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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400 - 22949.92.2] (*Division 8 added by Stats. 1941, Ch. 44.)*

CHAPTER 3.1. Household Movers Act [19225 - 19294] (*Chapter 3.1 added by Stats. 2017, Ch. 421, Sec. 8.)*

ARTICLE 4. Rates [19253 - 19257] (*Article 4 added by Stats. 2017, Ch. 421, Sec. 8.)*

19253. (a) The bureau shall establish or approve maximum or minimum or maximum and minimum rates to be charged by household movers for the transportation of used household goods and personal effects and for accessorial service performed in connection with the transportation.

(b) In establishing or approving rates, the bureau shall account for the cost of all transportation service performed or to be performed, for any accessorial service performed or to be performed in connection with transportation, the value of the commodity transported, and the value of the equipment, facilities, and personnel reasonably necessary to perform the service. In determining rates, the bureau shall conduct a rate study and provide an opportunity for public comment. The bureau shall determine final rates based on the study and comments received during public review.

(c) The bureau shall establish or approve no minimum rate for household movers unless it finds that the rate is at a sufficient level to allow safe operation upon the highways of the state and accounts for the cost of trained drivers and other reasonable expenses of operation of household movers.

(d) Until the operative date of rules or regulations of the bureau establishing or approving rates, the bureau shall enforce and administer the rates and rules set forth in the Public Utilities Commission's Maximum Rate Tariff 4, as most recently amended as of July 1, 2018, by the Public Utilities Commission.

(*Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.*)

19253.1. A household mover shall not advertise, quote, or charge a rate or an amount for the transportation of used household goods and personal effects that is based on the amount of cubic feet or other volumetric unit measurement of those household goods and effects. In addition to any other remedy, a household mover that violates this section shall not be entitled to any compensation for the transportation of the household goods and effects and shall make restitution to the shipper of any compensation collected.

(*Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.*)

19253.2. The bureau may establish procedures by which any household mover may charge or collect a greater rate than the maximum rate established under this chapter.

(*Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.*)

19253.3. The bureau shall make any rules that are necessary to the application and enforcement of the rates established or approved pursuant to this chapter.

(*Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.*)

19254. A household mover shall not directly or indirectly pay any commission to a shipper, consignee, or the employee thereof, or to the payer of the transportation charges, or refund, or remit to those persons, in any manner or by any device any portion of the rates or charges so specified, except upon authority of the bureau.

(*Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.*)

19255. No household mover, no officer or agent of a household mover, and no person acting for or employed by a household mover shall, by means of known false billing, classification, weight, weighing or report of weight, or by any other device, assist, suffer, or

permit any corporation or person to obtain transportation for any property between points within this state at rates less than the minimum rates or more than the maximum rates then established, approved, or administered by the bureau.

(Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.)

19256. No person, no corporation, and no officer, agent, or employee of a corporation shall, by means of false billing, false or incorrect classification, false weight or weighing, false representation as to the content or substance of a package, or false report or statement of weight, or by any other device or means, whether with or without the consent or connivance of a household mover, or any of its officers, agents, or employees, seek to obtain or obtain transportation for property at less than the minimum rates or charges or more than the maximum rates or charges established, approved, or administered by the bureau.

(Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.)

19257. No person, no corporation, and no officer, agent, or employee of a corporation, shall knowingly, directly or indirectly by any false statement or representation as to cost or value or the nature or extent of damage, or by the use of any false billing, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, or upon any false, fictitious, or fraudulent statement or entry, obtain or attempt to obtain any allowance, rebate, or payment for damage in connection with or growing out of the transportation of property subject to this chapter, or an agreement to transport property subject to this chapter, whether with or without the consent or connivance of a household mover, or any of its officers, agents, or employees. No household mover and no officer, agent, or employee of a household mover shall knowingly pay or offer to pay any such allowance, rebate, or claim for damage.

(Added by Stats. 2017, Ch. 421, Sec. 8. (SB 19) Effective January 1, 2018.)