

## **BILL ANALYSIS**

Senate Research Center  
82R19208 JAM-F

H.B. 1523  
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Transportation & Homeland Security  
5/3/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Despite oversight by the Texas Department of Motor Vehicles (TxDMV), there are reports that the moving industry has many unregulated operators who advertise one rate for services and then charge another, far more exorbitant rate before unloading a customer's goods. These unregulated operators threaten the integrity of the moving industry as a whole.

H.B. 1523 seeks to remedy this situation by providing enhanced penalties for a mover's failure to register with TxDMV if the mover has previously committed the registration violation. It has been suggested that a higher penalty will provide protection to consumers by deterring unregulated operators who may view the current fine as a small cost of doing business in Texas.

H.B. 1523 amends current law relating to the offense of transporting household goods without registration, and provides a penalty.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 643.253(b) and (e), Transportation Code, as follows:

(b) Provides that a person commits an offense if the person engages in or solicits the transportation of household goods for compensation and is not registered as required by Subchapter B (Registration).

(e) Provides that an offense under Subsection (b) is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the person has previously been convicted one time of an offense under Subsection (b), and a Class A misdemeanor if the person has previously been convicted two or more times of an offense under Subsection (b), rather than is a misdemeanor punishable by a fine of not less than \$200 or more than \$1,000 per violation.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.