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MOVEFAX

October 15, 2010

Dear SMA Member:

Moving Season - Pretty much over. Reports are: a) that it was better than last year and grateful for that; b) rogue and unlicensed movers are proliferating and competition from them is brutal; c) consumers don't want to be educated, they just want a cheap move; d) Craigslist -a member mover this week wanted to know who he could visit at TxDMV to get more enforcement against unlicensed movers using Craigslist in the Houston area. In that regard, see the article below on Craigslist, and then see c) in this paragraph again.

This week, a staff member took a call from a consumer wanting a mover recommendation for Austin. I returned her call within 15 minutes and promptly told her who was calling and that I had some mover recommendations for her. She cut me off and said "we've found someone and don't need your help." I told her I'd be happy to check out her chosen mover to be sure they were licensed and she said "we're happy with what we've got.." and hung up. See c) in the first paragraph.

October in Texas is a beautiful time of the year; here's wishing everyone a wonderful weekend.

Dorothy Brooks
Director of Operations

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Craigslist adds "Warning Link" to Moving Services Pages

The popular on-line classified ads website Craigslist recently added a link at the top of each of its moving services pages for every US city labeled, BEFORE HIRING A

MOVER. This link takes visitors to a page that includes links to FMCSA as well as to state public utility commissions or other regulatory bodies in 11 states (California, Florida, Illinois, Kentucky, Massachusetts, New York, North Carolina, Oregon, Pennsylvania, Texas and Washington).

Although several state associations have successfully pushed Craigslist to do this on a state-by-state basis, including Texas, Washington, California and Illinois, this is the first time this link has been posted "universally" on the site and therefore visible to visitors in every Craigslist city. The move follows the most recent state efforts to improve Craigslist warnings.

Craigslist should have that labeling on every Craigslist city in Texas. If you find one that does not have it, let SMA know.

Move for Hunger

SMA member Texas Moving Company in Richardson is the newest member to partner with Move For Hunger.

The Move for Hunger link is in the news report about the program on the SMA website. Members who participate will have their company and its logo posted both on the Texans for Move For Hunger website and also on the SMA website. For those who want to see how this will look, go to www.moveforhunger.org.

Thank you for your support. This is really a worthwhile effort and it is spreading across the entire U.S. by movers who care, joining in.

Rights and Responsibilities - July 2010

SMA now has an in-house supply of the Rights and Responsibilities July 2010 generic form. We can get the generics out to you by UPS the same day as you order or we'll take your order for imprinted/customized forms and have them to you in about a week.

When you place an order for any SMA custom imprinted forms, please provide the exact information you want imprinted on the form. A scan of the previous correct printing or the properly completed order form is needed. We receive many form orders and need you to provide the exact information you want imprinted, every time. We like to get them right and your help will be appreciated. Thanks!

OOIDA Loses Major Leasing-Rules Case

The United States Court of Appeals for the 11th Circuit has handed OOIDA a significant loss in its campaign to create excessive motor carrier liability for alleged violations of the federal leasing rules. In a long-running case against Landstar System, Inc., the Court made the following legal rulings: (1) the leasing regulations do not preclude motor carriers from making "profits on chargeback items;" (2) the leasing regulations do not require motor carriers to disclose their actual cost of charge-back items and flat-fee charge-backs are allowable; (3) restitution or disgorgement (returning all monies related to a leasing-rule violation) is not an appropriate remedy; (4) owner-operators must prove actual damages

related to a leasing rule violation - show that they would have made different choices but for the violation and thereby saved a specific amount of money; and (5) actual damages must be proven individually by each owner-operator and are not an appropriate basis for a class action. This case provides excellent precedent for carriers facing over-reaching leasing rules claims. *OOIDA v. Landstar System, Inc.*, 2010 WL 383557 (11th Cir. Oct. 4, 2010).

TMTA Files Petitions for Rules Changes

Earlier this week, TMTA filed petitions with both the Texas Department of Transportation and the Texas Department of Motor Vehicles requesting changes be made to their administrative penalty rules. In addition, TxDOT was also asked to amend their recordkeeping rule to only require those records used in a motor carrier's normal course of business.

According to agency rules TxDOT and the DMV have 60 days after receipt to either deny the petition in writing, stating its reasons, or initiate rulemaking proceedings in accordance with the Administrative Procedure Act.

CVSA Enforcement Week Set for 10/17-23/10

The Commercial Vehicle Safety Alliance has set Oct. 17-23 as Operation Safe Driver week. Enforcement of road safety rules will be stepped up across the country.

Fastest Growing Cities in America

Austin and San Antonio are ranked first and second, respectively, among large cities on Forbes' "Best Places For Jobs" list. They are increasingly attractive to both companies and skilled workers seeking opportunity in a lower-cost, high-growth environment. One key advantage for these areas is housing prices. The true success formula for a dynamic region mixes affordability with a growing economy.

The average commutes in places like San Antonio are as little as 22 minutes on average--roughly one-third of the biggest-city commutes. Figure over a year, and moving to these smaller cities can add 120 hours or more a year for the average commuter to do productive work or spend time with the family.

The criteria--affordability, ease of transport and doing business-- are often ignored on present and future "best places" lists. Yet ultimately it is these often mundane things, not grandiose projects or hyped revivals of small downtown districts that drive talented people and companies to emerging places.

Austin, Texas

The central Texas city ranked as the No. 1 large urban area for jobs in our last Forbes survey. Austin is an emerging challenger for high-tech supremacy with Silicon Valley. The current area's population is 1.7 million and is expected to grow rapidly in the coming decades. Austin owes much both to its public sector institutions (the state government and the main Campus of the University of Texas) and its expanding ranks of private companies--including foreign ones--swarming into the city's surrounding suburban belt.

San Antonio, Texas

Last year this historic Texas metropolis ranked second on our list "best cities for jobs" among larger cities. The region has been growing rapidly to well over 2.1 million. As the economy, particularly in Texas, recovers, an already strong health care sector will be joined by an expanding industrial base. One key factor in San Antonio's favor: stable house prices--even by Texas standards. PMI Mortgage Insurance Co.'s most recent risk index, which is a two-year measure, lists San Antonio as having the lowest risk from falling prices among large Texas cities.

Lubbock Chapter to Meet at Texas Tech Club

The TMTA Lubbock Chapter will meet at a new location at their next meeting on Oct. 26. The luncheon will be held at the new Texas Tech Club at the Jones AT&T Stadium. SMA members are invited and encouraged to attend these chapter meetings. If you are interested in attending, please RSVP to Les at les@tmta.com

2011 Moving and Trucking Day at the Capitol

Moving and Trucking Day at the Texas State Capitol has been set for Feb. 16, 2011. SMA committees and board will meet on the 15th. This is a great opportunity to visit with your elected official during the 2011 Legislative Session. Mark your calendar and make plans to attend.

SMA Event Calendar for 2010 - 2011

October 27, 2010 - Austin Board of Realtors Trade Show, Austin, TX
February 15-16, 2011 - Moving & Trucking Day at the Texas Capitol
June 2011 - National Council of Moving Associations Annual Meeting
July 10-12, 2011 - Summer Meeting
September 21-23, 2011 - Annual Meeting

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St. Louis
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