

Technical Corrections to the Household Goods Consumer Protection Regulations

Issued by the Federal Motor Carrier Safety Administration as a Final Rule and Immediately Effective on November 17, 2023

Link to Federal Register Notice: <https://www.federalregister.gov/d/2023-24160>

The Federal Motor Carrier Safety Administration (FMCSA) amended Part 375 Household Goods Consumer Protection regulations in 2022. **On November 17, 2023, the agency issued a final rule not subject to public comment to make several technical corrections to the regulations following the 2022 amendments.**

These corrections are as follows:

- 1. Restores language clarifying that a new binding or non-binding estimate prepared after a shipper tenders additional goods or requires additional services must “accurately list, in detail, the additional household goods or services included in the shipment.”**

This technical correction does not change the requirement that a mover must prepare a new estimate in situations where additional goods are tendered or additional services are required. Given that most movers have continued to detail the additional goods or services in new estimates, this change should not result in any significant impacts.

- 2. Replace an erroneous reference to “order for service” with “bill of lading” in the Section outlining the requirements for a bill of lading.**

The 2022 amendments removed the requirements for an order for service and updated the requirements for a bill of lading. This technical correction addresses a place where the order for service term was inadvertently left in place.

- 3. Make formatting and non-material changes (e.g., replacing “web site” with “website”) and correct errant citations and cross references.**

The full text of the changes can be found in the November 17, 2023 Federal Register Notice linked above.

Below the ATA-MSC has taken the text impacted by items 1 and 2 to show the changes made in the Final Rule.

If you have any questions regarding the Consumer Protection Regulations or these changes, please contact Ryan Bowley, ATA-MSC Executive Director, at rbowley@trucking.org.

Comparative Changes to Household Goods Consumer Protection Regulations from November 17, 2023 Technical Corrections Rule

§ 375.403 How must I provide a binding estimate? ([link to text of full section](#))

(a) * * *

(6) If it appears an individual shipper has tendered additional household goods or requires additional services not identified in the binding estimate, you are not required to honor the estimate. If an agreement cannot be reached as to the price or service requirements for the additional goods or services, you are not required to service the shipment. However, if you do service the shipment, before loading the shipment you must do one of the following three things:

(i) Reaffirm your binding estimate.

(ii) Prepare a new binding estimate prior to loading. **[The new estimate must accurately list, in detail, the additional household goods or services included in the shipment.]** The new estimate must be signed by the individual shipper. You should maintain a record of the date, time, and manner that the new estimate was prepared.

(iii) Agree with the individual shipper, in writing, that both of you will consider the original binding estimate as a non-binding estimate subject to § 375.405.

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§ 375.405 How must I provide a non-binding estimate? ([link to text of full section](#))

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(b) * * *

(7) If it appears an individual shipper has tendered additional household goods or requires additional services not identified in the non-binding estimate, you are not required to honor the estimate. If an agreement cannot be reached as to the price or service requirements for the additional goods or services, you are not required to service the shipment. However, if you do service the shipment, before loading the shipment, you must do one of the following two things:

(i) Reaffirm your non-binding estimate.

(ii) Prepare a new non-binding estimate which must be signed by the individual shipper. **[The new estimate must accurately list, in detail, the additional household goods or services included in the shipment.]** You should maintain a record of the date, time, and manner that the new estimate was prepared.

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§ 375.505 Must I write up a bill of lading? ([link to text of full section](#))

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(b) * * *

(4) The form of payment you and your agents will honor at delivery. The payment information must be the same that was entered on the estimate and ~~order for service~~ **[bill of lading].**

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