

CHAPTER 44D

PUBLIC MOVERS AND WAREHOUSEMEN

Authority

N.J.S.A. 45:14D-1 et seq., specifically 45:14D-6.

Source and Effective Date

R.1994 d.395, effective June 30, 1994.
See: 26 N.J.R. 1758(a), 26 N.J.R. 3182(a).

Executive Order No. 66(1978) Expiration Date

Chapter 44D, Public Movers and Warehousemen, expires on June 30, 1999.

Chapter Historical Note

Chapter 44D, Public Movers and Warehousemen, was adopted as R.1989 d.400, effective August 7, 1989. See: 20 N.J.R. 2364(a), 21 N.J.R. 2386(b). Pursuant to Executive Order No. 66(1978), Chapter 44D was readopted as R.1994 d.395. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. DEFINITIONS

13:44D-1.1 Words and phrases defined

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Agent” means the appointee of the public mover or warehouseman who shall be a party upon whom notice may be served along with the principal public mover or warehouseman.

“Bill of lading” means a contract of carriage and a receipt given to the shipper by the public mover for all of the cargo picked up from the shipper by the public mover and moved to another point.

“Brochure” means a printed, pamphlet-type informational bulletin to be provided to each prospective shipper by the public mover and/or warehouseman.

“Estimate” means an approximation made by the public mover and/or warehouseman of the cost of the shipment and/or storage.

“Long-term lease” means a lease entered into for at least one year.

“Moving vehicle” means any vehicle, machine, tractor, truck or semitrailer, or any combination thereof, propelled, driven or drawn by mechanical power and used upon the public highways in the transportation of household goods, office goods and special commodities in intrastate commerce. For purposes of this section, “moving vehicle” shall not include a passenger vehicle; that is, a station wagon.

“Order for service” means a form which a public mover and/or warehouseman shall give to the shipper at the time of the initial contact.

“Owner/operator” means a person who owns his or her own vehicle and leases his or her services to a second person or company for compensation to perform moving services for and using the forms and bill of lading of the second person or company.

“Public mover” means any person who engages in or holds him or herself out to the general public as engaging in the transportation of household goods, office goods or special commodities by motor vehicle for compensation in intrastate commerce between points in this State, including the moving of household goods, office goods or special commodities from one location to another at a single address, and any person who engages in the performance of accessorial services.

“Shipment” means property tendered by one shipper, and accepted by the carrier, at one place of origin and at one time, for one consignee at one destination, and covered by one bill of lading.

“Shipper” means the person or company contracting with a public mover and/or warehouseman for moving and/or storage services.

“Subcontracting” means the transfer by a public mover, with the prior approval of the shipper, of any bill of lading to another licensed public mover to perform services initially contracted by the original public mover.

“Tariff” means a statement of the rates, charges, classification ratings and regulations of the public mover and/or warehouseman.

“Warehouse receipt” means a receipt given to the shipper by a warehouseman for all of the shipper’s goods stored in the warehouseman’s facility.

Amended by R.1992 d.199, effective May 4, 1992.
See: 24 N.J.R. 341(a), 24 N.J.R. 1800(a).

Revised definition “agent”; added definitions, “long-term lease” and “moving vehicle.”

Amended by R.1994 d.395, effective August 1, 1994.
See: 26 N.J.R. 1758(a), 26 N.J.R. 3182(a).

3. A designation of agent; and
4. A properly executed, filed tariff.

(b) The initial license shall be issued to a qualified applicant if it is found that the applicant is fit, willing and able to perform the service of a public mover and/or warehouseman, to conform to the provisions of the Public Movers and Warehousemen Licensing Act, N.J.S.A. 45:14D-1 et seq., and pays the required fee. Requests for the renewal of a license shall be on such forms as may be specified by the Board and accompanied by the required renewal fee.

(c) All licenses issued by the Board shall expire on September 30 of each year or such other date as may from time to time be designated.

(d) The original license shall be prominently displayed by the public mover or warehouseman at his principal place of business with copies displayed at all other such offices, warehouses and/or facilities maintained by the licensee within this State.

(e) A duly certified copy of the license issued by the Board shall be carried on each truck, tractor, trailer or semitrailer or combination thereof at all times when the vehicle is being used in the performance of moving and/or storage services.

(f) A decal issued by the Board indicating that the public mover and/or warehouseman is licensed in this State shall be displayed on the driver’s side door of each power unit registered and performing intrastate moving and/or storage services, including all vehicles used by an owner/operator on contract to a public mover.

Amended by R.1992 d.199, effective May 4, 1992.
See: 24 N.J.R. 341(a), 24 N.J.R. 1800(a).

Revised (a).
Amended by R.1994 d.395, effective August 1, 1994.
See: 26 N.J.R. 1758(a), 26 N.J.R. 3182(a).

SUBCHAPTER 2. LICENSE GENERALLY

13:44D-2.1 License to engage in the business of public moving and/or storage

(a) No license to engage in the business of public moving and/or storage shall be issued or remain in effect unless the applicant owns or leases pursuant to a long-term lease at least one moving vehicle and unless there shall be on file with the Board:

1. A properly completed application for licensure accompanied by the required fee;
2. Certificates of insurance covering the motor vehicle equipment, cargo, storage facilities and property being held in storage conditioned or providing for the payment of all judgments recovered against a public mover and/or warehouseman;

13:44D-2.2 Change of address, business name or telephone number

(a) A licensed public mover and/or warehouseman shall notify the Board in writing of any change of mailing address, permanent place of business address or business name from that currently registered with the Board and shown on the most recently issued license. Such notice shall be given not later than 30 days following the change of mailing address, permanent place of business address or business name.

(b) A licensed public mover and/or warehouseman shall notify the Board in writing of any change of business telephone number from that currently registered with the Board. Such notice shall be given not later than 30 days following the change of telephone number.

Amended by R.1994 d.395, effective August 1, 1994.
See: 26 N.J.R. 1758(a), 26 N.J.R. 3182(a).
Amended by R.1994 d.540, effective November 7, 1994.