



# FMCSA Guidelines for Household Goods Transportation Agents

Under FMCSA guidelines, an agent in the context of household goods (HHG) transportation is a person or entity authorized to act on behalf of a licensed motor carrier or freight forwarder in connection with the transportation of household goods. Agents often perform specific functions related to customer service, packing, loading, storage, or delivery but do not hold FMCSA operating authority themselves.

# Key Characteristics of an Agent (FMCSA Context)

## 1 Acts on Behalf of a Principal

The principal is typically a licensed motor carrier or freight forwarder.

The agent's role is limited to performing duties assigned by the principal within the scope of their agreement.

## 2 No Independent Operating Authority

Agents do not possess FMCSA operating authority (e.g., MC, FF numbers).

They cannot issue their own bill of lading; all transportation documentation must reflect the principal's authority.

## 3 Types of Services Performed by Agents

Origin Services: Customer interaction, providing estimates, packing, and loading.

Destination Services: Delivery, unpacking, and post-move customer support.

Storage Services: Offering storage-in-transit (SIT), with the principal (carrier/forwarder) retaining liability.

Specialized Services: Handling delicate or high-value items that require unique expertise.

## 4 Representation and Liability

The motor carrier or freight forwarder remains liable for the HHG, even if an agent performs certain tasks.

Any actions taken by the agent within the scope of their authority are legally binding on the principal.

# Regulatory Requirements and Responsibilities

## Liability and Disclosure

The motor carrier or freight forwarder must clearly disclose the use of agents in written estimates and bills of lading (49 CFR §375).

The principal remains liable for loss, damage, or delays caused by the agent.

## Written Agency Agreements

FMCSA does not prescribe a standard agreement, but best practices dictate that written contracts outline:

- Scope of services provided by the agent.
- Compensation structure for the agent.
- Liability provisions specifying that the carrier/freight forwarder retains responsibility for transportation services.
- Duration and termination terms of the agency relationship.

## Prohibited Practices

An agent cannot subcontract transportation services unless explicitly authorized by the principal under the terms of a valid FMCSA operating authority.

Agents must not present themselves as independent carriers or brokers unless properly licensed.

# Example of Agent Use in Household Goods Moves

## Scenario: Long-Distance Move Using Agent Network

1

### Origin Agent

Conducts the in-home survey.

Provides an estimate on behalf of the motor carrier.

Handles packing and loading activities.

2

### Linehaul Carrier (Principal)

Transports HHG across state lines under its own FMCSA motor carrier authority and bill of lading.

3

### Destination Agent

Unloads and delivers HHG at the customer's new residence.

Assists with unpacking and addresses post-move customer inquiries.

In this example, liability for the entire move rests with the linehaul motor carrier, even though origin and destination services were handled by agents.





# Differences Between an Agent and Other Roles

Role	FMCSA Authority?	Takes Possession of Goods?	Issues Bill of Lading?	Liable for Transportation ?	Primary Function
Agent	✗	✓ (on behalf of principal)	✗	✗ (principal is liable)	Provides packing, delivery, or storage services under carrier's control.
Motor Carrier	✓ (MC#)	✓	✓	✓	Provides transportation and assumes full liability.
Freight Forwarder	✓ (FF#)	✓ (takes possession/control)	✓	✓	Arranges and assumes responsibility for multi-modal transport.
Broker	✓ (MC# for brokerage)	✗	✗	✗	Arranges transportation but does not take possession.

# Key Takeaways on Agent Roles

## Agent Authority

✓ Agents serve under the authority and responsibility of licensed carriers or freight forwarders.

## Transparency Requirements

✓ FMCSA requires transparency regarding the use of agents, especially in HHG moves.

## Liability Assignment

⚠ Liability for the entire move remains with the principal, not the agent, even when the agent performs critical handling functions.

## Operating Limitations

✗ Agents cannot operate independently in arranging or conducting transportation without appropriate FMCSA authority.

✓ An agent can manage the customer support portion of a household goods (HHG) move, provided that they do so on behalf of a licensed motor carrier or freight forwarder and within the limits established by FMCSA regulations.

# Scope of Customer Support Services Agents Can Provide

## Permitted Customer Support Activities

### Customer Communication:

- Acting as the primary point of contact for customers throughout the move.
- Providing updates on move status, delivery schedules, and estimated arrival times.

### Pre-Move Support:

- Conducting in-home surveys and helping customers understand the terms of service, estimates, and contractual obligations.

### Post-Move Support:

- Assisting with damage claims processing (without settling claims).
- Handling customer feedback and coordinating follow-up services.

### Documentation Assistance:

- Helping customers complete carrier-issued documents (e.g., inventory forms, valuation declarations).

## Customer Support Activities Agents Cannot Perform (Without Proper Authority)

### Issuing Bills of Lading:

- Only the licensed motor carrier or freight forwarder may issue a bill of lading.

### Contracting Transportation Services:

- Agents cannot arrange transportation with third-party carriers. Doing so would require broker authority from FMCSA.

### Assuming Liability for HHG:

- Agents do not assume liability for the shipment. Liability remains with the principal (the licensed carrier or forwarder).

### Misrepresenting Their Role:

- Agents must not present themselves as the carrier or freight forwarder. They must clearly disclose that they act on behalf of a licensed entity.

# Regulatory Considerations and Compliant Customer Support

## Regulatory Considerations for Customer Support Services

1. **Clear Disclosures:** FMCSA regulations (49 CFR §375) require transparency. Customers should know that the licensed carrier is responsible for transportation, even if the agent handles communication.
2. **Written Agency Agreements:** The agreement between the carrier/forwarder and agent should explicitly state that the agent is authorized to provide customer support but cannot engage in regulated transportation activities.
3. **Training and Compliance:** Agents must be trained in FMCSA compliance, customer rights, and claims handling procedures, ensuring all communication adheres to FMCSA consumer protection guidelines.

### 1 Key Takeaways

✓ Agents can manage customer support activities under the direction of the licensed carrier or freight forwarder.

3 ⚠ Agents must avoid activities that require FMCSA operating authority, such as issuing bills of lading or arranging transportation.

## Example of a Compliant Customer Support Arrangement

### Scenario: Nationwide Move Managed by Agent

1. **Pre-Move Phase:** The agent conducts the initial customer consultation, explains service options, and provides an estimate using the carrier's documentation.
2. **Transit Phase:** The licensed motor carrier transports the HHG, while the agent provides status updates and responds to customer inquiries.
3. **Post-Move Phase:** The agent assists the customer with any damage claims by guiding them through the process—but all claims decisions are made by the carrier, who retains legal responsibility.

2 ✓ Liability and transportation responsibility always remain with the licensed principal.

4 📝 Clear contractual agreements and customer disclosures are essential to remain compliant.