

Legal Information for Moving Companies

For all US DOT FMCSA regulated interstate movers of household goods

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Is your weight certificate legal?

For all shipments which charges are determined by the weight (in pounds) of the property the carrier must obtain a Certified Weight Certificate of the shipment. If a weight certificate is not legal a court may hold it to be invalid and/or the DOT/FMCSA may impose a fine upon the carrier for each invalid weight certificate. For a weight certificate to be legal and valid it must be obtained in compliance with the governing federal regulations. (See 49 CFR §§ 375.501 - 521).

Legal requirements for weight certificates:

I. Shippers must be advised that they are entitled to observe the weighing. Carriers must provide the shipper with the location and time of the weighing and a reasonable opportunity for them to be present. (49 CFR § 375.513)

II. If a shipper disputes the weight of the shipment they have a right to demand a re-weighing of the property at no charge. The actual charges, notwithstanding the 110% rule, must be based on the weight from the re-weighing; whether it is higher or lower than the original weight. (49 CFR § 375.517)

III. A legal weight certificate must contain the following elements: (49 CFR § 375.519)

1. The complete name and location of the scale.
2. The date of each weighing.
3. The identification of the weight as being the tare, gross, or net weights.
4. The company/carrier vehicle identification number.
5. The last name of the individual shipper as it appears on the bill of lading.
6. The job or order number for the individual shipment.
7. The signature of the weigh master.

IV. A true copy of the weight certificate must be provided to the shipper along with the bill of lading and other shipping documents. The carrier must also retain a copy of the weight certificate in each shipper's file. (49 CFR § 375.519)

ABOUT THIS DOCUMENT: This document was created to help protect consumers by educating moving companies as to the regulations they must follow. Federal laws regulating moving companies are designed to help protect consumers and create an even playing field for moving companies. By following the law, moving companies can avoid government fines, lawsuits, and provide better service to their customers. This document is provided for general informational purposes only. This document is not intended to and does not provide legal advice or counsel. The author of this document is offering general information about the law cited and is not offering specific legal advice. Laws and procedures change frequently, and they can be interpreted differently by different people. For legal advice and answers to specific questions regarding your situation please call the Law Offices of Michael Garcia at 408-730-5683.