

118TH CONGRESS  
2D SESSION

# H. R. 8505

To amend title 49, United States Code, to expand the authority of the Administrator of the Federal Motor Carrier Safety Administration to assess penalties for violations of laws and regulations relating to the shipping of household goods, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2024

Ms. NORTON (for herself and Mr. EZELL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to expand the authority of the Administrator of the Federal Motor Carrier Safety Administration to assess penalties for violations of laws and regulations relating to the shipping of household goods, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Household Goods Ship-  
5 ping Consumer Protection Act”.

1 **SEC. 2. ADMINISTRATIVE ASSESSMENT OF CIVIL PEN-**  
2 **ALTIES FOR VIOLATIONS OF COMMERCIAL**  
3 **REGULATIONS.**

4 (a) ENFORCEMENT BY SECRETARY.—Section 14914  
5 of title 49, United States Code, is amended—

6 (1) by redesignating subsections (b), (c), and  
7 (d) as subsections (c), (d), and (e), respectively;

8 (2) by inserting after subsection (a) the fol-  
9 lowing:

10 “(b) ENFORCEMENT BY SECRETARY.—If, after no-  
11 tice and an opportunity for a hearing, the Secretary finds  
12 that a person violated a provision of part B of subtitle  
13 IV of this title, or a regulation or order issued pursuant  
14 to such part, the Secretary shall assess a civil penalty by  
15 written notice.”;

16 (3) in subsection (c), as redesignated by para-  
17 graph (1), by inserting “or the Secretary” after  
18 “Board”; and

19 (4) in subsection (d), as redesignated by para-  
20 graph (1), by inserting “or the Secretary” after  
21 “Board”.

22 (b) APPLICATION.—Section 501(b) of title 49, United  
23 States Code, is amended—

24 (1) by inserting “5,” after “20303 and chap-  
25 ters”; and

26 (2) by inserting “311, 313,” after “chapters),”.

1 **SEC. 3. STATE USE OF GRANT FUNDS FOR COMMERCIAL**  
2 **ENFORCEMENT AND CONSUMER PROTEC-**  
3 **TION.**

4 Section 31102 of title 49, United States Code, is  
5 amended—

6 (1) in subsection (h)—

7 (A) in paragraph (1)(B), by striking “and”  
8 at the end;

9 (B) in paragraph (2)(B), by striking the  
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(3) for the enforcement of Federal household  
13 goods statutes and regulations for the interstate  
14 transportation of household goods by household  
15 goods motor carriers and brokers, and for the intra-  
16 state transportation of household goods by household  
17 goods motor carriers if the State has adopted laws  
18 or regulations that are compatible with Federal  
19 household goods regulations.”;

20 (2) in subsection (l)(2)—

21 (A) in subparagraph (I), by striking “and”  
22 at the end;

23 (B) by redesignating subparagraph (J) as  
24 subparagraph (K); and

25 (C) by inserting after subparagraph (I) the  
26 following:

1           “(J) enforce Federal household goods stat-  
2           utes and regulations for the interstate transpor-  
3           tation of household goods by household goods  
4           motor carriers and brokers, and for the intra-  
5           state transportation of household goods by  
6           household goods motor carriers if the State has  
7           adopted laws or regulations that are compatible  
8           with Federal household goods regulations; and”;  
9           and

10           (3) by adding at the end the following:

11           “(m) STATE DISCRETION.—The activities described  
12           in subsections (h)(3) and (l)(2)(J) are—

13           “(1) optional at the discretion of a State; and

14           “(2) not a condition on funds received under  
15           this section.”.

16   **SEC. 4. STATE RETENTION OF PENALTIES AND FINES.**

17           Section 14711 of title 49, United States Code, is  
18           amended by adding at the end the following:

19           “(g) PENALTIES.—Notwithstanding any other provi-  
20           sion of law, any fine or penalty imposed on a carrier or  
21           broker in a proceeding under this section shall be paid  
22           to, and retained by, the State that imposed such fine or  
23           penalty.”.

1 **SEC. 5. REGISTRATION REQUIREMENTS.**

2 (a) DEFINITIONS.—Section 13102 of title 49, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 “(28) PRINCIPAL PLACE OF BUSINESS.—The  
6 term ‘principal place of business’ means a single  
7 physical business location of a specified entity  
8 where—

9 “(A) management officials of such speci-  
10 fied entity report to work;

11 “(B) such specified entity conducts a sig-  
12 nificant portion of its business relating to the  
13 transportation of persons or property; and

14 “(C) such specified entity maintains  
15 records required by part B of subtitle IV or  
16 part B of subtitle VI.

17 “(29) SPECIFIED ENTITY.—The term ‘specified  
18 entity’ means—

19 “(A) an employer, as such term is defined  
20 in section 31132;

21 “(B) a person;

22 “(C) a motor carrier, including a foreign  
23 motor carrier or foreign motor private carrier;

24 “(D) a broker; or

25 “(E) a freight forwarder.”.

1 (b) MOTOR CARRIER GENERALLY.—Section  
2 13902(a)(1) of title 49, United States Code, is amended—

3 (1) in subparagraph (C), by striking “and” at  
4 the end;

5 (2) in subparagraph (D), by striking the period  
6 at the end and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(E) has designated a principal place of  
9 business.”.

10 (c) REGISTRATION OF FREIGHT FORWARDERS.—  
11 Section 13903(a) of title 49, United States Code, is  
12 amended—

13 (1) in paragraph (1), by striking “and” at the  
14 end;

15 (2) in paragraph (2), by striking the period at  
16 the end and inserting a semicolon; and

17 (3) by adding at the end the following:

18 “(3) has designated a principal place of busi-  
19 ness; and

20 “(4) has disclosed any relationship involving  
21 common ownership, common management, common  
22 control, or common familial relationship between  
23 such person and any other motor carrier, freight for-  
24 warder, broker, or any other applicant for motor  
25 carrier, freight forwarder, or broker registration, if

1 the relationship occurred in the 3-year period pre-  
2 ceding the date of the filing of the application for  
3 registration.”.

4 (d) REGISTRATION OF BROKERS.—Section 13904(a)  
5 of title 49, United States Code, is amended—

6 (1) in subsection (1) by striking “and” after  
7 the semicolon;

8 (2) in subsection (2) by striking the period and  
9 inserting a semicolon; and

10 (3) by inserting at the end the following:

11 “(3) has designated a principal place of busi-  
12 ness; and

13 “(4) has disclosed any relationship involving  
14 common ownership, common management, common  
15 control, or common familial relationship between  
16 such person and any other motor carrier, freight for-  
17 warder, or broker, or any other applicant for motor  
18 carrier, freight forwarder, or broker registration, if  
19 the relationship occurred in the 3-year period pre-  
20 ceding the date of the filing of the application for  
21 registration.”.

22 (e) COMPLAINTS AND ACTIONS ON SECRETARY INI-  
23 TIATIVES.—Section 13905(d)(2) of title 49, United States  
24 Code, is amended—

1 (1) in subparagraph (C)(iii), by striking “or” at  
2 the end;

3 (2) in subparagraph (D), by striking the period  
4 at the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(E) withhold, suspend, amend, or revoke  
7 any part of a registration of a motor carrier,  
8 foreign motor carrier, foreign motor private car-  
9 rier, broker, or freight forwarder if the Sec-  
10 retary finds that the motor carrier, foreign  
11 motor carrier, foreign motor private carrier,  
12 broker, or freight forwarder failed to designate  
13 a valid principal place of business.”.

14 (f) REQUIREMENT FOR REGISTRATION AND USDOT  
15 NUMBER.—Section 31134 of title 49, United States Code,  
16 is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (2), by striking “or” at  
19 the end;

20 (B) in paragraph (3), by striking the pe-  
21 riod at the end and inserting “; or”; and

22 (C) by adding at the end the following:

23 “(4) the employer or person seeking registra-  
24 tion has designated a principal place of business, as  
25 defined in section 13102.”; and



- 1 (2) in subsection (c)(2), by striking “subsection
- 2 (b)(1)” and inserting “subsection (b)”.

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