with an order from a law enforcement
425 officer to relinquish a shipper's household goods after the
426 officer determines that the shipper has tendered payment of the
427 amount of a written estimate or contract, and, if applicable,
428 amendments to the contract for services reflecting the price
429 adjustment signed by the shipper or after the officer determines
430 that the mover did not produce a signed or electronically
431 acknowledged binding estimate or contract for service and, if
432 applicable, amendments to the contract for services reflecting
433 the price adjustment signed by the shipper upon which demand is
434 being made for payment, is a felony of the third degree,
435 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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436 A mover's compliance with an order from a law enforcement
437 officer to relinquish goods to a shipper is not a waiver or
438 finding of fact regarding any right to seek further payment from
439 the shipper.

440 Section 11. This act shall take effect July 1, 2024.