

BILL ANALYSIS

H.B. 1870
By: Turner
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The purpose of regulation in the trucking of household goods (HHG) carriers is to assure consumers that their chosen carrier is both properly registered with the Texas Department of Transportation (TxDOT) and fully insured. Since most household goods business is derived from printed advertising, it is of extreme importance that carriers include their certificates of registration. Under the current program, all HHG carriers are required to register their operations with TxDOT and follow the rules regarding advertising services to the public. However, TxDOT has limited enforcement capability for its motor carrier rules and regulations and no authority to enforce regulations on companies that sell, print, or distribute advertising. Currently, there are approximately 40,000 companies registered to transport goods in this state. If companies selling advertising were required to include the TxDOT certificate of registration number of all HHG carriers, then consumers could conduct a check on the carrier before making a move. Consumers, if aware that the State oversees a HHG carrier's actions, could also contact TxDOT to check on companies' claim histories or to seek assistance in settling a dispute involving a claim for damages that may have occurred during a move.

As proposed, House Bill No. 1870 specifies that companies advertising for household goods carriers' must include each carrier's certificate of registration number. If the consumers know that household goods carriers are registered with TxDOT and that TxDOT possesses a wealth of knowledge on these carriers, then their moving experiences will produce fewer problems.

RULEMAKING AUTHORITY

It is the opinion of the Committee on Business and Industry that this bill does not grant any new rulemaking authority to any state officer, board, institution, department or agency.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Subsection 17.46(b), Business & Commerce code to add a 28th false, misleading or deceptive practice to the list described as not including in advertisement the carrier's certification number issued by TxDOT.

SECTION 2. DATE OF EFFECT. Act takes effect September 1, 2005

EFFECTIVE DATE

September 1, 2005