

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATION.—The term ‘Administration’ means the Federal Motor Carrier Safety Administration.

“(2) COVERED CARRIER.—The term ‘covered carrier’ means a motor carrier that is—

“(A) engaged in the interstate transportation of household goods; and

“(B) subject to the requirements of part 375 of title 49, Code of Federal Regulations (as in effect on the effective date of any amendments made pursuant to the notice of proposed rulemaking issued under subsection (b)).

“(b) AMENDMENTS TO REGULATIONS.—Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], the Secretary [of Transportation] shall issue a notice of proposed rulemaking to amend, as the Secretary determines to be appropriate, regulations relating to the interstate transportation of household goods.

“(c) CONSIDERATIONS.—In issuing the notice of proposed rulemaking under subsection (b), the Secretary shall consider amending the following provisions of title 49, Code of Federal Regulations, in accordance with the following recommendations:

“(1) Section 375.207(b) to require each covered carrier to include on the website of the covered carrier a link—

“(A) to the publication of the Administration entitled ‘Ready to Move—Tips for a Successful Interstate Move’ and numbered ESA-03-005 on the website of the Administration; or

“(B) to a copy of the publication referred to in subparagraph (A) on the website of the covered carrier.

“(2) Subsections (a) and (b)(1) of section 375.213 to require each covered carrier to provide to each individual shipper, together with any written estimate provided to the shipper, a copy of the publication described in appendix A of part 375 of that title, entitled ‘Your Rights and Responsibilities When You Move’ and numbered ESA-03-006 (or a successor publication), in the form of a written copy or a hyperlink on the website of the covered carrier to the location on the website of the Administration containing that publication.

“(3) Section 375.213 to repeal subsection (e) of that section.

“(4) Section 375.401(a) to require each covered carrier—

“(A) to conduct a visual survey of the household goods to be transported by the covered carrier—

“(i) in person; or

“(ii) virtually, using—

“(I) a remote camera; or

“(II) another appropriate technology;

“(B) to offer a visual survey described in subparagraph (A) for all household goods shipments, regardless of the distance between—

“(i) the location of the household goods; and

“(ii) the location of the agent of the covered carrier preparing the estimate; and

“(C) to provide to each shipper a copy of the publication of the Administration entitled ‘Ready to Move—Tips for a Successful Interstate Move’ and numbered ESA-03-005 on receipt from the shipper of a request to schedule, or a waiver of, a visual survey offered under subparagraph (B).

“(5) Sections 375.401(b)(1), 375.403(a)(6)(ii), and 375.405(b)(7)(ii), and subpart D of appendix A of part 375, to require that, in any case in which a shipper tenders any additional item or requests any additional service prior to loading a shipment, the affected covered carrier shall—

“(A) prepare a new estimate; and

“(B) maintain a record of the date, time, and manner in which the new estimate was accepted by the shipper.

“(6) Section 375.501(a), to establish that a covered carrier is not required to provide to a shipper an order for service if the covered carrier elects to pro-

vide the information described in paragraphs (1) through (15) of that section in a bill of lading that is presented to the shipper before the covered carrier receives the shipment.

“(7) Subpart H of part 375, to replace the replace the terms ‘freight bill’ and ‘expense bill’ with the term ‘invoice.’”

#### STUDY OF ENFORCEMENT OF CONSUMER PROTECTION RULES IN HOUSEHOLD GOODS MOVING INDUSTRY

Pub. L. 106-159, title II, §209(c), Dec. 9, 1999, 113 Stat. 1764, provided that: “The Comptroller General shall conduct a study of the effectiveness of the Department of Transportation’s enforcement of household goods consumer protection rules under title 49, United States Code. The study shall also include a review of other potential methods of enforcing such rules, including allowing States to enforce such rules.”

### SUBCHAPTER II—REPORTS AND RECORDS

#### § 14121. Definitions

In this subchapter, the following definitions apply:

(1) CARRIER AND BROKER.—The terms “carrier” and “broker” include a receiver or trustee of a carrier and broker, respectively.

(2) ASSOCIATION.—The term “association” means an organization maintained by or in the interest of a group of carriers or brokers providing transportation or service subject to jurisdiction under chapter 135 that performs a service, or engages in activities, related to transportation under this part.

(Added Pub. L. 104-88, title I, §103, Dec. 29, 1995, 109 Stat. 892.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11141 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

#### § 14122. Records: form; inspection; preservation

(a) FORM OF RECORDS.—The Secretary or the Board, as applicable, may prescribe the form of records required to be prepared or compiled under this subchapter by carriers and brokers, including records related to movement of traffic and receipts and expenditures of money.

(b) RIGHT OF INSPECTION.—The Secretary or Board, or an employee designated by the Secretary or Board, may on demand and display of proper credentials, in person or in writing—

(1) inspect and examine the lands, buildings, and equipment of a carrier or broker; and

(2) inspect and copy any record of—

(A) a carrier, broker, or association; and

(B) a person controlling, controlled by, or under common control with a carrier if the Secretary or Board, as applicable, considers inspection relevant to that person’s relation to, or transaction with, that carrier.

(c) PERIOD FOR PRESERVATION OF RECORDS.—The Secretary or Board, as applicable, may pre-