

## RÉSUMÉ DIGEST

ACT 412 (HB 128)

2017 Regular Session

Carmody

Existing law, in pertinent part, provides that any carrier whether domiciled in or outside of La., who is providing the intrastate transportation of household goods in La. shall maintain a permanent establishment in La. New law retains existing law and further requires the physical location or place of business to be open for business and to be staffed during regular business hours by one or more persons employed by the carrier on a permanent basis for the purpose of general management of the household goods moving business.

Existing law provides that, should the carrier cease to maintain a permanent establishment in the state, its right to conduct business in the state shall be immediately suspended. New law retains existing law and provides that the La. Public Service Commission (commission) has discretion to suspend or cancel that right to conduct business in the state. However, new law limits the discretion of the commission to suspend or cancel that right to conduct business in the state without issuing notice and having a hearing before an administrative law judge.

Prior law required the commission to adopt and promulgate rules and regulations necessary for the proper implementation and administration of existing law, subject to the oversight of the standing committees on transportation, highways and public works of the Senate and the House of Representatives pursuant to the Administrative Procedure Act. New law deletes prior law.

Prior law stated that the provisions of existing law shall apply only when the contract for moving household goods exceeds \$250. New law changes the minimum amount required from \$250 to \$400.

Effective January 1, 2018.

(Amends R.S. 45:164(E)(2)(a) and (c) and (3))