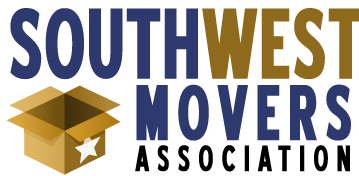


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MOVEFAX

June 25, 2010

Dear SMA Member:

SMA Foundation Scholarship Applications - The votes are in! See announcement below.

Attention!! SMA Summer Meeting is July 11-13 in Hot Springs, AR. A registration form is posted on the SMA web site [www.mytexasmover.com](http://www.mytexasmover.com). HOTEL GROUP RATE EXPIRES TODAY, JUNE 25, however, if you find that your schedule has changed so that you can come but have not reserved with the hotel, make a reservation anyway and let us know.

As a by-product of SMA attending the National Council of Moving Association's meeting, be sure to see the special news report below furnished to the Council direct from the FMCSA concerning enforcement action on a rogue mover!

Dorothy Brooks  
Director of Operations

### **SMA Summer Meeting is July 11-13**

The SMA summer meeting is July 11-13 at the Embassy Suites in Hot Springs, AR. More information can be found at, [www.mytexasmover.com](http://www.mytexasmover.com)

### **SMA Foundation Announces Scholarship Awards**

After being challenged to select only five candidates from a field of 24 outstanding applicants, the SMA Foundation trustees voted to award \$11,000 in scholarship funds to the following students:

Leticia Dominguez, Berger/Texas, Fort Worth, who received the SMA grant, as well as the grant from NAIT as the top mover candidate.

Others receiving scholarships from the SMA Foundation: Heidi Cline, Hart Moving & Storage, Lubbock; Lisa Boden, Armstrong Moving & Storage, Lubbock; Rosamayra Zamora, Del Rio Moving & Storage; and Sarah Boden, Armstrong Moving & Storage, Lubbock, Texas. Congratulations to these deserving students and to the SMA member companies they represent. A full story about these students will be published in the October issue of The Bulletin.

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## **SMA Foundation Fundraiser - Silent Auction**

SMA members have the opportunity to support the Foundation by making cash donations for the purchase of items to go into the silent auction being held during the SMA annual conference in September. Checks should be made payable to SMA Foundation, with a note on the subject line: "Silent Auction". The SMA Foundation is a 501(c)3 charitable organization. Contributions to the SMA Foundation may be tax deductible. Please consult your tax advisor.

Two unique items have been donated: Andy Crocker, Crocker Transfer & Storage, Corpus, Chairman of SMA, is donating one of his signed paintings; Texas Moving Company, Bill Andis, Chairman of the SMA Foundation is donating a tandem bicycle.

## **Annual Conference Education/Seminar Topics**

The following subjects have been suggested as topics for the annual conference; which two do you want to hear?

- CSA 2010 which becomes effective November 30, 2010?
- Texas Workforce Commission?
- BBB on their mediation and arbitration programs? Supreme Court Justice Sandra Day O'Connor once said that the "courts of this country should not be the places where the resolution of disputes begins. They should be the places where disputes end - after alternative methods of resolving disputes have been considered and tried."

None of the above? Then what subjects would you like addressed?

## **What Does it Mean to be a Pinnacle Mover?**

The Sales Manager of one of the SMA Pinnacle Movers attended a pre-move bid conference with Bexar County purchasing on Tuesday of this week. There were about 10 movers present. Bexar County had laid out various requirements, with one of them being that all bidders must be a Pinnacle Mover. Most bidders present were not SMA members; however, a couple were SMA members and Pinnacles.

It is not known how Bexar County came to writing the Pinnacle program into their RFP. And, although the county may drop the specific Pinnacle designation, it was reported that all movers must prove they meet the Pinnacle requirements in order to bid.

## **FMCSA Crack-Down on Rogue Mover**

The Movers Group/Moving Van Lines case is finally finished. The two Compliance Reviews and the Notice of Claim (NOC) were hand-delivered to Ohad Guzi, manager and former President of The Movers Group, at the end of the week. The NOC assessed a civil penalty of \$35,840 for 14 violations of false advertising, one violation of failing to provide reasonable dispatch, four violations of collecting more than the exact amount of a binding estimate at the time of delivery, one violation of operating when the carrier has been prohibited from operating for failure to pay a civil penalty, three violations of using a driver not medically examined and certified, and three violations of failing to maintain driver qualification files. The former company, Moving Van Lines, and the present company, The Movers Group, were linked for purposes of successor liability through the NOC and the CR. In the safety CR, the Movers Group received a Conditional rating.

We are referring the case to the Inspector General for further criminal investigation because of pervasive illegal activity. This information was assembled during a CR on The Movers Group ("MG") and an examination of possible successor corporate linkage between MG and Moving Van Lines ("MVL"). MG is an active Florida HHG carrier and MVL is a Florida HHG carrier that has ceased operations. Both carriers are or have been located at the same addresses, been under common ownership, and have leased their vehicles from the identical Enterprise Leasing location. Both carriers have received numerous consumer complaints.

A Florida group operating HHG companies is constantly forming new companies, changing company officer names in the company operations, and posting widespread fraudulent advertising on the Internet. Ohad Guzi, probably a fictitious name, is the common and constant denominator in Movers Group and Moving Van Lines operations in this Miami-based group operation. Moving Van Lines was placed Out of Service in 2009 and had their operating authority revoked after defaulting on a Notice of Claim in the amount of \$281,100.00.

### **CD Containing Pack & Load, Labor Only Agreement Available from SMA**

Do not use a moving and storage bill of lading, SMA's or any other, if you are providing labor only and no transit for a customer. Providing labor only to load or unload rental trucks, U-Hauls, PODS, SAMS, Go-Minis or other similar transit or storage system should be done only under a labor agreement not a moving and storage bill of lading. If you routinely provide labor only, you may want to obtain a Pack & Load CD from SMA so that you can print out a labor-only agreement, customized for each customer, only as needed. The CD's are \$50, add shipping and tax, for a total of \$62.79.

### **2010 Texas Roadcheck Results**

During Roadcheck 2010, which ran from June 8 through June 10, DPS troopers inspected 6,906 commercial vehicles. During the three-day campaign, 25 percent of the vehicles inspected in Texas (1,738) were placed out of service because they were found to have serious enough safety violations to be removed from service until repairs could be made.

Troopers placed 160 of the drivers (2.3 percent) out of service for violations ranging from not properly tracking their hours of service to suspended, expired or cancelled driver licenses. Four drivers were placed out of service for drug or alcohol violations. Troopers issued five tickets for seat belt violations.

Vehicle out-of-service violations included 900 for brakes out of adjustment, 702 for brake system problems, 283 for tire or wheel issues and 322 with light malfunctions. Overall, 27,143 violations were documented as a result of the 6,906 inspections conducted.

Vehicles passing inspection received a CVSA decal exempting the vehicle from inspection for a 90-day period, unless they have an obvious safety defect. Troopers issued 2,516 decals during Roadcheck 2010.

### **Bill Introduced to Curb Broker Fraud**

Sens. Olympia Snowe (R-Maine) and Amy Klobuchar (D-Minn.) on June 15 introduced the Motor Carrier Protection Act, which, according to a release, "would update the current

requirements and provide motor vehicle operators with the tools they need to protect themselves and their company against fraudulent freight brokers.

The bill would:

- Increase the broker bond to \$100,000 from \$10,000 and apply the bond requirements to freight forwarders.
- Establish stricter requirements for entities seeking broker or forwarder authority.
- Stiffen penalties for a number of violations of broker regulations.
- Establish an annual registration requirement to renew broker or forwarder operating authority, and to require the Federal Motor Carrier Safety Administration to revoke operating authority if it is not renewed annually.
- Establish strict regulations on bond providers and the manner in which bonds are administered.
- Clarify that carriers must have a broker's or forwarder's license and bond in order to put freight on another carrier for compensation.
- Require separate registration numbers per authority, and whatever authority is used in a transaction must be stated in writing.

### **Storage Vaults for Sale**

Used Storage Vaults for Sale \$75 Each  
Locations: Houston and Dallas  
Contact: Butch Butcher 713-204-8383

### **SMA Event Calendar for 2010**

July 11-13 - Summer Membership Meeting - Embassy Suites, Hot Springs, AR  
September 22-24 - Annual Meeting & Trade Show, Lost Pines Resort, Lost Pines, TX  
October 27 - Austin Board of Realtors Trade Show, Austin, TX

TMTA local chapter location addresses are posted on [www.tmta.com](http://www.tmta.com)

July 13 - Tyler Local Chapter Meeting  
July 21 - Houston Local Chapter Meeting  
July 27 - 29 TMTA Annual Conference

**Southwest Movers Association \* 700 E. 11TH St. \* Austin TX 78701**

**Phone: 512/476-0107 \* Fax 512/476-0940**

[www.southwestmovers.org](http://www.southwestmovers.org)

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