

Your Rights and Responsibilities When You Move in Texas

An official Texas Department of Transportation (TxDOT) form intended to assist consumers with household goods moves

Texas Department of Transportation
Motor Carrier Division
125 E. 11th Street
Austin, Texas 78701 - 2483
1-800-299-1700 (Select Option 3)
www.dot.state.tx.us

TxDOT's Role

A mover who transports a shipment of household goods strictly within Texas is required to register with TxDOT and follow consumer protection guidelines. However, the prices charged by movers, including valuation fees and insurance premiums, are not set by TxDOT.

BEFORE YOUR MOVE

Choosing your Mover

You will have many choices of household goods movers. Since the prices and services offered vary from mover to mover, you may want to shop around before hiring a mover. Additionally, you may wish to call TxDOT to verify whether your mover is properly registered. TxDOT can also give information about the mover's complaint history and annual report. You may also want to contact other sources such as the Better Business Bureau for information.

Proposal for Moving Services

Prior to loading, your mover must provide a written proposal. The proposal must provide the maximum amount you will be required to pay at the delivery. The proposal must be one of two types: binding or not-to-exceed. A **binding proposal** states the exact price of the move. A **not-to-exceed proposal** states the maximum price of the move, but allows the mover to charge less than the maximum. Informing your mover of all items to be moved and services you expect the mover to provide will assist the mover in making the proposal. If possible, you should find out exactly what services you will need the mover to perform at your destination. Services at the destination may include "stair carries," "long carries," and "elevator" use. Due to the additional labor required to provide these services, additional fees may be charged by your mover. Informing the mover before the move of all items to be moved and services to be provided will help avoid misunderstandings and help prevent the need to amend the proposal.

DURING YOUR MOVE

Mover's Liability

Your mover has a basic liability of 60¢ per pound per article. This means if your 50 pound television is damaged, your mover is liable for a maximum of only \$30. Although your mover cannot reduce his liability below 60¢ per pound per article, he may agree in writing to assume a higher level of liability. Your shipment will be valued at 60¢ per pound per article **unless** you and your mover agree to a higher level of liability on your moving services contract. Your mover may assess additional fees (sometimes referred to as a valuation fee) for assuming the higher level of liability. Noting a higher level of mover liability (valuation) is not the same as purchasing transit insurance.

Transit Insurance

You may wish to purchase transit insurance to cover loss or damage to your goods. Your mover may offer to sell you this type of policy or it may be purchased directly from an insurance company. Transit insurance is not regulated by TxDOT or the Texas Department of Insurance, so be sure to read the transit insurance policy and understand the coverage and any deductibles. Your mover is required to provide you with a copy of the policy or other appropriate evidence of insurance purchased through them.

Payment of Charges

You should be prepared to pay the maximum amount of money shown on the written proposal provided by your mover. The proposal must explain when you will be required to pay your mover and what forms of payment are accepted, such as personal checks or credit cards. Remember that the last amended contract or written proposal lists the total price that you may be required to pay at delivery.

Pickup and Delivery Dates

In scheduling your move, consider the dates and times for pickup and delivery. Advise your mover of any deadlines that you might have with regard to pickup and delivery. To ensure that there is no confusion, note these deadlines either on your written proposal or moving services contract. If you are not available at the agreed times, the pickup and delivery may be delayed, and you may be charged additional fees.

Inventory

Your mover may offer to prepare a descriptive inventory of the shipment. The inventory will list your goods and note their condition. The mover may charge a fee for this service **only** if you agree to the preparation of the inventory. The mover will ask you to sign the inventory after loading and possibly after unloading. As with any shipping document, you should review it for accuracy when your shipment is picked up and delivered. **Important:** Since inventories are often used during the claim process, inspect your shipment carefully. Make sure all boxes and items are accounted for at delivery. If there is obvious loss or damage, note this on the inventory at delivery.

Moving Services Contract

Your mover will prepare a moving services contract. The moving services contract may be in the form of a bill of lading, work ticket, or other receipt. This contract lists important information about your move, including your name, the mover's name, and the mover's limitation of liability for loss or damage to your goods. The agreements on your written proposal provided by your mover become part of your contract. Be sure all agreements between you and your mover, including services to be provided at the destination, are written on the moving services contract. Do not rely on any verbal agreements. Make sure all documents offered by the mover for your signature are filled out as much as possible before you sign. **READ THE DOCUMENTS BEFORE YOU SIGN YOUR NAME.**

AFTER YOUR MOVE

Claims

If you have a dispute about the charges or loss/damage to your goods, you should first file a written claim **with your mover**. Include in your claim the specific amount of money or other solution you are seeking. List enough information for the mover to investigate your claim. Provide your mover with any shipping documents and other information requested. You **must** ensure that your mover or his agent receives your claim **within 90 days of delivery** of the shipment. If your mover does not receive the claim on time, your claim could be denied. If your claim involves damaged goods, you should preserve the containers and any damaged goods so your mover may inspect them.

Mover's Response to a Claim

Your mover must contact you within 20 days (excluding Sundays and holidays) of receipt of your written claim. Your mover has a right to inspect containers or damaged goods within 30 days of receiving your claim. Your mover must pay or deny your claim, or make a firm settlement offer, within 90 days of receiving your claim. If you are not satisfied with your settlement, you can contact TxDOT for mediation or you may pursue the claim in a court of law. Some movers may have mediation or binding arbitration programs. Before using a program of this type, be sure to determine if it restricts your right to pursue your dispute with TxDOT or through legal action.

Mediation by TxDOT

If you wish to file for mediation through TxDOT, you must submit your request within 30 days after any portion of your claim is denied. Additionally, if your mover has not paid or denied your claim or made a firm settlement offer within 90 days of receiving your claim, you have 30 days to request mediation through TxDOT. The mediation will be held by telephone conferences, by written submissions, or in person at TxDOT facilities in Austin, Texas. The cost of the mediator is paid by TxDOT. If you and the mover agree to a solution to your claim during mediation, your dispute may be resolved. If you and your mover do not reach an agreement through mediation, you may pursue your claim through a court of law.

Contacting TxDOT

You may contact TxDOT at any time for information on household goods moves within Texas. Claims are filed with your mover, and TxDOT does not settle claims. However, TxDOT can advise you on the claims handling process and does coordinate the mediation of disputes. If you have questions about moving within Texas or wish to make a complaint about a mover, you may contact TxDOT at 1-800-299-1700 (Select Option 3) or through our website at www.dot.state.tx.us.

Movers who transport shipments across state lines follow the guidelines of the U.S. Department of Transportation. You may contact the U.S. Department of Transportation at:

Licensing & Insurance Division (HIA-30)
Office of Motor Carrier Information Analysis
Federal Highway Administration
400 Virginia Avenue SW
Washington, DC 20024
or by telephone at (202) 358-7027.