AN ACT

AMENDING TITLE 44, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO CONSUMER HOUSEHOLD GOODS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 44, chapter 11, Arizona Revised Statutes, is amended by adding article 2, to read:

ARTICLE 2. HOUSEHOLD GOODS MOVERS

44-1611. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "ADVERTISEMENT" HAS THE SAME MEANING PRESCRIBED IN SECTION 44-1521.

2. "CARRIER'S LIEN" MEANS A LIEN THAT IS ESTABLISHED UNDER SECTION 47-7307.

3. "CONSUMER" MEANS AN INDIVIDUAL WHO USES OR INTENDS TO USE THE SERVICES OF A HOUSEHOLD GOODS MOVER TO PROVIDE HOUSEHOLD GOODS MOVING SERVICES.

4. "HOUSEHOLD GOODS" MEANS GOODS THAT ARE USED PRIMARILY FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES.

5. "HOUSEHOLD GOODS MOVER" MEANS A PERSON THAT PROVIDES HOUSEHOLD GOODS MOVING SERVICES.

6. "HOUSEHOLD GOODS MOVING SERVICES":
   (a) MEANS THE LOADING, PACKING, MOVING, TRANSPORTING, STORING WHILE IN TRANSIT, UNLOADING OR OTHERWISE TAKING POSSESSION OR CONTROL OF HOUSEHOLD GOODS FROM A CONSUMER FOR THE PURPOSE OF MOVING HOUSEHOLD GOODS TO ANOTHER LOCATION AT THE DIRECTION OF THE CONSUMER FOR A FEE.
   (b) DOES NOT INCLUDE MOVING HOUSEHOLD GOODS FOR DISPOSAL OR DESTRUCTION OR MOVING HOUSEHOLD GOODS FROM A FACTORY OR STORE, UNLESS A CONSUMER HAS PURCHASED THE PROPERTY TO BE MOVED FROM A FACTORY OR STORE WITH THE INTENT TO USE THAT PROPERTY FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES.

7. "PERSON" HAS THE SAME MEANING PRESCRIBED IN SECTION 44-1521.

44-1612. Unlawful moving practices

A. AFTER TAKING POSSESSION OF A CONSUMER'S HOUSEHOLD GOODS, A HOUSEHOLD GOODS MOVER MAY NOT REFUSE TO DELIVER A CONSUMER'S HOUSEHOLD GOODS OR ENFORCE, OR THREATEN TO ENFORCE, A CARRIER'S LIEN AGAINST A CONSUMER'S HOUSEHOLD GOODS WHEN PROVIDING HOUSEHOLD GOODS MOVING SERVICES FOR AN INTRASTATE MOVE.

B. ANY ADVERTISEMENT OR REPRESENTATION BY A HOUSEHOLD GOODS MOVER RELATING TO:
   1. INSURANCE MUST ACCURATELY DISCLOSE THE EXTENT TO WHICH THAT INSURANCE WILL COVER LOSS OR DAMAGE TO ANY HOUSEHOLD GOODS BEING MOVED.
   2. FEES, CHARGES AND RATES MUST ACCURATELY DISCLOSE ALL FEES, CHARGES AND RATES.

C. AN ACT OR PRACTICE IN VIOLATION OF THIS ARTICLE CONSTITUTES AN UNLAWFUL PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND TAKE APPROPRIATE ACTION AS PRESCRIBED BY CHAPTER 10, ARTICLE 7 OF THIS TITLE. IN ADDITION TO BEING SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS IN CHAPTER 10, ARTICLE 7 OF THIS TITLE, A HOUSEHOLD GOODS MOVER THAT VIOLATES THIS ARTICLE IS SUBJECT TO ANY OTHER CIVIL OR CRIMINAL ACTION, REMEDY AND PENALTY PROVIDED BY LAW.