

LEGISLATIVE COMMITTEE MINUTES

# **HB207**

Bill as  
Introduced

HB 207-FN - AS AMENDED BY THE HOUSE

5Jan2022... 2193h

2021 SESSION

21-0240  
06/10

HOUSE BILL

***207-FN***

AN ACT

repealing the regulation of household goods carriers.

SPONSORS:

Rep. Yokela, Rock. 33

COMMITTEE:

Commerce and Consumer Affairs

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AMENDED ANALYSIS

This bill amends the licensure of carriage of household goods for hire by eliminating public utility requirements no longer applicable and updating provisions for consumer protection.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT repealing the regulation of household goods carriers.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Chapter; Carriage of Household Goods for Hire by Motor Vehicle. Amend RSA by  
2 inserting after chapter 359-S the following new chapter:

3 CHAPTER 359-T

4 CARRIAGE OF HOUSEHOLD GOODS FOR HIRE BY MOTOR VEHICLE

5 359-T:1 Definitions. In this chapter, the following words shall have the following meanings:

6 I. "Department" shall mean the department of safety.

7 II. "Household goods carrier" shall mean a common or contract carrier which transports for  
8 hire by motor vehicle between points in this state:

9 (a) Personal effects and property used or to be used in a dwelling as a part of the  
10 equipment or supply of the dwelling;

11 (b) Furniture, fixtures, equipment and property of any establishment, which are a part  
12 of the stock, equipment or supply of the establishment;

13 (c) Articles, including objects of art, displays and exhibits with an unusual nature or  
14 value, which require specialized handling and equipment usually used in moving household goods.

15 III. "Household goods carrier" does not include any person who transports his own goods for  
16 the purpose of sale or delivery, or in the furtherance of a trade or business other than transportation.

17 IV. "Commissioner" shall mean the commissioner of the department of safety.

18 V. "Common carrier" means a person holding itself out to the general public to provide motor  
19 vehicle transportation for compensation over regular or irregular routes, or both.

20 VI. "Contract carrier" means a person providing motor vehicle transportation for  
21 compensation under continuing agreements with one or more persons:

22 (a) By assigning motor vehicles for a continuing period of time for the exclusive use of  
23 each 1 such person; or

24 (b) Designed to meet the distinct needs of each such person.

25 359-T:2 Certificate Required. No household goods carrier, as defined herein, shall engage in the  
26 business of transporting household goods, as defined by the department, between points in this  
27 state, unless the carrier holds a certificate issued by the department authorizing such operations.  
28 The application for such certificate shall be in accordance with the procedure provided for in RSA  
29 359-T:3 and such certificate shall be issued or denied accordingly.

30 359-T:3 Issuance. A certificate shall be issued to any qualified applicant therefor, if it is found  
31 that the applicant is willing and able properly to perform the service proposed and to conform to the

HB 207-FN - AS AMENDED BY THE HOUSE

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1 provisions of this chapter and the requirements, rules and regulations issued by the commissioner  
2 thereunder; otherwise, such application shall be denied.

3 359-T:4 Issuance of Contract Carrier Permits. A contract carrier permit shall be issued to any  
4 qualified applicant, if it appears from the application, that the applicant is willing and able to  
5 properly perform the service of a contract carrier by motor vehicle, and to conform to the provisions  
6 of this chapter and any rules adopted by the commissioner, otherwise, such application shall be  
7 denied.

8 359-T:5 Applications for Certificates. Application for certificates required in RSA 359-T:2 shall  
9 be:

- 10 I. Made in writing to the department;
- 11 II. Signed under the penalties of unsworn falsification pursuant to RSA 541:3;
- 12 III. Accompanied by the fee specified in RSA 359-T:18;
- 13 IV. In the form specified in rules adopted by the commissioner; and
- 14 V. With the information specified in rules adopted by the commissioner.

15 359-T:6 Suspension, Change and Revocation of Certificates and Permits. Certificates and  
16 permits issued under the provisions of this chapter authorizing operations as a household goods  
17 carrier shall be effective from the date specified therein and shall remain in effect until suspended,  
18 revoked or terminated as herein provided. The department may, after notice and hearing, upon  
19 application or upon its own initiative, amend, suspend, or revoke any such certificate or permit in  
20 whole or in part, for willful failure to comply with any provision of this chapter or with any lawful  
21 order or rule issued or adopted by the department.

22 359-T:7 Transfer of Certificates and Permits. No certificate or permit, nor any rights  
23 thereunder, shall be transferred without the approval of the department.

24 359-T:8 Security for the Protection of Property. No certificate or permit issued to a carrier  
25 under the provisions of this chapter shall remain in effect unless such carrier shall file with the  
26 department and keep in force a certificate of insurance in such form and in such reasonable amount  
27 as the department may require to adequately provide for the reasonable protection of the owner or  
28 owners of the property transported. This certificate of insurance shall be submitted on an annual  
29 basis with the annual report required by RSA 359-T:13, I(a).

30 359-T:9 Written Estimates of Cost. Upon the request of any customer, a household goods carrier  
31 shall provide a written estimate of cost to the customer in advance of performing any service. The  
32 written estimate shall include:

- 33 I. An itemization of the service to be performed;
- 34 II. An estimated completion date;
- 35 III. A statement that the carrier shall notify the customer of the estimated cost of any  
36 additional services of an unrelated and different nature from the work originally itemized in the

1 written estimate and shall receive the customer's written or oral permission to proceed before  
2 performing the work; and

3 IV. A statement that the carrier shall not charge the customer any amount which exceeds  
4 the written estimate by 10 percent without the customer's written consent.

5 359-T:10 Discrimination Prohibited. It shall be unlawful for any household goods carrier by  
6 motor vehicle engaged in transportation between points in this state to make, give, or cause any  
7 undue or unreasonable preference or advantage to any particular person or locality in any respect  
8 whatsoever or to subject any particular person or locality to any unjust discrimination or any undue  
9 or unreasonable prejudice or disadvantage in any respect whatsoever.

10 359-T:11 Additional Service. If additional service of an unrelated and different nature from the  
11 work originally itemized in the written estimate becomes necessary, a household goods carrier shall  
12 notify the customer of the estimated cost of such additional service and receive his written or oral  
13 permission to proceed before performing the work.

14 359-T:12 Effect of Exceeding the Estimate. Upon the completion of any service for which an  
15 estimate has been given, a household goods carrier shall not charge the customer any amount which  
16 exceeds the estimate by 10 percent without the customer's written consent.

17 359-T:13 Accounts, Records and Reports.

18 I. The department may require:

19 (a) Annual reports from all household goods carriers. The department shall require  
20 reports to be signed under the penalties of unsworn falsification pursuant to RSA 541:3; and

21 (b) Specific answers to any questions deemed necessary by the department.

22 II. The commissioner may adopt rules, pursuant to RSA 541-A, relative to the form of  
23 annual reports.

24 III. The department or its authorized representative shall have access, at reasonable times,  
25 to all accounts, records and other documents of a carrier which relate to RSA 359-T.

26 359-T:14 Rulemaking; General Duties and Powers of the Commissioner.

27 I. The commissioner shall regulate household goods carriers by motor vehicle.

28 II. The commissioner may adopt rules relative to:

29 (a) Reasonable and adequate service.

30 (b) Adequate levels of insurance.

31 (c) Complaints and hearings, including the suspension or revocation of certificates or  
32 permits.

33 (d) Any other requirements deemed necessary to regulate household goods carriers in  
34 accordance with this chapter.

35 359-T:15 Complaints; Hearings.

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1 I. The department may investigate, upon written complaint or on its own initiative, or hold a  
2 hearing, after notice, to determine whether any household goods carrier has failed to comply with  
3 RSA 359-T or rules adopted by the commissioner relative to RSA 359-T.

4 II. If the department finds, after a hearing, that a carrier has failed to comply with RSA 359-  
5 T, the department may issue an appropriate order to compel compliance.

6 III. The department may dismiss any complaint which does not state reasonable grounds for  
7 investigation and action by the department.

8 359-T:16 Examination of Vehicles; Inspectors; Penalty.

9 I. Any person who operates a motor vehicle for a household goods carrier doing business in  
10 this state shall stop his motor vehicle and permit any inspector authorized by the department or  
11 state police trooper to examine the vehicle. The inspector or state police trooper may examine the  
12 vehicle as necessary to determine its compliance with the provisions of this chapter and with rules  
13 adopted under this chapter.

14 II. Inspectors authorized by the department shall have authority as peace officers as  
15 provided by RSA 594 to enforce this chapter and rules adopted by the commissioner relative to this  
16 chapter. An inspector shall display the proper insignia of his office when stopping and examining a  
17 motor vehicle.

18 III. Any person who violates RSA 359-T:16 shall be guilty of a violation.

19 359-T:17 Vehicles to be Registered. Each household goods carrier holding a certificate or permit  
20 under the provisions of this chapter shall annually apply to the department of safety, division of  
21 motor vehicles, on blanks to be furnished by it, for the registration of each vehicle operated under  
22 the provisions of such certificate or permit and pay to said department fees as provided for in RSA  
23 359-T:18. Upon receipt of such application and fee, a distinguishing number plate or plates and  
24 registration certificate shall be furnished by the division for such vehicle applied for, and said plates  
25 shall be prominently displayed on the vehicle in such manner as the director of the division shall  
26 prescribe. Registration certificates and number plates issued under the provisions of this section  
27 shall be used coincidental with, and shall expire with, the corresponding registration certificate and  
28 number plates issued by the division of motor vehicles, department of safety, of this state.

29 359-T:18 Fees. The following fees shall be paid:

30 I. To the department:

31 (a) For each application for a common or contract carrier of household goods certificate  
32 under RSA 359-T:3 or permit under RSA 359-T:4-a, \$50.

33 (b) For the annual registration of each vehicle used in the carriage of household goods,  
34 \$10.

35 (c) For each transfer of a registration certificate, \$1.

36 II. The department of safety, division of motor vehicles, shall deduct from the fees received  
37 under subparagraphs I(b) and (c) the actual cost of issuing such registration certificates and number

HB 207-FN - AS AMENDED BY THE HOUSE

- Page 5 -

1 plates and shall forward the balance to the department to be used by it in the administration of this  
2 chapter.

3 359-T:19 Penalty.

4 I. Except as provided in paragraph II, any person violating any provision of this chapter, or  
5 any rule or order adopted or issued under this chapter, or any term or condition of any certificate,  
6 permit or license shall:

7 (a) For a first offense, be guilty of a violation and shall be fined not less than \$100.

8 (b) For a second offense, within a 12-month period preceding the date of the second  
9 offense, be guilty of a violation and shall be fined not less than \$250.

10 II. Any person found guilty of operating after suspension or revocation of rights, for a first  
11 offense, shall be guilty of a violation and shall be fined not less than \$250. For a second such offense,  
12 within a 12-month period, such person shall be guilty of a violation and shall be fined not less than  
13 \$500.

14 III. Any person found guilty of a third and subsequent offense as described under paragraph  
15 I, paragraph II, or paragraphs I and II combined, in a 12-month period preceding a third or  
16 subsequent offense, shall be guilty of a misdemeanor and shall be fined not less than \$500.

17 2 Repeal. RSA 375-A, relative to carriage of household goods for hire by motor vehicle, is  
18 repealed.

19 3 Reference Deleted. Amend RSA 21-P:4, IV(c) to read as follows:

20 (c) Power to enforce the provisions of RSA ~~[375-A and]~~ 376 **and RSA 359-T**.

21 4 Reference Deleted. Amend RSA 228:92, II to read as follows:

22 II. Any common carrier which is subject to ~~[RSA 375-A or]~~ **RSA 359-T or** RSA 376 shall not  
23 be subject to the provisions of this subdivision.

24 5 Reference Deleted. Amend RSA 374-A:6, I(a)(1) to read as follows:

25 (1) The provisions of RSA **359-T**, 367, 368, 372, 373, ~~[375-A,]~~ 376, 377, 379, 380, 381,  
26 and 382 and all sections in RSA Title XXXIV relating solely to public utilities other than electric  
27 utilities shall not apply to any such municipal utility;

28 6 Rulemaking Authority; Commissioner of Safety. RSA 21-P:14, II(u)-(w) are repealed and  
29 reenacted to read as follows:

30 (u) Application for and issuance of household goods carrier certificates, including all  
31 necessary forms, as authorized by RSA 359-T.

32 (v) Annual reporting requirements, as authorized by RSA 359-T.

33 (w) Regulating household goods carriers, as authorized by RSA 359-T.

34 7 Effective Date. This act shall take effect January 1, 2023.



LBA  
21-0240  
12/8/20

**HB 207-FN- FISCAL NOTE  
AS INTRODUCED**

**AN ACT**           repealing the regulation of household goods carriers.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2021 through 2024.

**AGENCIES CONTACTED:**

Department of Safety

CHAPTER 14  
HB 207-FN - FINAL VERSION

5Jan2022... 2193h

2022 SESSION

21-0240  
08/04

HOUSE BILL            **207-FN**

AN ACT                repealing the regulation of household goods carriers.

SPONSORS:            Rep. Yokela, Rock. 33

COMMITTEE:          Commerce and Consumer Affairs

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AMENDED ANALYSIS

This bill amends the licensure of carriage of household goods for hire by eliminating public utility requirements no longer applicable and updating provisions for consumer protection.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears [~~in brackets and struckthrough.~~]  
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CHAPTER 14  
HB 207-FN - FINAL VERSION

5Jan2022... 2193h

21-0240  
08/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT repealing the regulation of household goods carriers.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 14:1 New Chapter; Carriage of Household Goods for Hire by Motor Vehicle. Amend RSA by  
2 inserting after chapter 359-S the following new chapter:

3 CHAPTER 359-T

4 CARRIAGE OF HOUSEHOLD GOODS FOR HIRE BY MOTOR VEHICLE

5 359-T:1 Definitions. In this chapter, the following words shall have the following meanings:

6 I. "Department" shall mean the department of safety.

7 II. "Household goods carrier" shall mean a common or contract carrier which transports for  
8 hire by motor vehicle between points in this state:

9 (a) Personal effects and property used or to be used in a dwelling as a part of the  
10 equipment or supply of the dwelling;

11 (b) Furniture, fixtures, equipment, and property of any establishment, which are a part  
12 of the stock, equipment or supply of the establishment;

13 (c) Articles, including objects of art, displays and exhibits with an unusual nature or  
14 value, which require specialized handling and equipment usually used in moving household goods.

15 III. "Household goods carrier" does not include any person who transports his or her own  
16 goods for the purpose of sale or delivery, or in the furtherance of a trade or business other than  
17 transportation.

18 IV. "Commissioner" shall mean the commissioner of the department of safety.

19 V. "Common carrier" means a person holding itself out to the general public to provide motor  
20 vehicle transportation for compensation over regular or irregular routes, or both.

21 VI. "Contract carrier" means a person providing motor vehicle transportation for  
22 compensation under continuing agreements with one or more persons:

23 (a) By assigning motor vehicles for a continuing period of time for the exclusive use of  
24 each such person; or

25 (b) Designed to meet the distinct needs of each such person.

26 359-T:2 Certificate Required. No household goods carrier, as defined herein, shall engage in the  
27 business of transporting household goods, as defined by the department, between points in this  
28 state, unless the carrier holds a certificate issued by the department authorizing such operations.  
29 The application for such certificate shall be in accordance with the procedure provided for in RSA  
30 359-T:3 and such certificate shall be issued or denied accordingly.

**CHAPTER 14**  
**HB 207-FN - FINAL VERSION**  
**- Page 2 -**

1           359-T:3 Issuance. A certificate shall be issued to any qualified applicant therefor, if it is found  
2 that the applicant is willing and able properly to perform the service proposed and to conform to the  
3 provisions of this chapter and the requirements, rules, and regulations issued by the commissioner  
4 thereunder; otherwise, such application shall be denied.

5           359-T:4 Issuance of Contract Carrier Permits. A contract carrier permit shall be issued to any  
6 qualified applicant, if it appears from the application, that the applicant is willing and able to  
7 properly perform the service of a contract carrier by motor vehicle, and to conform to the provisions  
8 of this chapter and any rules adopted by the commissioner, otherwise, such application shall be  
9 denied.

10          359-T:5 Applications for Certificates. Application for certificates required in RSA 359-T:2 shall  
11 be:

12           I. Made in writing to the department;

13           II. Signed under the penalties of unsworn falsification pursuant to RSA 541:3;

14           III. Accompanied by the fee specified in RSA 359-T:18;

15           IV. In the form specified in rules adopted by the commissioner; and

16           V. With the information specified in rules adopted by the commissioner.

17          359-T:6 Suspension, Change, and Revocation of Certificates and Permits. Certificates and  
18 permits issued under the provisions of this chapter authorizing operations as a household goods  
19 carrier shall be effective from the date specified therein and shall remain in effect until suspended,  
20 revoked, or terminated as herein provided. The department may, after notice and hearing, upon  
21 application or upon its own initiative, amend, suspend, or revoke any such certificate or permit in  
22 whole or in part, for willful failure to comply with any provision of this chapter or with any lawful  
23 order or rule issued or adopted by the department.

24          359-T:7 Transfer of Certificates and Permits. No certificate or permit, nor any rights  
25 thereunder, shall be transferred without the approval of the department.

26          359-T:8 Security for the Protection of Property. No certificate or permit issued to a carrier  
27 under the provisions of this chapter shall remain in effect unless such carrier shall file with the  
28 department and keep in force a certificate of insurance in such form and in such reasonable amount  
29 as the department may require to adequately provide for the reasonable protection of the owner or  
30 owners of the property transported. This certificate of insurance shall be submitted on an annual  
31 basis with the annual report required by RSA 359-T:13, I(a).

32          359-T:9 Written Estimates of Cost. Upon the request of any customer, a household goods carrier  
33 shall provide a written estimate of cost to the customer in advance of performing any service. The  
34 written estimate shall include:

35           I. An itemization of the service to be performed;

36           II. An estimated completion date;

**CHAPTER 14**  
**HB 207-FN - FINAL VERSION**  
**- Page 3 -**

1           III. A statement that the carrier shall notify the customer of the estimated cost of any  
2 additional services of an unrelated and different nature from the work originally itemized in the  
3 written estimate and shall receive the customer's written or oral permission to proceed before  
4 performing the work; and

5           IV. A statement that the carrier shall not charge the customer any amount which exceeds  
6 the written estimate by 10 percent without the customer's written consent.

7           359-T:10 Discrimination Prohibited. It shall be unlawful for any household goods carrier by  
8 motor vehicle engaged in transportation between points in this state to make, give, or cause any  
9 undue or unreasonable preference or advantage to any particular person or locality in any respect  
10 whatsoever or to subject any particular person or locality to any unjust discrimination or any undue  
11 or unreasonable prejudice or disadvantage in any respect whatsoever.

12           359-T:11 Additional Service. If additional service of an unrelated and different nature from the  
13 work originally itemized in the written estimate becomes necessary, a household goods carrier shall  
14 notify the customer of the estimated cost of such additional service and receive his written or oral  
15 permission to proceed before performing the work.

16           359-T:12 Effect of Exceeding the Estimate. Upon the completion of any service for which an  
17 estimate has been given, a household goods carrier shall not charge the customer any amount which  
18 exceeds the estimate by 10 percent without the customer's written consent.

19           359-T:13 Accounts, Records and Reports.

20           I. The department may require:

21           (a) Annual reports from all household goods carriers. The department shall require  
22 reports to be signed under the penalties of unsworn falsification pursuant to RSA 541:3; and

23           (b) Specific answers to any questions deemed necessary by the department.

24           II. The commissioner may adopt rules, pursuant to RSA 541-A, relative to the form of  
25 annual reports.

26           III. The department or its authorized representative shall have access, at reasonable times,  
27 to all accounts, records, and other documents of a carrier which relate to RSA 359-T.

28           359-T:14 Rulemaking; General Duties and Powers of the Commissioner.

29           I. The commissioner shall regulate household goods carriers by motor vehicle.

30           II. The commissioner may adopt rules relative to:

31           (a) Reasonable and adequate service.

32           (b) Adequate levels of insurance.

33           (c) Complaints and hearings, including the suspension or revocation of certificates or  
34 permits.

35           (d) Any other requirements deemed necessary to regulate household goods carriers in  
36 accordance with this chapter.

37           359-T:15 Complaints; Hearings.

**CHAPTER 14**  
**HB 207-FN - FINAL VERSION**  
**- Page 4 -**

1           I. The department may investigate, upon written complaint or on its own initiative, or hold a  
2 hearing, after notice, to determine whether any household goods carrier has failed to comply with  
3 RSA 359-T or rules adopted by the commissioner relative to RSA 359-T.

4           II. If the department finds, after a hearing, that a carrier has failed to comply with RSA 359-  
5 T, the department may issue an appropriate order to compel compliance.

6           III. The department may dismiss any complaint which does not state reasonable grounds for  
7 investigation and action by the department.

8           359-T:16 Examination of Vehicles; Inspectors; Penalty.

9           I. Any person who operates a motor vehicle for a household goods carrier doing business in  
10 this state shall stop his motor vehicle and permit any inspector authorized by the department or  
11 state police trooper to examine the vehicle. The inspector or state police trooper may examine the  
12 vehicle as necessary to determine its compliance with the provisions of this chapter and with rules  
13 adopted under this chapter.

14           II. Inspectors authorized by the department shall have authority as peace officers as  
15 provided by RSA 594 to enforce this chapter and rules adopted by the commissioner relative to this  
16 chapter. An inspector shall display the proper insignia of his office when stopping and examining a  
17 motor vehicle.

18           III. Any person who violates RSA 359-T:16 shall be guilty of a violation.

19           359-T:17 Vehicles to be Registered. Each household goods carrier holding a certificate or permit  
20 under the provisions of this chapter shall annually apply to the department of safety, division of  
21 motor vehicles, on blanks to be furnished by it, for the registration of each vehicle operated under  
22 the provisions of such certificate or permit and pay to said department fees as provided for in RSA  
23 359-T:18. Upon receipt of such application and fee, a distinguishing number plate or plates and  
24 registration certificate shall be furnished by the division for such vehicle applied for, and said plates  
25 shall be prominently displayed on the vehicle in such manner as the director of the division shall  
26 prescribe. Registration certificates and number plates issued under the provisions of this section  
27 shall be used coincidental with, and shall expire with, the corresponding registration certificate and  
28 number plates issued by the division of motor vehicles, department of safety, of this state.

29           359-T:18 Fees. The following fees shall be paid:

30           I. To the department:

31               (a) For each application for a common or contract carrier of household goods certificate  
32 under RSA 359-T:3 or permit under RSA 359-T:4, \$50.

33               (b) For the annual registration of each vehicle used in the carriage of household goods,  
34 \$10.

35               (c) For each transfer of a registration certificate, \$1.

36           II. The department of safety, division of motor vehicles, shall deduct from the fees received  
37 under subparagraphs I(b) and (c) the actual cost of issuing such registration certificates and number

CHAPTER 14  
HB 207-FN - FINAL VERSION  
- Page 5 -

1 plates and shall forward the balance to the department to be used by it in the administration of this  
2 chapter.

3 359-T:19 Penalty.

4 I. Except as provided in paragraph II, any person violating any provision of this chapter, or  
5 any rule or order adopted or issued under this chapter, or any term or condition of any certificate,  
6 permit or license shall:

7 (a) For a first offense, be guilty of a violation and shall be fined not less than \$100.

8 (b) For a second offense, within a 12-month period preceding the date of the second  
9 offense, be guilty of a violation and shall be fined not less than \$250.

10 II. Any person found guilty of operating after suspension or revocation of rights, for a first  
11 offense, shall be guilty of a violation and shall be fined not less than \$250. For a second such offense,  
12 within a 12-month period, such person shall be guilty of a violation and shall be fined not less than  
13 \$500.

14 III. Any person found guilty of a third and subsequent offense as described under paragraph  
15 I, paragraph II, or paragraphs I and II combined, in a 12-month period preceding a third or  
16 subsequent offense, shall be guilty of a misdemeanor and shall be fined not less than \$500.

17 14:2 Repeal. RSA 375-A, relative to carriage of household goods for hire by motor vehicle, is  
18 repealed.

19 14:3 Reference Deleted. Amend RSA 21-P:4, IV(c) to read as follows:

20 (c) Power to enforce the provisions of RSA ~~[375-A and]~~ 376 **and RSA 359-T**.

21 14:4 Reference Deleted. Amend RSA 228:92, II to read as follows:

22 II. Any common carrier which is subject to ~~[RSA 375-A or]~~ **RSA 359-T or** RSA 376 shall not  
23 be subject to the provisions of this subdivision.

24 14:5 Reference Deleted. Amend RSA 374-A:6, I(a)(1) to read as follows:

25 (1) The provisions of RSA **359-T**, 367, 368, 372, 373, ~~[375-A,]~~ 376, 377, 379, 380, 381,  
26 and 382 and all sections in RSA Title XXXIV relating solely to public utilities other than electric  
27 utilities shall not apply to any such municipal utility;

28 14:6 Rulemaking Authority; Commissioner of Safety. RSA 21-P:14, II(u)-(w) are repealed and  
29 reenacted to read as follows:

30 (u) Application for and issuance of household goods carrier certificates, including all  
31 necessary forms, as authorized by RSA 359-T.

32 (v) Annual reporting requirements, as authorized by RSA 359-T.

33 (w) Regulating household goods carriers, as authorized by RSA 359-T.

34 14:7 Effective Date. This act shall take effect January 1, 2023.

LBA  
21-0240  
Amended 1/20/22

**- HB 207-FN FISCAL NOTE  
AS AMENDED BY THE HOUSE (AMENDMENT #2021-2193h)**

AN ACT            repealing the regulation of household goods carriers.

FISCAL IMPACT:     State             County             Local             None

**METHODOLOGY:**

This bill updates existing statutory language by creating a new chapter entitled "carriage of household goods for hire by motor vehicle" and repealing RSA 375-A, relative to household goods for hire by a motor vehicle. The Department of Safety states this bill will have no impact on state, county, and local revenue or expenditures.

**AGENCIES CONTACTED:**

Department of Safety



# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Commerce**

Sen Harold French, Chair  
Sen Bill Gannon, Vice Chair  
Sen Jeb Bradley, Member  
Sen Donna Soucy, Member  
Sen Kevin Cavanaugh, Member

Date: February 23, 2022

**HEARINGS**

Tuesday	03/08/2022	
(Day)	(Date)	
Commerce	State House 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	<b>HB 207-FN</b>	repealing the regulation of household goods carriers.
9:15 a.m.	<b>HB 589-FN</b>	requiring workers' compensation to cover prophylactic treatment for critical exposure

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 207-FN**

Rep. Yokela

**HB 589-FN**

Rep. Cahill

Rep. Simpson

Rep. M. Pearson

Rep. S. Pearson

Rep. Goley

Sen. Reagan

Rep. Abrami

Aaron Jones 271-4063

Harold F. French  
Chairman

**AMENDED  
SENATE CALENDAR NOTICE  
Commerce**

Sen Harold French, Chair  
Sen Bill Gannon, Vice Chair  
Sen Jeb Bradley, Member  
Sen Donna Soucy, Member  
Sen Kevin Cavanaugh, Member

Date: February 23, 2022

**HEARINGS**

Tuesday	03/08/2022	
(Day)	(Date)	
Commerce	State House 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	<b>HB 207-FN</b>	repealing the regulation of household goods carriers.
9:15 a.m.	<b>HB 589-FN</b>	requiring workers' compensation to cover prophylactic treatment for critical exposure
9:30 a.m.	<b>HB 1106</b>	establishing a commission to study recruiting members of the armed forces.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 207-FN**

Rep. Yokela

**HB 589-FN**

Rep. Cahill

Rep. Simpson

**HB 1106**

Rep. Lascelles

Rep. M. Pearson

Rep. S. Pearson

Rep. Goley

Sen. Reagan

Rep. Abrami

Aaron Jones 271-4063

Harold F. French  
Chairman

# Senate Commerce Committee

*Aaron Jones 271-4063*

HB 207-FN, repealing the regulation of household goods carriers.

**Hearing Date:** March 8, 2022

**Time Opened:** 9:02 a.m.

**Time Closed:** 9:09 a.m.

**Members of the Committee Present:** Senators French, Gannon, Soucy and Cavanaugh

**Members of the Committee Absent :** Senator Bradley

**Bill Analysis:** This bill amends the licensure of carriage of household goods for hire by eliminating public utility requirements no longer applicable and updating provisions for consumer protection.

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**Sponsors:**  
Rep. Yokela

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**Who supports the bill:** Representative Josh Yokela, Scott Bryer (NH Department of Safety)

**Who opposes the bill:** No one

**Who is neutral on the bill:** No one

**Summary of testimony presented in support:**

***Representative Josh Yokela***

- As amended by the House, this bill would repeal the regulation of household goods carriers from its current statute and place it elsewhere.
- Household goods carriers, which help to pack up the goods in a person's home and move them, have to be certified by the state.
- A certificate is, or will be required, for present or future public convenience and necessity. If it is not, then an application shall be denied.
  - Representative Yokela believed this was a certificate of need requirement, which has been eliminated for others, such as medical establishments.
  - The Department of Safety stated that it is hard to prove that something is needed in the future; therefore, this provision has not been used.
- Representative Yokela said the Department drafted changes that they believed would fit better with their current practices as well as meet the safety needs of

the state. Some of the changes included, for example, what carriers need to report to the Department before certification is approved.

***Scott Bryer, Road Toll Bureau Administrator, NH Department of Safety***

- This bill would repeal RSA 375-A and replace it with a new statute, RSA 359-T, which the Department felt was a more appropriate section.
- All public utility requirements, such as a public hearing to demonstrate necessity, would be eliminated.
- Mr. Bryer said any person who would like to open this type of business would be granted a license as long as they have filled out an application and they have the required paperwork.
- This bill would require carriers to provide a written quote to a customer upon their request. The amount a customer is charged could not vary by more than 10% from what they were quoted. Mr. Bryer said this would prevent carriers from charging outrageous prices.
- According to Mr. Bryer, the elimination of a hearing for necessity as well as the enactment of consumer protections would be the biggest changes made.
- In the 1970's, **Senator French** said Longley's in Concord had been a licensed carrier and he wondered if they were pretty restricted at that time.
  - **Mr. Bryer** replied that the current statute only applied to intrastate carriers who move from one location to another in the state. The state does not have control over interstate carriers, which must follow rules set by the Federal Motor Carrier Safety Administration. Mr. Bryer said that Troop G of the State Police ensure rules are enforced. Presently, these moving companies have to be licensed as well as demonstrate their necessity at a hearing. Mr. Bryer emphasized that this bill would remove the hearing provision.

**Summary of testimony presented in opposition: None**

**Neutral Information Presented: None**

# Speakers



## **Senate Remote Testify**

Commerce Committee Testify List for Bill HB207 on 2022-03-08

Support: 0 Oppose: 0



# Voting Sheets

# Senate Commerce Committee

## EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 207-FN

Hearing date: 3/8/22

Executive Session date: 3/8/22

Motion of: OTK Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: CONSENT Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Made by	Second	Yes	No
Sen. French, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Bradley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: SEN. FRENCH

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Tuesday, March 8, 2022

THE COMMITTEE ON Commerce

to which was referred **HB 207-FN**

AN ACT

repealing the regulation of household goods  
carriers.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Harold French  
For the Committee

This bill would repeal RSA 375-A and place the regulation of household goods carriers into a newly created statute – RSA 359-T. All public utility requirements, such as a public hearing to demonstrate necessity, would be eliminated. To ensure consumer protections are in place, carriers are required to provide a written quote to a customer upon their request. The fee charged cannot vary by more than 10% from what was quoted to the customer. This bill was crafted with assistance from the Department of Safety to fit with their existing practices, while also ensuring the safety needs of the state are met.

Aaron Jones 271-4063

FOR THE CONSENT CALENDAR

**COMMERCE**

**HB 207-FN**, repealing the regulation of household goods carriers.

Ought to Pass, Vote 5-0.

Senator Harold French for the committee.

This bill would repeal RSA 375-A and place the regulation of household goods carriers into a newly created statute – RSA 359-T. All public utility requirements, such as a public hearing to demonstrate necessity, would be eliminated. To ensure consumer protections are in place, carriers are required to provide a written quote to a customer upon their request. The fee charged cannot vary by more than 10% from what was quoted to the customer. This bill was crafted with assistance from the Department of Safety to fit with their existing practices, while also ensuring the safety needs of the state are met.

**Docket of HB207****Bill Title:** repealing the regulation of household goods carriers.*Official Docket of HB207.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/4/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Commerce and Consumer Affairs <b>HJ 2</b> P. 39
2/16/2021	H	Public Hearing: 02/16/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/95175123874">https://www.zoom.us/j/95175123874</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/2/2021	H	Executive Session: 03/02/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/95215897452">https://www.zoom.us/j/95215897452</a>
3/3/2021	H	Executive Session: 03/03/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/98917516497">https://www.zoom.us/j/98917516497</a> (if necessary)
3/9/2021	H	Retained in Committee
8/17/2021	H	Subcommittee Work Session: 09/07/2021 11:30 am LOB 302-304
10/6/2021	H	Subcommittee Work Session: 10/13/2021 09:30 am LOB 302-304
10/20/2021	H	Subcommittee Work Session: 10/26/2021 09:30 am LOB 306-308
10/26/2021	H	Executive Session: 10/26/2021 10:00 a.m. LOB306-308
11/3/2021	H	Committee Report: Ought to Pass with Amendment <b>#2021-2193h</b> 11/01/2021 (Vote 19-0; CC) <b>HC 48</b> P. 4
1/7/2022	H	Amendment <b>#2021-2193h</b> : AA VV 01/05/2022 <b>HJ 1</b>
1/7/2022	H	<b>Ought to Pass with Amendment</b> 2021-2193h: MA VV 01/05/2022 <b>HJ 1</b>
1/18/2022	S	Introduced 01/05/2022 and Referred to Commerce; <b>SJ 2</b>
2/23/2022	S	<b>Hearing:</b> 03/08/2022, Room 100, SH, 09:00 am; <b>SC 9</b>
3/8/2022	S	Committee Report: Ought to Pass, 03/17/2022; Vote 5-0; CC; <b>SC 11</b>
3/17/2022	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 03/17/2022; <b>SJ 5</b>
4/1/2022	S	Enrolled Adopted, VV, (In recess 03/31/2022); <b>SJ 8</b>
4/4/2022	H	Enrolled (in recess of) 03/31/2022 <b>HJ 9</b>
4/12/2022	H	Signed by Governor Sununu 04/11/2022; Chapter 14; 01/01/2023

NH House

NH Senate

# Other Referrals

## Senate Inventory Checklist for Archives

Bill Number: HB 707-FN

Senate Committee: Commerce

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

### Post Floor Action: (if applicable) {Clerk's Office}

\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

\_\_\_ Enrolled Bill Amendment(s)

\_\_\_ Governor's Veto Message

### All available versions of the bill: {Clerk's Office}

\_\_\_ as amended by the senate      \_\_\_ as amended by the house

\_\_\_ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

AARON JONES  
Committee Aide

7/7/22  
Date

Senate Clerk's Office \_\_\_\_\_