

Chapter 565

(House Bill 710)

AN ACT concerning

Business Regulation – Household Goods Movers – Special Fund and Fees

FOR the purpose of establishing the Household Goods Movers Registration Fund as a special, nonlapsing fund in the Maryland Department of Labor; requiring that certain investment earnings be credited to the General Fund; requiring the Secretary of Labor to annually calculate certain costs; authorizing the Department to set by regulation certain fees based on certain calculations; prohibiting certain fees from increasing by more than a certain amount each year; requiring that certain fees in effect on a certain date shall remain in effect until certain other fees are adopted and become effective; and generally relating to the Household Goods Movers Registration Fund.

BY adding to

Article – Business Regulation
Section 2–106.15, 2–106.16, and 8.5–105.1
Annotated Code of Maryland
(2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Regulation
Section 8.5–101
Annotated Code of Maryland
(2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 8.5–103 and 8.5–105
Annotated Code of Maryland
(2015 Replacement Volume and 2023 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Business Regulation**2–106.15.**

(A) IN THIS SECTION, “FUND” MEANS THE HOUSEHOLD GOODS MOVERS REGISTRATION FUND.

(B) (1) THERE IS A HOUSEHOLD GOODS MOVERS REGISTRATION FUND IN THE DEPARTMENT.

(2) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(C) (1) THE DEPARTMENT SHALL PAY ALL FEES COLLECTED UNDER TITLE 8.5 OF THIS ARTICLE TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE FUND.

(D) THE FUND SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE DEPARTMENT UNDER TITLE 8.5 OF THIS ARTICLE.

(E) THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL ADMINISTER THE FUND.

(F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(G) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

2-106.16.

(A) THE SECRETARY SHALL ANNUALLY CALCULATE THE DIRECT AND INDIRECT COSTS ATTRIBUTABLE TO THE DEPARTMENT UNDER TITLE 8.5 OF THIS ARTICLE.

(B) THE DEPARTMENT SHALL ESTABLISH FEES BASED ON THE CALCULATIONS PROVIDED BY THE SECRETARY UNDER THIS SECTION.

(C) EACH FEE ESTABLISHED BY THE DEPARTMENT UNDER TITLE 8.5 OF THIS ARTICLE MAY NOT BE INCREASED ANNUALLY BY MORE THAN 12.5% OF THE EXISTING AND CORRESPONDING FEES OF THE DEPARTMENT UNDER TITLE 8.5 OF THIS ARTICLE.

8.5-101.

(a) In this title the following words have the meanings indicated.

(b) “Household goods movers” has the meaning stated in § 14–3101 of the Commercial Law Article.

(c) “Household goods moving services” has the meaning stated in § 14–3101 of the Commercial Law Article.

8.5–103.

To apply for registration as a household goods mover, an applicant shall:

(1) submit to the Department an application on the form provided by the Department; and

(2) pay the Department an application fee [established] SET by the Department.

8.5–105.

(a) A household goods mover shall pay an annual registration fee [established] SET by the Department.

(b) On approval of a new or renewal application, the Department shall assign a unique registration number and issue an annual registration to the applicant.

(c) A household goods mover shall retain a copy of its annual registration in each vehicle used to perform household goods moving services.

8.5–105.1.

(A) (1) THE DEPARTMENT MAY SET BY REGULATION REASONABLE FEES FOR ITS SERVICES TO CARRY OUT THIS TITLE.

(2) THE FEES CHARGED SHALL BE:

(I) SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE DUTIES OF THE DEPARTMENT UNDER THIS TITLE; AND

(II) BASED ON THE CALCULATIONS PERFORMED BY THE SECRETARY UNDER § 2–106.16 OF THIS ARTICLE.

(B) THE DEPARTMENT SHALL PUBLISH A SCHEDULE OF FEES SET BY THE DEPARTMENT.

(C) (1) THE DEPARTMENT SHALL PAY ALL FEES COLLECTED UNDER THIS TITLE TO THE COMPTROLLER.

(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE HOUSEHOLD GOODS MOVERS REGISTRATION FUND ESTABLISHED IN § 2-106.15 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the fees set forth in Title 8.5 of the Business Regulation Article, in effect on June 30, 2024, shall remain in full force and effect until the fees authorized by the Maryland Department of Labor under this Act are adopted and become effective.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, May 9, 2024.