§ 14710. Enforcement of Federal laws and regulations with respect to transportation of household goods

(a) Enforcement by States.— Notwithstanding any other provision of this title, a State authority may enforce the consumer protection provisions of this title that apply to individual shippers, as determined by the Secretary, and are related to the delivery and transportation of household goods in interstate commerce. Any fine or penalty imposed on a carrier in a proceeding under this subsection shall be paid, notwithstanding any other provision of law, to and retained by the State.

(b) Notice.— The State shall serve written notice to the Secretary or the Board, as the case may be, of any civil action under subsection (a) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide the notice immediately upon instituting such civil action.

(c) Enforcement Assistance Outreach Plan.— The Federal Motor Carrier Safety Administration shall implement an outreach plan to enhance the coordination and effective enforcement of Federal laws and regulations with respect to transportation of household goods between and among Federal and State law enforcement and consumer protection authorities. The outreach shall include, as appropriate, local law enforcement and consumer protection authorities.

(d) State Authority Defined.— In this section, the term “State authority” means an agency of a State that has authority under the laws of the State to regulate the intrastate movement of household goods.

“(a) In General.—Not later than 90 days after the date of enactment of this Act [Aug. 10, 2005], the Secretary shall establish a working group of State attorneys general, State consumer protection administrators, and Federal and local law enforcement officials for the purpose of developing practices and procedures to enhance the Federal-State partnership in enforcement efforts, exchange of information, and coordination of enforcement efforts with respect to interstate transportation of household goods and of making legislative and regulatory recommendations to the Secretary concerning such enforcement efforts.

“(b) Consultation.—In carrying out subsection (a), the working group shall consult with industries involved in the transportation of household goods, the public, and other interested parties.

“(c) Federal Advisory Committee Act Exemption.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under subsection (a).

“(d) Termination Date.—The working group shall remain in effect until March 31, 2012.”

[For definitions of “household goods”, “Secretary”, and “transportation” as used in section 4213 of Pub. L. 109–59, set out above, see section 4202(a) of Pub. L. 109–59, set out as a note under section 13102 of this title.]