

FMCSA Eliminates HHG “Order For Service” Requirement

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Authors: [Jonathan R. Todd](#), [Robert Naumoff](#)

In a regulatory victory, interstate household goods movers recently saw the universe of required paperwork reduce by one key document. In 2017, the Federal Motor Carrier Safety Administration (FMCSA) convened a Federal Advisory Committee as required by Congress under the FAST Act. The objective for the Committee was to examine paperwork regulations while remaining vigilant against abuses of the moving public. Jonathan Todd, a Partner in Benesch’s Transportation & Logistics Practice, represented industry as a voting member on the Committee.

Recommended changes to 49 CFR Part 375 were delivered to Congress and published on February 27, 2019. The recommendations included eliminating the long-standing requirement of a written Order for Service document in favor of relying on the Bill of Lading (BOL). Those efforts yielded the FMCSA’s issuance of a Final Rule on July 27, 2022, which implemented 10 of 11 recommendations under review.

The Final Rule removes the Order for Service requirement for household goods movers. In its place, the FMCSA now utilizes the Bill of Lading to capture the intent of the Order for Service. The regulatory requirements of the Bill of Lading have been updated to account for information previously captured in the Order for Service. Those new elements that must be present on household goods Bills of Lading include the following: (1) each attachment to the BOL, including, if not provided elsewhere, the binding or non-binding estimate and the inventory; (2) any identification or registration number assigned to the shipment; and (3) a statement that the BOL incorporates by reference all of the services included on the estimate [see 49 CFR 375.505(b)].

This development allows household goods movers the opportunity to reduce the overall administrative burden of shipping paperwork by removing one of the three key documents (the Estimate and Bill of Lading remain). While near-term updates are required to accomplish this change, the net effect is positive for the industry and removes risk of error in the issuance and handling of required documents.

Benesch has tremendous intrastate, interstate, and international household goods experience within our Transportation & Logistics Practice Group.

Jonathan Todd is a partner in Benesch’s Transportation & Logistics Practice Group who is available by telephone at (216) 363-4658 and by email at jtodd@beneschlaw.com. Robert Naumoff is Of Counsel in the Transportation & Logistics Practice who is available by at (614) 223-9305 and rnaumoff@beneschlaw.com.