

Union Calendar No. 765

118TH CONGRESS
2^D SESSION

H. R. 8505

[Report No. 118-935]

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.

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

DECEMBER 19, 2024

Additional sponsors: Mr. MEUSER, Mrs. PELTOLA, Mrs. NAPOLITANO, Mr. CARTER of Louisiana, Mr. WESTERMAN, Mr. BURCHETT, Mr. EDWARDS, Mr. KELLY of Mississippi, Mr. GUEST, Mr. MOLINARO, Mr. RUTHERFORD, Mr. FERGUSON, Mr. GARAMENDI, Mr. JOYCE of Pennsylvania, Mr. VALADAO, Ms. SALINAS, Mr. VEASEY, Mr. VASQUEZ, Mr. SMUCKER, Mr. CUELLAR, Ms. BROWNLEY, Mr. HILL, and Ms. SCHOLTEN

DECEMBER 19, 2024

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 22, 2024]

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”.*

6 **SEC. 2. ADMINISTRATIVE ASSESSMENT OF CIVIL PEN-**
7 **ALTIES FOR VIOLATIONS OF COMMERCIAL**
8 **REGULATIONS.**

9 *(a) ENFORCEMENT BY SECRETARY.—Section 14914 of*
10 *title 49, United States Code, is amended—*

11 *(1) by redesignating subsections (b), (c), and (d)*
12 *as subsections (c), (d), and (e), respectively;*

13 *(2) by inserting after subsection (a) the fol-*
14 *lowing:*

15 *“(b) ENFORCEMENT BY SECRETARY.—If, after notice*
16 *and an opportunity for a hearing, the Secretary finds that*
17 *a person violated a provision of part B of subtitle IV of*
18 *this title, or a regulation or order issued pursuant to such*
19 *part, the Secretary shall assess a civil penalty by written*
20 *notice.”;*

21 *(3) in subsection (c), as redesignated by para-*
22 *graph (1), by inserting “or the Secretary” after*
23 *“Board”; and*

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

4 (b) *APPLICATION*.—Section 501(b) of title 49, United
5 States Code, is amended—

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

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

9 **SEC. 3. STATE USE OF GRANT FUNDS FOR COMMERCIAL EN-**
10 **FORCEMENT AND CONSUMER PROTECTION.**

11 Section 31102 of title 49, United States Code, is
12 amended—

13 (1) in subsection (h)—

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

16 (B) in paragraph (2)(B), by striking the pe-
17 riod at the end and inserting “; and”; and

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

19 “(3) for the enforcement of Federal household
20 goods statutes and regulations for the interstate trans-
21 portation of household goods by household goods motor
22 carriers and brokers, and for the intrastate transpor-
23 tation of household goods by household goods motor
24 carriers if the State has adopted laws or regulations

1 *that are compatible with Federal household goods reg-*
2 *ulations.”;*

3 *(2) in subsection (l)(2)—*

4 *(A) in subparagraph (I), by striking “and”*
5 *at the end;*

6 *(B) by redesignating subparagraph (J) as*
7 *subparagraph (K); and*

8 *(C) by inserting after subparagraph (I) the*
9 *following:*

10 *“(J) enforce Federal household goods stat-*
11 *utes and regulations for the interstate transpor-*
12 *tation of household goods by household goods*
13 *motor carriers and brokers, and for the intra-*
14 *state transportation of household goods by house-*
15 *hold goods motor carriers if the State has adopt-*
16 *ed laws or regulations that are compatible with*
17 *Federal household goods regulations; and”;* and

18 *(3) by adding at the end the following:*

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

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

22 *“(2) not a condition on funds received under this*
23 *section.”.*

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

2 *Section 14711 of title 49, United States Code, is*
3 *amended by adding at the end the following:*

4 *“(g) PENALTIES.—Notwithstanding any other provi-*
5 *sion of law, any fine or penalty imposed on a carrier or*
6 *broker in a proceeding under this section shall be paid to,*
7 *and retained by, the State that imposed such fine or pen-*
8 *alty.”.*

9 **SEC. 5. REGISTRATION REQUIREMENTS.**

10 *(a) DEFINITIONS.—Section 13102 of title 49, United*
11 *States Code, is amended by adding at the end the following:*

12 *“(28) PRINCIPAL PLACE OF BUSINESS.—The*
13 *term ‘principal place of business’ means a single*
14 *physical business location of a specified entity*
15 *where—*

16 *“(A) management officials of such specified*
17 *entity report to work;*

18 *“(B) such specified entity conducts a sig-*
19 *nificant portion of its business relating to the*
20 *transportation of persons or property; and*

21 *“(C) such specified entity maintains records*
22 *required by part B of subtitle IV or part B of*
23 *subtitle VI.*

24 *“(29) SPECIFIED ENTITY.—The term ‘specified*
25 *entity’ means—*

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

3 “(B) a person;

4 “(C) a motor carrier, including a foreign
5 motor carrier or foreign motor private carrier;

6 “(D) a broker; or

7 “(E) a freight forwarder.”.

8 (b) *MOTOR CARRIER GENERALLY.*—Section
9 13902(a)(1) of title 49, United States Code, is amended—

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

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

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

15 “(E) has designated a principal place of
16 business.”.

17 (c) *REGISTRATION OF FREIGHT FORWARDERS.*—Sec-
18 tion 13903(a) of title 49, United States Code, is amended—

19 (1) in paragraph (1), by striking “and” at the
20 end;

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

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

24 “(3) has designated a principal place of business;
25 and

1 “(4) has disclosed any relationship involving
2 common ownership, common management, common
3 control, or common familial relationship between such
4 person and any other motor carrier, freight for-
5 warder, broker, or any other applicant for motor car-
6 rier, freight forwarder, or broker registration, if the
7 relationship occurred in the 3-year period preceding
8 the date of the filing of the application for registra-
9 tion.”.

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

12 (1) in paragraph (1) by striking “and” after the
13 semicolon;

14 (2) in paragraph (2) by striking the period and
15 inserting a semicolon; and

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

17 “(3) has designated a principal place of business;
18 and

19 “(4) has disclosed any relationship involving
20 common ownership, common management, common
21 control, or common familial relationship between such
22 person and any other motor carrier, freight for-
23 warder, or broker, or any other applicant for motor
24 carrier, freight forwarder, or broker registration, if
25 the relationship occurred in the 3-year period pre-

1 ceding the date of the filing of the application for reg-
2 istration.”.

3 (e) *COMPLAINTS AND ACTIONS ON SECRETARY INITIA-*
4 *TIVES.*—Section 13905(d)(2) of title 49, United States
5 Code, is amended—

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

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

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

11 “(E) withhold, suspend, amend, or revoke
12 any part of a registration of a motor carrier,
13 foreign motor carrier, foreign motor private car-
14 rier, broker, or freight forwarder if the Secretary
15 finds that the motor carrier, foreign motor car-
16 rier, foreign motor private carrier, broker, or
17 freight forwarder failed to designate a valid
18 principal place of business.”.

19 (f) *REQUIREMENT FOR REGISTRATION AND USDOT*
20 *NUMBER.*—Section 31134 of title 49, United States Code,
21 is amended—

22 (1) in subsection (b)—

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

1 (B) in paragraph (3), by striking the period
2 at the end and inserting “; or”; and

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

4 “(4) the employer or person seeking registration
5 has designated a principal place of business, as de-
6 fined in section 13102.”; and

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

Amend the title so as to read: “A bill to amend title 49, United States Code, to clarify the authority of the Administrator of the Federal Motor Carrier Safety Administration relating to the shipping of household goods, and for other purposes.”.

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