

1 of 1 DOCUMENT

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**RULE PROPOSALS**

**LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
OFFICE OF THE DIRECTOR**

*39 N.J.R. 5055(a)*

**Proposed Amendments: *N.J.A.C. 13:44D-2.1 and 2.4***

[Click here to view Interested Persons Statement](#)

**Public Movers and Warehousemen**

**License Renewal Fees**

Authorized By: New Jersey Division of Consumer Affairs, Lawrence Demarzo, Acting Director.

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

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2007-351.

Submit written comments by February 1, 2008 to:

Lawrence Demarzo, Acting Director  
Office of the Director  
New Jersey Division of Consumer Affairs  
124 Halsey Street  
P.O. Box 45027  
Newark, NJ 07101

The agency proposal follows:

**Summary**

The Division of Consumer Affairs processes the license, registration, and certification applications and renewals for all of the professional and occupational boards and committees in the Division and for all of the businesses regulated by the Division, including the public movers. A mover's renewal fee depends on the number of trucks used in its

operations, since N.J.S.A. 45:14D-9e requires that a public mover carry a copy of its license on every truck being used in its moving operations. *N.J.A.C. 13:44D-2.4* imposes a fee of \$ 400.00 for the renewal license plus \$ 50.00 for the first and second copies of the license and \$ 20.00 for each additional copy. Because the calculation of the fee is not a simple mathematical function, that is, multiplying a dollar amount by the number of trucks, renewal applications are handled manually, unlike the renewal applications for virtually all of the other boards and committees and regulated businesses in the Division, which are processed through the Division's licensing system.

The Division proposes to amend *N.J.A.C. 13:44D-2.4* to set the fee for each copy of the license at \$ 35.00, which will allow the Division's licensing system to process movers' renewal applications. While it is true that a more sophisticated system might have the capacity to calculate the fee on the current basis, the Division believes that overall it is more economical to change the fee structure for the movers rather than make a substantial investment in a new system, the cost for which would be shared by all of the regulated professions, occupations and businesses.

The Division proposes to amend *N.J.A.C. 13:44D-2.1* by providing for annual renewals and for renewal notices, rather than forms, to be sent at the end of the renewal period to more accurately reflect the automated renewal process in which renewal notices are batched and to allow for on-line registration.

The Division has determined that the comment period for this proposal shall be 60 days. Therefore, pursuant to *N.J.A.C. 1:30-3.3(a)5*, this proposal is excepted from the rulemaking calendar requirement.

### **Social Impact**

Licensed movers and applicants will benefit from the more efficient processing of renewals and applications.

### **Economic Impact**

There are approximately 350 movers licensed by the Division. Of these, approximately two-thirds have four or fewer trucks and as a result of the change will pay a renewal fee equal to or less than the fee they are currently paying. The larger movers with five or more trucks will pay more under the proposed fee structure.

The automation of the renewal process is not expected to have an economic impact on licensed movers. The proposed amendments are not expected to have any impact on the Division.

### **Federal Standards Statement**

A Federal standards analysis is not required because the proposed amendments are not subject to any Federal standards or requirements. The movers regulated by the Division are intrastate movers, not subject to Federal regulation.

### **Jobs Impact**

The Division does not anticipate that the proposed amendments will increase or decrease jobs in the State.

### **Agriculture Industry Impact**

The proposed amendments will have no impact on the agriculture industry in the State.

### **Regulatory Flexibility Analysis**

Under the present fee structure, larger movers are receiving a discount. A mover with 10 trucks pays an average of \$ 26.00 per truck for copies of the license, while a mover with four trucks pays \$ 35.00 per truck. A mover with 15 trucks pays an average of \$ 24.00 per truck. The proposed amendment to the fee structure would eliminate the discount

for larger movers; each mover would pay \$ 35.00 per truck. See the Economic Impact Statement for a description of the impact of the proposed change in the fee structure on smaller movers.

The proposed amendments do not increase the reporting or compliance requirements for movers. Professional services are not required for compliance.

### **Smart Growth Impact**

The Division does not believe that the proposed amendments will have any impact upon the achievement of smart growth or upon the implementation of the State Development and Redevelopment Plan.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 2. [.]GENERAL LICENSE REQUIREMENTS

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

(a)-(c) (No change.)

(d) All licenses shall be [valid for one year] **renewable annually**. Prior to the [license expiration date] **end of each renewal period**, the Director shall send out renewal [forms] **notices** to all licensees. Licensees shall submit a completed renewal form and the renewal fee as specified in *N.J.A.C. 13:44D-2.4* to the Director prior to the expiration date of the license.

(e)-(j) (No change.)

##### 13:44D-2.4 Fees

(a) Fees for initial licenses, renewal licenses and copies of licenses shall be as follows:

1.-2. (No change.)

3. Copy of license[:] ( <b>per copy</b> )	<b>\$ 35.00</b>
[i. First and second copy	\$ 50.00
ii. Third and each additional copy	\$ 20.00]

4.-5. (No change.)