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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 5. Reports, Records, and Inspections [19258 - 19262] (Article 5 added by Stats. 2017, Ch. 421, Sec. 8.)

19258. (a) Each household mover maintaining an office or place of business within this state and offering intrastate service shall keep in that office or place of business all books, accounts, papers, and records required by the bureau to be kept within this state. Those books, accounts, papers, or records shall not be, at any time, removed from the state except upon such conditions as the bureau prescribes. Household movers performing intrastate service as household movers that do not maintain an office or place of business within this state shall make books, accounts, papers, and records pertaining to the intrastate service available to the bureau at its request at a place designated within this state for examination by the bureau, or in the alternative reimburse the bureau for the actual expense of examining those books, accounts, papers, or records at the place outside of the state where those records are kept.

(b) The bureau may require annual, periodic, or special reports to be filed by all household movers, may prescribe the manner and form in which reports shall be made, and may require specific answers to all questions upon which the bureau deems information to be necessary. The reports shall be under oath whenever the bureau so requires.

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

19259. The bureau may require any household mover to file with it a true copy of any contract, agreement, or arrangement between the household mover and any other household mover in relation to any traffic affected by this chapter.

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

19260. The bureau may prescribe the forms of any accounts, records, and memoranda, including those pertaining to the movement of traffic and the receipt or expenditure of money, to be kept by household movers, and the length of time the accounts, records, and memoranda shall be preserved.

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

19260.1. If the bureau has prescribed the forms of accounts, records, and memoranda to be kept by a household mover for any of its business, it is unlawful for any household mover to keep any accounts, records, or memoranda for that business other than those so prescribed or those prescribed by or under the authority of any other state or of the United States, excepting those accounts, records, or memoranda that are explanatory of and supplemental to the accounts, records, or memoranda prescribed by the bureau.

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

19260.2. The bureau and its authorized employees, representatives, and inspectors shall at all times have access to all lands, buildings, and equipment of household movers used in connection with the operation of their businesses as household movers in this state, and also all accounts, records, and memoranda, including all documents, books, papers, and correspondence kept or required to be kept by household movers, and may photocopy or electrostatically or photostatically reproduce at the bureau's expense any of these accounts, records, memoranda, documents, books, papers, and correspondence at either the premises of the household mover or the offices of the bureau. A household mover may determine whether the copying or reproduction is done at its premises or at the offices of the bureau, and if copying or reproduction expenses are incurred by the household mover, the bureau shall, upon request, reimburse the household mover for the expenses.

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

19260.3. The employees, representatives, and inspectors of the bureau may inspect and examine any lands, buildings, equipment, accounts, books, records, and memoranda, including all documents, papers, and correspondence kept or required to be kept by household movers.

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

19261. Sections 19258 to 19260.3, inclusive, shall, to the extent deemed necessary by the bureau, apply to persons having control, direct or indirect, over or persons affiliated with any household mover.

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

19262. (a) Every household mover shall furnish to the bureau annually, as specified by the bureau, a list, prepared under oath, of all vehicles used in transportation for compensation during the preceding year. The bureau shall furnish a copy of this list to the Department of the California Highway Patrol and to the household mover's insurer, if the household mover's accident liability protection is provided by a policy of insurance.

(b) If the household mover's insurer informs the bureau that the household mover has failed to obtain insurance coverage for any vehicle reported on the list, the bureau may, in addition to any other applicable penalty provided in this chapter, for a first occurrence, suspend the household mover's permit, or impose a fine, or both, and for a second or subsequent occurrence may suspend or revoke the permit, or impose a fine, or both.

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