Sponsored by:
Senator NIA H. GILL
District 34 (Essex and Passaic)

SYNOPSIS
Reinstates State Board of Public Movers and Warehousemen.

CURRENT VERSION OF TEXT
As introduced.
AN ACT reinstating the State Board of Public Movers and
Warehousemen, supplementing Title 45 of the Revised Statutes,
and repealing parts of the statutory law.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1 This act shall be known and may be cited as the "Movers and
Warehousemen Licensing Act."

2. The Legislature finds and declares that:

The "Public Movers and Warehousemen Licensing Act,"
P.L.1981, c.311 (C.45:14D-1 et seq.), created the State Advisory
Board of Public Movers and Warehousemen under the Division of
Consumer Affairs in the Department of Law and Public Safety.
P.L.1993, c.365 amended that act to change the State Advisory
Board of Public Movers and Warehousemen to the State Board of
Public Movers and Warehousemen (the "Board"); and
Reorganization Plan No. 008-1998 abolished the board,
eliminated the Executive Secretary and other staff, and transferred
the board's duties and powers to the Division of Consumer Affairs
in the effort to increase administrative efficiency and reduce
duplicative services, thus reducing State costs; and
Movers and warehousemen comprise a large group of licensed
professionals who deserve governance by a professional board
comprised of industry representatives similar to other licensed
professionals in New Jersey.

The Legislature therefore finds that the powers to license and
regulate the moving and warehousing industry are better performed
by a board than directly by the Division of Consumer Affairs.

3. As used in this act:
"Accessorial service" means the preparation of articles for
shipment, including, but not limited to, the packing, crating, boxing
and servicing of appliances, the furnishing of containers,
unpacking, uncrating and reassembling of articles, placing them at
final destination and the moving or shifting of articles from one
location to another within a building, or at a single address.
"Bill of lading" means "bill of lading" as defined by paragraph
"Board" means the State Board of Public Movers and
Warehousemen established under this act.
"Consumer" means a person who contracts with a public mover
for mover's services.
"Contracting public mover" means a licensed public mover who
contracts with an owner-operator to provide any mover's service of
the licensed public mover, and is liable for any mover's services.
performed or agreed to be performed by the owner-operator pursuant to that contract.

"Department" means the Department of Law and Public Safety.

"Director" means the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

"Household goods" means personal effects, fixtures, equipment, stock and supplies or other property usually used in or as part of the stock of a dwelling, when it is put into storage or when it is transported by virtue of its removal, in whole or in part, by a householder from one dwelling to another, or from the dwelling of a householder to the dwelling of another householder, or between the dwelling of a householder and a repair or storage facility, or from the dwelling to an auction house or other place of sale. The term "household goods" shall not apply to property moving from a factory or store, except property which the householder has purchased and which is transported at his request as part of the movement by the householder from one dwelling to another.

"Intrastate commerce" means commerce moving wholly between points within the State over all public highways, or at a single location.

"License" means a license issued by the board.

"Motor vehicle" means any vehicle, machine, tractor, truck or semitrailer, or any combination thereof, propelled, driven or drawn by mechanical power, and used upon the public highways in the transportation of household goods, office goods and special commodities in intrastate commerce.

"Mover's services" means all of the services rendered by a public mover.

"Office goods" means personal effects, fixtures, furniture, equipment, stock and supplies or other property usually used in or as part of the stock of any office, or commercial, institutional, professional or other type of establishment, when it is put into storage or when the property is transported by virtue of its removal, in whole or in part, from one location to another, but does not mean or include stock and supplies or other property usually used in or as part of the stock of any office, or commercial, institutional, professional or other type of establishment, when put into storage.

"Owner-operator" means a person who owns, leases, or rents one or more motor vehicles and who uses the vehicles to provide mover's services for a contracting public mover.

"Person" means any individual, copartnership, association, company, or corporation, and includes any trustee, receiver, assignee, lessee, or personal representative of any person herein defined.

"Place of business" means a business office located in New Jersey from which the mover or warehouseman conducts his daily business and where records are kept.
"Property" means all of the articles in the definition of household goods, office goods or special commodities.

"Public highway" or "highway" means any public street, road, thoroughfare, bridge and way in this State open to the use of the public as a matter of right for purposes of motor vehicular travel, including those that impose toll charges.

"Public mover" or "mover" means any person who engages in the transportation of household goods, office goods or special commodities by motor vehicle for compensation in intrastate commerce between points in this State, including the moving of household goods, office goods or special commodities from one location to another at a single address, and any person who engages in the performance of accessorial services; except that the term "public mover" or "mover" shall not apply to an owner-operator, or any person who engages in, or holds himself out to the general public as engaging in, the transportation of special commodities when such commodities are not transported by virtue of a removal, in whole or in part, and who does not engage, nor hold himself out to the general public as engaging in, the transportation of household or office goods.

"Removal" means the physical relocation, in whole or in part, of either household goods, office goods or special commodities from one location to another location, including internal relocations within the same room or facility, for compensation.

"Special commodities" means uncrated or unboxed works of art, fixtures, appliances, business machines, electronic equipment, displays, exhibits, home, office, store, theatrical or show equipment, musical instruments, or other articles being put into storage or being moved, and which require the use of equipment and personnel usually furnished or employed by warehousemen or public movers, except that the provisions of this act shall not apply to any person engaged in the transportation or storage of special commodities when these commodities are not transported by virtue of a removal, in whole or in part.

"Storage" means the safekeeping of property in a depository for compensation.

"Storage services" means all of the services rendered by a warehouseman.

"Tariff" means a schedule of rates and charges for the storage or transportation of property in intrastate commerce on file with the board, which shall be used, except in the use of binding estimates by movers, in computing all charges on the storage or transportation of property as of the date of the time in storage or transportation.

"Warehouseman" means a person engaged in the business of storage.

4. The provisions of this act shall not be construed to include motor vehicles owned or operated by:
a. The United States, the State, or any local government, subdivision, agency or instrumentality thereof;

b. Persons transporting property in intrastate commerce without compensation or where those persons are the owners of the property and the transportation is not performed as a subterfuge to avoid regulation hereunder.

5. There is created in the Division of Consumer Affairs in the Department of Law and Public Safety a State Board of Public Movers and Warehousemen consisting of seven members who are residents of the State, two of whom shall be public members and one of whom shall be a State executive department member appointed pursuant to the provisions of P.L.1971 c.60 (C.45:1-2.1 et seq.) and four of whom shall be representatives of the moving and storage industry.

The Governor shall appoint each member, other than the State executive department member, for a term of four years, except that of the members first appointed, one shall serve for one year, one shall serve for two years, one shall serve for three years, and one shall serve for four years. Vacancies shall be filled for the unexpired terms only. No member may be appointed for more than two consecutive terms.

The organization, meetings and management of the board shall be established in regulations promulgated by the board.

The executive secretary of the board shall be appointed by the board and shall serve at its pleasure.

The board shall be empowered, within the limits of available funds, to hire any assistants it may deem necessary to administer this act.

6. The board shall, in addition to the other powers and duties as it may possess by law:

a. Administer and enforce the provisions of this act;

b. Adopt and promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of this act;

c. Examine and pass on the qualifications of all applicants for license under this act, and issue a license to each qualified applicant;

d. Establish professional standards for persons licensed under this act;

e. Conduct hearings pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); except that the board shall have the right to administer oaths to witnesses, and shall have the power to issue subpoenas for the compulsory attendance of witnesses and the production of pertinent books, papers, or records;
f. Conduct proceedings before any board, agency or court of competent jurisdiction for the enforcement of the provisions of this act;
g. Annually publish a list of the names, addresses and tariffs of all persons who are licensed under this act;
h. Establish reasonable requirements with respect to proper and adequate movers’ and warehousemen's services and the furnishing of estimates, and prescribe a uniform system of accounts, records and reports;
i. Adopt and promulgate rules and regulations to protect the interests of the consumer, including, but not limited to, regulations concerning the contents of information brochures which a mover or warehouseman shall give to a customer prior to the signing of a contract for moving or storage services.

7. The board may, after notice and opportunity for a hearing, revoke, suspend or refuse to renew or issue any license issued pursuant to this act upon a finding that the applicant or holder of a license:
   a. Has obtained a license by means of fraud, misrepresentation or concealment of material facts;
   b. Has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense;
   c. Has engaged in gross negligence or gross incompetence;
   d. Has engaged in repeated acts of negligence or incompetence;
   e. Has repeatedly failed to discharge contractual obligations to any person contracting for moving or storage services;
   f. Has engaged in occupational misconduct;
   g. Has been convicted of any crime involving moral turpitude or any crime relating adversely to the activities regulated by this act. For the purpose of this subsection, a plea of guilty, non vult, nolo contendere or any other similar disposition of alleged criminal activity shall be deemed a conviction;
   h. Has had his authority to engage in the activities regulated by this act revoked or suspended by any other state, agency or authority for reasons consistent with that act; or
   i. Has violated or failed to comply with the provisions of this act or any regulation adopted thereunder.

The licensee or applicant shall be furnished with an official statement of the reasons for the board's proposed action and shall be afforded an opportunity for a hearing.

8. The board may, after one year from the date of the revocation of any license, restore the license.

9. a. It shall be unlawful for any person to engage in the business of public moving or storage unless he shall have obtained a
license from the board to engage in the business and shall have a permanent place of business in this State;

b. Application for a license shall be made in writing to the board, be verified under oath by the agent in charge and shall contain the following information: (1) the name and location of the applicant; (2) description of the applicant's moving vehicles and storage facilities; (3) identification of the issuer and amount of any insurance or surety bonds maintained by the applicant. A license shall be issued to a qualified applicant if it is found that the applicant is fit, willing and able to perform the service of a mover or warehouseman, and to conform to the provisions of this act;

c. Every person advertising moving or storage services shall include in any advertisement the number of his license, and his New Jersey business address and telephone number;

d. No license shall be issued to an applicant if the applicant has: (1) committed any act which if committed by a licensee would be grounds for suspension or revocation; (2) misrepresented any material fact on his application; (3) not registered each vehicle which will be performing intrastate moves in New Jersey, except on vehicles which have been rented or leased and are operated by a public mover licensed under this act; (4) not established or maintained a place of business in New Jersey;

e. A copy of the license shall be carried on each truck, tractor, trailer or semitrailer or combination thereof at all times when the vehicle is being used in operations subject to this act.

10. a. Every person engaged in the business of storing or moving household goods, office goods, or special commodities for transportation in intrastate commerce shall issue a receipt or bill of lading therefor and shall be liable to the lawful holder thereof in accordance with the provisions of chapters 3, 4, 5, and 7 of Title 12A of the New Jersey Statutes. Notwithstanding any other provision of law, a receipt issued pursuant to this section shall not be denied legal effect solely because it is in electronic form, provided that both parties have affirmatively agreed to the electronic form of the receipt, the issuer affirmatively provides to the holder the receipt in an accessible form which is capable of being received, retained and accurately reproduced by the holder, and the receipt contains all legally required information.

b. A contracting public mover may permit an owner-operator providing any mover's services of the public mover to issue, using the forms of the public mover or otherwise in the name of the public mover, a bill of lading and any other documentation evidencing the performance of, or agreement to perform, any mover's services on behalf of the contracting public mover. The contracting public mover shall be liable to the holder of the bill of lading or other documentation as if it provided, or agreed to provide, the mover's services for the consumer.
11. Every warehouseman or mover shall provide safe, proper and adequate service and shall observe the board's rules and regulations concerning the storage or transportation of property.

12. a. It shall be unlawful for a contracting public mover to utilize an owner-operator for purposes of the owner-operator providing to a consumer any mover's services of the public mover, unless the public mover provides written notice to the consumer, not less than one business day before any mover's services are performed, or unless otherwise permitted on the same business day by regulation. The notice shall include:

   (1) the name, address, telephone number, and any other relevant contact information for the owner-operator as required by regulation;

   (2) a list describing the mover's services to be performed by the owner-operator; and

   (3) a statement that the public mover shall be liable for all mover's services to be performed by the owner-operator.

   b. The contracting public mover shall perform any physical survey, and issue the estimate and order for service to the consumer, for those household goods, office goods, or special commodities to be transported by the owner-operator.

13. a. All actions at law against movers or warehousemen subject to this act for recovery of charges, or any part thereof, or for the recovery of overcharges shall be begun within two years from the time the cause of action accrues.

   b. All claims against any mover or warehouseman for damage to property shall be filed in writing with the mover or warehouseman within 90 days from the time the cause of action accrues and all suits in respect thereof shall be instituted within two years of the day that the mover or warehouseman has disallowed the claim or any part or parts thereof specified in the notice.

14. It shall be unlawful for any mover or warehouseman to make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, gateway, locality, or traffic of any description in any respect whatsoever, or to subject any particular person, port, gateway, locality, or traffic to any undue or unreasonable prejudice or disadvantage.

15. a. Public movers and warehousemen shall file their tariffs with the board semiannually.

   b. Except in the use of binding estimates provided for in section 29 of this act, no public mover or warehouseman shall charge, demand, collect or receive a greater compensation for his service than specified in the tariff.
16. a. The board shall by rule or regulation establish, prescribe or change the fees for licenses, renewals of licenses or other services. Licenses shall expire one year from the date of issue unless the holder thereof shall, 30 days before expiration, pay to the board a renewal fee accompanied by a renewal application on a form prescribed by the board.
b. The board's fees established, prescribed or changed pursuant to this section shall be established, prescribed or changed to the extent necessary to defray all proper expenses incurred by the board and any staff employed to administer this act; but the fees shall not be fixed at a level that will raise amounts in excess of the amount estimated to be so required.
c. All fees and any fines imposed by the board shall be paid to the board and shall be forwarded by the board to the State Treasurer and become part of the General Fund.
d. There shall be annually appropriated to the Department of Law and Public Safety for the use of the board such sums as shall be necessary to implement and effectuate the provisions of this act.

17. Any person violating any provision of this act shall, in addition to any other sanctions provided herein, be liable to a civil penalty of not more than $2,500 for the first offense and not more than $5,000 for the second and each subsequent offense. For the purpose of this section, each transaction or violation shall constitute a separate offense; except a second or subsequent offense shall not be deemed to exist unless an administrative or court order has been entered in a prior, separate and independent proceeding. In lieu of an administrative proceeding or an action in the Superior Court, the Attorney General may bring an action in the name of the board for the collection or enforcement of civil penalties for the violation of any provision of that act. The action may be brought in a summary manner pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) and the rules of court governing court actions for the collection of civil penalties in the municipal or the Superior Court, Law Division, Special Civil Part, where the offense occurred. Process in the action may be by summons or warrant and if the defendant in the action fails to answer the action, the court shall, upon finding an unlawful act or practice to have been committed by the defendant, issue a warrant for the defendant's arrest in order to bring the person before the court to satisfy the civil penalties imposed. In an action commenced pursuant to this section, the court may order restored to any person in interest any moneys or property acquired by means of an unlawful act or practice. Any action alleging the unlicensed practice of the activities regulated by this act shall be brought pursuant to this section or, where injunctive relief is sought, by an action commenced in the Superior Court. In an action brought
pursuant to this act, the board or the court may order the payment of costs for the use of the State.

18. Whenever it shall appear to the board or the Attorney General that a person has engaged in, or is engaging in, any act or practice declared unlawful by this act, or when the board or the Attorney General shall deem it to be in the public interest to inquire whether a violation may exist, the board through the Attorney General, or the Attorney General acting independently, may:

a. Require any person to file, on a form to be prescribed, a statement or report in writing under oath, or otherwise, as to the facts and circumstances concerning the rendition of any service or conduct of any sale incidental to the discharge of any act or practice subject to this act;

b. Examine under oath any person in connection with any act or practice subject to this act;

c. Inspect any premises from which the activity regulated by this act is conducted;

d. Examine any goods, ware or item used in the rendition of any service by a public mover or warehouseman;

e. Examine any record, book, document, account or paper maintained by or for any public mover or warehouseman in the regular course of engaging in the activities regulated by that act or regulations promulgated pursuant to this act;

f. For the purpose of preserving evidence of an unlawful act or practice, pursuant to an order of the Superior Court, impound any record, book, document, account, paper, goods, ware, or item used or maintained by or for any public mover or warehouseman in the regular course of engaging in the activities regulated by this act or regulations promulgated pursuant to this act. When necessary, the Superior Court may, on application of the Attorney General, issue an order sealing items or material subject to this subsection.

In order to accomplish the objectives of this act or the regulations promulgated pursuant to this act, the board or the Attorney General may hold investigative hearings as necessary and may issue subpoenas to compel the attendance of any person or the production of books, records or papers at a hearing or inquiry.

19. If a person fails or refuses to file any statement or report, or refuses access to premises from which activities regulated by this act are conducted in any lawfully conducted investigative matter or fails to obey a subpoena issued pursuant to this act, the board or the Attorney General may apply to the Superior Court and obtain an order:

a. Adjudging that person in contempt of court and assessing civil penalties in accordance with the amounts prescribed by this act; or

b. Granting other relief as required; or
c. Suspending the license of that person until compliance with the subpoena or investigative demand is effected.

20. If a person who refuses to testify or produce any book, paper, or other document in any proceeding under this act for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him, or convict him of a crime, is directed to testify or to produce the book, paper, or document by the Attorney General, he shall comply with the direction.

A person who is entitled by law to, and does assert a privilege, and who complies with the direction of the Attorney General, shall not thereafter be prosecuted or subject to any penalty or forfeiture in any criminal proceeding which arises out of and relates to the subject matter of the proceeding. No person so testifying shall be exempt from prosecution or punishment for perjury or false swearing committed by him in giving the testimony or from any civil or administrative action arising from the testimony.

21. In addition or as an alternative, as the case may be, to revoking, suspending or refusing to renew any license, the board may, after affording an opportunity to be heard:
   a. Assess civil penalties in accordance with this act;
   b. Order that any person violating any provision of this act cease and desist from future violations thereof or take affirmative corrective action as necessary with regard to any act or practice found to be unlawful by the board;
   c. Order any person found to have violated any provision of this act to restore or to return to any person aggrieved by an unlawful act or practice any moneys or property, real or personal, acquired by means of that act or practice; except that the board shall not order restoration in a dollar amount greater than those moneys received by a licensee or his agent or any other person violating that act.

In any administrative proceeding on a complaint alleging a violation of that act, the board may issue subpoenas to compel the attendance of witnesses or the production of books, records, or documents at the hearing on the complaint.

22. Whenever it shall appear to the board or the Attorney General that a violation of this act, including the unlicensed practice of the activities regulated therein, has occurred, is occurring, or will occur, the Attorney General, in addition to any other proceeding authorized by law, may seek and obtain in a summary proceeding in the Superior Court an injunction prohibiting the act or practice. In the proceeding the court may assess a civil penalty in accordance with the provisions of this act, order restoration to any person in interest of any moneys or property, real or personal, acquired by
means of an unlawful act or practice and may enter any orders
necessary to prevent the performance of an unlawful practice in the
future and to remedy fully any past unlawful activity. In any action
brought pursuant to this section, the court shall not suspend or
revoke any license issued by the board.

23. Upon the failure of any person to comply within 10 days
after service of any order of the board directing payment of
penalties or restoration of moneys or property, the Attorney General
or the board may issue a certificate to the Clerk of the Superior
Court that the person is indebted to the State for the payment of the
penalty and the moneys or property ordered restored. A copy of the
certificate shall be served upon the person against whom the order
was entered. Thereupon the clerk shall immediately enter upon his
record of docketed judgments the name of the person so indebted
and of the State, a designation of the statute under which the
penalty is imposed, the amount of the penalty imposed, and amount
of moneys ordered restored, a listing of property ordered restored,
and the date of the certification. The entry shall have the same
force and effect as the entry of a docketed judgment in the Superior
Court, and the Attorney General shall have all rights and remedies
of a judgment creditor, in addition to exercising any other available
remedies. The entry, however, shall be without prejudice to the
right of appeal to the Appellate Division of the Superior Court from
the board’s order.

An action to enforce the provisions of an order entered by the
board or to collect a penalty levied thereby may be brought in any
municipal court or the Superior Court, Law Division, Special Civil
Part or the Superior Court in a summary manner pursuant to the
et seq.) and the rules of court governing the collection of civil
penalties. Process in the action shall be by summons or warrant,
and if the defendant fails to answer the action, the court shall issue
a warrant for the defendant’s arrest for the purpose of bringing the
person before the court to satisfy any order entered.

24. When it shall appear to the board or the Attorney General
that a person against whom a cease and desist order has been
entered has violated the order, the board or the Attorney General
may initiate a summary proceeding in the Superior Court for the
violation thereof. Any person found to have violated a cease and
desist order shall pay to the State of New Jersey civil penalties in
the amount of not more than $25,000 for each violation of the order.
If a person fails to pay a civil penalty assessed by the court for
violation of a cease and desist order, the court assessing the unpaid
penalty is authorized, upon application of the board or the Attorney
General, to grant any relief which may be obtained under any
25. Any person who suffers any ascertainable loss of moneys or property, real or personal, as a result of the use or employment by another person of any method, act, or practice declared unlawful under this act may bring an action or assert a counterclaim therefor in any court of competent jurisdiction. In any action under this section the court shall, in addition to any appropriate legal or equitable relief, award threefold the damages sustained by any person in interest. In all actions under this section the court shall also award reasonable attorney's fees, filing fees, and reasonable costs of suit.

26. No license shall be issued to a warehouseman or mover or remain in force unless the warehouseman or mover complies with the rules or regulations that the board shall prescribe governing policies of insurance, qualifications as a self-insurer or other securities or agreements in the amount that the board may require.

27. A contracting public mover shall add as an additional covered insured under its policies of insurance or other securities or agreements, as required pursuant to section 26 of this act, any owner-operator contracted to perform any mover's services of the public mover, or secure and maintain separate insurance coverage, or other securities or agreements, of the type and amount required pursuant to regulation for the public mover's liability for any act or omission of an owner-operator for which the public mover is liable pursuant to this act and any applicable regulation.

28. a. An owner-operator, in order to enter into any contract with a public mover to perform any mover's services of the public mover, shall secure and maintain insurance coverage, or other securities or agreements, of the type and amount required pursuant to regulation, which shall include, but not be limited to coverage, securities, or agreements to cover property-casualty and workers' compensation liabilities.

          b. A public mover shall not contract with an owner-operator until the owner-operator presents the public mover with proof of adequate insurance coverage, or other securities or agreements.

29. a. If a binding estimate is used for moving, the estimate shall be furnished in writing to the customer or other person responsible for payment of the charges for the mover's services and a copy of the estimate shall be retained by the public mover as an addendum to the bill of lading. A binding estimate shall clearly indicate on its face that the estimate is binding on the public mover and that the charges shown are the charges to be assessed for the
services identified in the estimate. A binding estimate shall clearly describe the property to be moved and all services to be provided. If, at the time of the move, additional property is to be moved or additional services are to be provided, or both, that are in excess of that provided in the binding estimate, the mover shall not charge, demand, collect or receive a greater compensation for those services than specified in his filed tariff.

b. (1) No mover shall withhold all or any part of a shipment if the amount due on the moving contract based on a binding estimate in regard to the move is offered to be paid, or is paid, in full to the mover.

(2) No mover shall withhold all or any part of a shipment pursuant to a moving contract not based on a binding estimate unless the mover discloses in the moving contract that the mover may withhold all or a part of the shipment for payment of the freight bill.

c. A mover shall disclose in the moving contract that the mover may not withhold all or any part of a shipment if:

(1) the moving contract is based on a binding estimate and the amount due on a binding estimate for the move is offered to be paid, or is paid, in full to the mover; and

(2) the moving contract is not based on a binding estimate and the mover has not otherwise disclosed in the moving contract that the mover may withhold all or any part of the shipment for payment of the freight bill.

d. A mover which violates any provision of this section shall be liable to a civil penalty of not less than $1,000 nor more than $5,000 for a first violation and not less than $5,000 nor more than $10,000 for a subsequent violation. The penalty prescribed in this section shall be collected and enforced by summary proceedings pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

30. The board shall notify the Board of Public Utilities of the business location and telephone number of any public mover that does not have a valid license issued by the board.

31. When notified by the State Board of Public Movers and Warehousemen pursuant to section 30 of this act, the Board of Public Utilities shall order the servicing telecommunications company to disconnect that mover's telephone number that is published in any commercial listing.

32. When ordered by the Board of Public Utilities pursuant to this act, the telecommunications company shall disconnect that mover's telephone number that is published in any commercial listing.
33. The following sections are repealed:
Sections 1 through 4 of P.L.1981, c.311 (C.45:14D-1 through C.45:14D-4);
Sections 6 through 16 of P.L.1981, c.311 (C.45:14D-6 through C.45:14D-16);
Sections 7 through 15 of P.L.1984, c.140 (C.45:14D-17 through C.45:14D-25); and
Section 3 of P.L.2007, c.50 (C.45:14D-11.1)

34. Reorganization Plan No. 008-1998 is superseded.

35. This act shall take effect 180 days after enactment.

STATEMENT

This bill reinstates the State Board of Public Movers and Warehousemen and supersedes the reorganization plan that abolished it. The bill repeals the existing "Public Movers and Warehouseman Licensing Act" and replaces it with a similar provisions, including one re-creating the board.

The State Board of Public Movers and Warehousemen is a professional board that was created to oversee licensed members of the moving industry. The Public Movers and Warehouseman Licensing Act, P.L.1981, c.311 (C.45:14D-1 et seq.) created the State Advisory Board of Public Movers and Warehousemen under the Division of Consumer Affairs in the Department of Law and Public Safety and repealed P.L.1968, c.375 (C.48:22-1 et seq.), which originally gave the Board of Public Utility Commissioners of the Department of Public Utilities regulatory control over movers. P.L.1993, c.365 amended P.L.1981, c.311 (C.45:14D-1 et seq.), by changing the State Advisory Board of Public Movers and Warehousemen to the State Board of Public Movers and Warehousemen (the "Board").

Governor Whitman issued Reorganization Plan No. 008-1998 that took effect on February 8, 1999, which abolished the State Board of Public Movers and Warehousemen, eliminated the Executive Secretary and other staff, and transferred the board's functions, duties and powers to the Division of Consumer Affairs in the Department of Law and Public Safety. In superseding the Reorganization Plan and reinstating the board, this bill aims to provide independent regulation to movers and warehouseman, similar to other professional industries.