

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure with Amendments and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: George, Schrader, Starr, Verger, Metsger

Nays: -

Exc.: -

Prepared By: Jim Stembridge, Administrator

Meeting Dates: 5/4, 5/7, 5/14

WHAT THE MEASURE DOES: Authorizes Oregon Department of Transportation (ODOT) to issue a certificate to operate as a for-hire carrier of household goods without prior notice to other certificate holders. Eliminates protest and hearing rights of other certificate holders when application for certification is under consideration. Repeals requirement that persons who perform pack or load services register with ODOT. Requires background checks of household goods moving company employees. Creates offense of offering to transport household goods without a certificate. Increases civil penalty for violation of the certificate requirement from \$500 to \$1,000. Declares an emergency, effective October 1, 2009.

ISSUES DISCUSSED:

- History of, and rationale for, household goods moving industry regulation
- Consumer protection
- Current procedures for entry into market as a household mover
- Nature of pack and load services
- Proliferation of illegal operations in Oregon and recent “sting” operations
- “Public convenience and necessity” standard vs. “public interest” standard
- Public interest wording and who is best to decide what is in the public interest
- Appropriate effective date

EFFECT OF COMMITTEE AMENDMENT: Eliminates “public interest” criteria for issuance of certificate. Declares an emergency, effective October 1, 2009.

BACKGROUND: A “pack and loader” is a person or company in the business of packing household goods and/or loading them into vehicles for transport, but who does not provide the vehicle for transporting the goods. A “household goods carrier” is a traditional moving company that provides pack and loading services as well as the vehicle and transport service. While household goods carriers have historically been regulated by the Oregon Department of Transportation (ODOT), pack and loaders were not regulated by ODOT until the passage of Senate Bill 471 in 2003. That measure codified many of the recommendations of the Household Goods Carrier Review Task Force, which was created by the Legislative Assembly in 2001.

HB 2817-B eliminates the registration requirement for pack and load services.

HB 2817-B also revises the process for certification of intrastate movers of household goods, by replacing the existing “public convenience and necessity” test (including protest and hearing rights of existing certificate-holders) with a system of demonstrating fitness to provide the service. The measure allows ODOT to establish rules to delineate the fitness standard and requires criminal background checks for employees of household goods moving companies.

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This summary has not been adopted or officially endorsed by action of the committee.