

Ohio

Public Utilities
Commission

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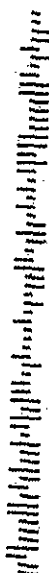
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ALL MY SONS MOVING & STORAGE OF COLUMBUS INC
4449 EASTON WAY STE 400
COLUMBUS OH 43211

S. J. Young
PUDD

15-1718-TK-ORD
Entry 1/20/16

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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)
of Ohio Adm.Code Chapter 4901:2-19,) Case No. 15-1718-TR-ORD
Transportation of Household Goods.)

ENTRY

The Commission finds:

- (1) R.C. 111.15(B) requires all state agencies to conduct a review, every five years, of their rules and to determine whether to continue their rules without change, amend their rules, or rescind their rules. At this time, the Commission is reviewing the rules contained in Ohio Adm.Code Chapter 4901:2-19, that set forth the requirements for the transportation of household goods.
- (2) R.C. 106.03(C) requires that the Commission determine whether the rules:
 - (a) Should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of the statute under which the rules were adopted;
 - (b) Need amendment or rescission to give more flexibility at the local level;
 - (c) Need amendment to eliminate unnecessary paperwork;
 - (d) Incorporate a text or other material by reference and, if so, whether the text or other material incorporated by reference is deposited or displayed as required by R.C. 121.74, and whether the incorporation by reference meets the standards stated in R.C. 121.71, 121.75, and 121.76;
 - (e) Duplicate, overlap with, or conflict with other rules;

- (f) Have an adverse impact on businesses, as determined under R.C. 107.52; and
 - (g) Contain words or phrases having meanings that in contemporary usage are understood as being derogatory or offensive.
- (3) In addition, on January 10, 2011, the governor of the state of Ohio issued Executive Order 2011-01K, entitled "Establishing the Common Sense Initiative," which sets forth several factors to be considered in the promulgation of rules and the review of existing rules. Among other things, the Commission must review its rules to: determine the impact that a rule has on small businesses; attempt to balance the critical objectives of regulation and the cost of compliance by the regulated parties; and amend or rescind rules that are unnecessary, ineffective, contradictory, redundant, inefficient, or needlessly burdensome, or that have had negative, unintended consequences, or unnecessarily impede business growth.
- (4) Additionally, in accordance with R.C. 121.82, in the course of developing draft rules, the Commission must evaluate the rules against the business impact analysis (BIA). If there will be an adverse impact on businesses, as defined in R.C. 107.52, the agency is to incorporate features into the draft rules to eliminate or adequately reduce any adverse impact. Furthermore, the Commission is required, pursuant to R.C. 121.82, to provide the Common Sense Initiative (CSI) office the draft rules and the BIA.
- (5) On November 18, 2015, the Commission held a workshop in this proceeding to enable interested stakeholders to propose revisions to the rules found in Ohio Adm.Code Chapter 4901:2-19 for the Commission's consideration. One stakeholder attended the workshop and proposed changes to the rules related to liability.
- (6) Staff evaluated the rules contained in Ohio Adm.Code Chapter 4901:2-19 and proposes the following changes:
 - (a) Amending Rule 4901:2-19-01 to add a new definition for shipping documents.

- (b) Amending Rules 4901:2-19-08 and 4901:2-19-09 to update contact information for hearing and speech impaired customers.
 - (c) Amending Rule 4901:2-19-12 to include requirements for record retention by the carrier to be consistent with other Commission record retention rules.
 - (d) Amending Rule 4901:2-19-15 to prohibit limitations on customer rights to file a claim with the carrier.
- (7) Both Staff's proposed changes to Ohio Adm.Code Chapter 4901:2-19 (Attachment A) and the BIA (Attachment B) are attached to this Entry and are posted on the Commission's Docketing Information System website at <http://dis.puc.state.oh.us>. To minimize the expense of this proceeding, the Commission will serve a paper copy of this Entry only. All interested persons are directed to input case number 15-1718 into the Case Lookup box to view this Entry, as well as Staff's proposed changes, or to contact the Commission's Docketing Division to request a paper copy.
- (8) The Commission requests comments from interested persons to assist in the review required by R.C. 111.15 and Executive Order 2011-01K. Comments should be filed, via electronic filing or in hard copy, by February 10, 2016.

It is, therefore,

ORDERED, That all interested persons or entities wishing to file comments or reply comments with the Commission regarding the proposed rules do so no later than February 10, 2016, respectively. It is, further,

ORDERED, That a copy of this Entry, with the rules and the BIA, be submitted to CSI in accordance with R.C. 121.82. It is, further,

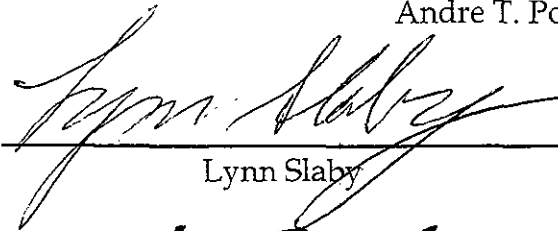
ORDERED, That a copy of this Entry be sent to the transportation list serve. It is, further,

ORDERED, That a copy of this Entry be served upon all household goods carriers, Ohio Association of Movers, Ohio Trucking Association, Ohio Brokers of household goods as identified by the Federal Motor Carrier Safety administration, and all other interested persons of record.

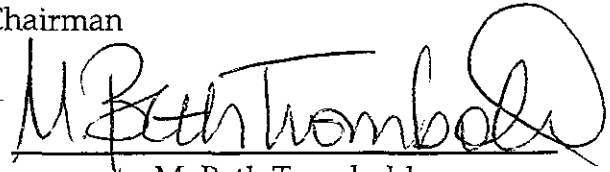
THE PUBLIC UTILITIES COMMISSION OF OHIO



Andre T. Porter, Chairman



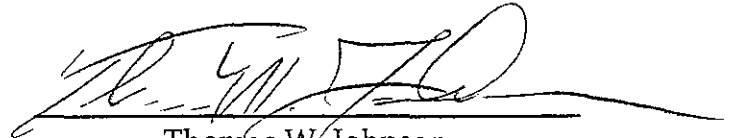
Lynn Slaby



M. Beth Trombold



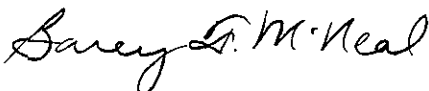
Asim Z. Haque



Thomas W. Johnson

SEF/dah

Entered in the Journal
JAN 20 2018



Barcy F. McNeal
Secretary