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2015 APR 13 AM 10: 21

425 Schoolhouse Road
Telford, PA 18969
800-523-2469

Scott R Schalles
333 Market Street
14th Floor.
Harrisburg, PA 17101

Dear Mr. Schalles,

It would seem the importance of growing the economy, creating and saving jobs as well as encouraging local business expansion is at the top of our Pennsylvania political leaders' agenda. However, my personal and business transactions with Harrisburg have been otherwise.

The Pennsylvania Utility Commission has passed a ruling that will be a detriment to Pennsylvania movers putting them at an extreme competitive disadvantage in the market place while providing New Jersey moving companies a superior business position. I and other Pennsylvania moving companies that aspire to compete in this market will be required to explore moving our business out of Pennsylvania and into New Jersey should this ruling pass.

The New Jersey Public Utility Commission regulates the moving industry in the state of New Jersey. Pennsylvania based movers like myself are not able to obtain NJ PUC operating authority unless we establish and operate out of a physical location based within New Jersey and have equipment licensed within the state. This proposed regulation will cause economic distress to the state of Pennsylvania as it would allow New Jersey movers to obtain operating authority to cross the river and perform Pennsylvania Intra-state relocations without making any investment to our state.

The end result is that New Jersey movers would have the authority to operate in Pennsylvania; however Pennsylvania movers would not have the authority to operate in New Jersey. This proposition is clearly unfair, harmful and discriminatory towards Pennsylvania movers and our employees. The moving industry in the state of Pennsylvania generates a great deal of revenue for the state and as previously stated, the economic impact this will have on the state of Pennsylvania is severe and unnecessary.

The reason I bring this to your attention is clear. In addition to the lost revenue, this will take jobs out of Pennsylvania and relocate them along with the tax dollars across the river into New Jersey. New Jersey moving companies will not be spending their money in the state of

**ALLIED**
Agent for Allied Van Lines



425 Schoolhouse Road
Telford, PA 18969
800-523-2469

Pennsylvania. They will not purchase fuel in Pennsylvania as New Jersey has much more affordable fuel options. New Jersey movers will not be paying Pennsylvania state or local income taxes.

New Jersey will not be hiring Pennsylvania employees and the workers they do employ will not be enhancing the economy with the money they are paid by purchasing food or shopping in Pennsylvania.

The argument that this ruling will make a more competitive market for the consumer is nonsense. New Jersey and other out of state moving companies have no financial interest in the state of Pennsylvania and it will be necessary for them to target large profitable moves which then will drive the pricing up for the rest of the Pennsylvania consumers causing moving services to become unaffordable for the typical customer including the elderly.

Senator David Argall is introducing legislation that will help resolve these issues along with the rogue mover situation which is another major issue. My employees and I urge you to cosponsor this legislation.

<http://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20150&cosponId=17801>

<http://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20150&cosponId=17802>

Respectfully

Norman Clemmer
President
Clemmer Moving and Storage, Inc.

CC: Hon. Representatives: Godshall, Staats, Vereb, Simmons, Toepel, McNeill, Bradford, Quinn, McCarter, Harper, Hennessey, Harris
Senators: GreenLeaf, McIlhinney Jr, Mensch, Boscola, Leach, Haywood III, Rafferty Jr., Farnese Jr.



As employees of Clemmer Moving & Storage, and your constituents in the counties of Bucks, Montgomery and Lehigh we strongly support the proposed legislation introduced by Senator David Argall that will establish domiciliary requirements to legally transport household goods within the Commonwealth.

Posted: March 19, 2015 10:02 AM
 From: Senator David Argall
 To: All Senate members
 Subject: Requiring domiciliary for common carrier by motor vehicle

Pennsylvania-based household goods movers are at a competitive disadvantage compared to movers based in New Jersey and New York.

New Jersey-based and New York-based household goods movers are able to obtain a permit through the Pennsylvania Public Utility Commission and are authorized to move household goods within the Commonwealth. However, New Jersey and New York do not allow Pennsylvania-based movers to do the same in their respective states. Both New Jersey and New York have strict domiciliary requirements for household goods movers.

In the near future, I will introduce legislation to establish domiciliary requirements to legally transport household goods within the Commonwealth. This will help level the playing field among household goods movers.

LAST NAME	FIRST NAME	CITY
Causeyano	James E Causeyano	Quakertown Pa
M ^c Cann	Pete	
1000 Coffer	Kenn	Skippack PA
Sifer	James	Spring City PA
1000 Dalret	Ed	Hatfield Pa
Allan M Achar	AUSEN	NORTH WILKES PA.
^{Slingsby} Sean Slingsby	Sean	Quakertown, PA
^{Sh. 72 Mills} Miller	Shane	Hatsidd PA
Logan	Beth	Perkasie PA
Bradley	Charly	Sellersville PA
Paula	Julia	Perkasie

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LAST NAME	FIRST NAME	CITY
Horrocks	Ian	Norristown
Wood	Robert	Colmar
Picon	Chulsea	Souderton
STAEHLE	CHRIS	PERKASIE
McDonoughy	chris	Sellersville
Myers	Julian	Elkins Park
Trumbauer	Scott	Pennsburg
Noe	Troy	Sellersville
CLEMMER	RYAN	TELFORD
Gartman	EUGENE	QUAKER TOWN
Unruh	Robert	Perkasie

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LAST NAME	FIRST NAME	CITY
Nace	Gage	Sellersville
Harle	Benjamin	Quakertown
Miller	Joseph	Perkasie
Henry	Scott	HELLERTOWN
Frederick	Patricia	Trumbauersville
CLEMMER	JOSEPH	PENNSBURG
Rosenberger	Sharon	Green Lane, Pa.

Ricky Christ

To: Argal, Senator David (dargall@pasen.gov); jhopcraft@pasen.gov; juperry@pa.gov; jherzog@pa.gov; daloucks@pa.gov; clonergan@pa.gov; mmorabito@pa.gov; kmilligan@pa.gov; joelmilie@pa.gov; nathclark@pa.gov; gday@pahousegop.com; jknowies@pahousegop.com; arumsey@pahousegop.com

Subject: December 8th Meeting Follow-up

Attachments: DOC010615-002.pdf

We wanted to thank everyone in attendance of our meeting on December 8, 2014. We have been asked to report back to our Association membership on the results of the meeting, and how to proceed going forward. There has been discussion among some of the members of looking into various legal remedies to ensure our concerns are addressed. The entire premise is that we must be allowed to compete on a level playing field. The following are our thoughts on where we are at:

1. DOMICILE/BRICK AND MORTAR LOCATION WITH THE COMMONWEALTH

We cannot over emphasize the importance of this issue to those of us in the moving business. It should also be an important issue for the State, especially in regards to the state's ability to audit and investigate these out-of-state operators. New Jersey and New York have recognized these problems, and as part of their application process requires the applicant to have a legitimate place of business within their respective states. We would however agree and support grandfathering the existing out-of-state movers that currently have authority with domicile. This issue is so important that we will be required to explore all option's both legislative and legal.

2. WORKERS COMPENSATION INSURANCE REQUIREMENT

It was agreed at the meeting that a box would be added to the license application to be checked off, indicating that they have coverage. Checking the box is just not enough. The application should be sent to the Department of Labor to verify that the applicant does have active workman's compensation insurance coverage, at the minimum state requirements. This is a must. One of the concerns we came out of the meeting with is there needs to be synergy within the various State Departments involved. The rules are there why not incorporate them? The PUC regulates, licenses, enforces, fines, and is the watchdog of the motor carriers of the Commonwealth. We cannot emphasize this enough; any moving related issues such as workmen's compensation insurance, paying state income taxes and payroll taxes, etc should not merely be deflected to the various departments. It needs to be part of the application and enforcement AND enforcement process.

3. ILLEGAL/ROGUE MOVER PROBLEM

Since the meeting, we became very upset to learn of 2 items that were brought to our attention (please see attachments 1 & 2). The first is the response back from the PUC officer that investigated the WeHaul move that Rod Pursell spoke so passionately about at the meeting. To be blunt, his findings are completely unacceptable and shows what we are dealing with. We can increase the fines all we want; if we do not have the enforcement, it is all window dressing. We had this rogue dead to rights. It was a 4 day move, transported across PA highways by WeHaul "employees", who are **not licensed**. Period. While it is not our job, we told the enforcement officer not to go out the first day, which was packing day. Go out (like we did), and view the move taking place (we took pictures, which we gave out at the meeting). Unbelievable. We are glad to hear that the enforcement officer was told that the experience with the rogue was outstanding. When we showed this to the FMCSA, they were flabbergasted. I'm quite sure the customer involved in the 2nd tragic attachment didn't find her experience "outstanding". We received information after the meeting from the FMCSA that the "mover" involved in the accident was in fact an "employee" of WeHaul. To make matters worse, the person killed in the accident was a friend of mine. We can't bring his son back, but we can get these illegal operators off of the road. What is truly sickening is the fact discovered that the driver of the moving van had a prior DUI the

preceding year. Note that a licensed mover would not have been able to put this person behind the wheel for a period of 3 to 5 years, as the insurance carrier would cancel coverage. In any event, we feel that the PUC should not send out the current rulemaking order without a specific plan and language to address the rogue mover problem. By the way, it is addressed, "we need to be more vigilant". However, that is just not enough. It is a tremendous and growing problem. We do agree with increasing the fines to what was discussed at the meeting, and to impounding the vehicles. Finally, we completely recognize and sympathize with what the PUC Enforcement is up against. We fully agree with Senator Argall's suggesting that all fines be routed directly back to the PUC. Consumer Affairs was very helpful here. It sure seems as if it would be much easier to combat the rogue problem at the source - the advertising. There has to be some way within the state laws and departments (perhaps in conjunction with any federal laws) to force/require the places like Angie's List, Craig's List, Yelp etc to get some verification of licensing, etc or to at least regulate what is allowed to be put on their sites. We think further discussion would be very helpful here. Please see attachment 3 about what Verizon does as far as phone disconnects, and attachment 4 that requires all licensed movers to display their certificate number on all advertisements. We also discussed having all applicants get approval from the Department of Revenue verifying that they pay income taxes and payroll taxes. We completely endorse this. We CANNOT allow them to operate under the table. It denies the state tax revenues that are sorely needed, it puts the consumer at risk if there is any type of injury (again, you cannot obtain workmen's compensation insurance without payroll), and it bypasses the background check - which is part of the rulemaking order.

In closing, let me leave you with the quote from Ronald Reagan "We must reject the idea that every time a law is broken, society is guilty rather than the law breaker. It is time to restore the American precept that each individual is accountable for his actions."

We thank you for your time and consideration, and want your comments/suggestions to ensure that the consumer will be protected from unscrupulous individuals.

Rick Christ, President
O'Brien's Moving & Storage, Inc.



Severe weather alert in Philadelphia, Northampton, Bucks, Lehigh, Monroe and Carbon counties.

December 9

2

Man must face court on charge he caused deadly Route 22 crash in Whitehall

By Manuel Gamiz Jr.,
Of The Morning Call

NOVEMBER 26, 2014, 7:33 PM

A woman moving from Brooklyn, N.Y., to Whitehall Township in late May noticed a heavy smell of cigarettes, and possibly alcohol, on one of the movers, she testified Tuesday.

Dina E. Leh said she and her mother drove ahead of the moving truck and had almost made it to Leh's new home when she got a call from Robert J. Kritzar, driver of the moving truck.

"He said, 'Just called to let you know we're leaving Manhattan,'" Leh testified, adding that Kritzar sounded giddy and was cursing.

Leh testified she asked what time he'd be at her new home and was shocked when Kritzar responded, "I don't want to be in this [expletive] city any longer than you want me to be."

Hours later, state police investigators said, Kritzar smashed into the back of a Jeep Wrangler on Route 22 in Whitehall, killing Nathan Warko, 34, of Allentown.

A state police accident reconstruction expert testified Kritzar, 42, of Hellertown, was going 66 mph in stop-and-go traffic and took 3 seconds to finally slam on his brakes after Warko had stopped for traffic ahead of him. Kritzar's box truck was "embedded" in the back of Warko's vehicle, police said.

District Judge Wayne Manna determined Kritzar must face Lehigh County Court on charges of homicide by vehicle while driving under the influence of alcohol, homicide by vehicle, driving under the influence, reckless endangerment and summary offenses in the May 28 three-vehicle crash.

Police said that when Kritzar crashed into the rear of Warko's Jeep at 8:30 p.m., the Jeep crashed into a tractor-trailer. Frederick Acherman, driver of the rig, testified he was going west on the highway when he had to brake hard because traffic had backed up. He said he heard a crash from behind, and then his rig was rear-ended.

State Trooper Robert Griffin testified he arrived at the scene and tried to talk to Kritzar, who was out of it, repeating "I killed a guy, I killed a guy." Police said that about an hour after the crash, Kritzar's blood-alcohol content was 0.22 percent, nearly three times the legal limit to drive in Pennsylvania.

Javier Alvarez was one of the first troopers at the scene, near the Lehigh River, where he and an unidentified paramedic checked on Warko and found no signs of life.

Brianne Glad, a state police accident reconstruction expert, testified that while it took Krizar 3 seconds to apply his brakes, the normal reaction time would have been 1.6 seconds.

"Not being impaired, he may have been able to slow his vehicle, hit his brakes on time and not hit the vehicle in front of him," she testified.

According to court records, Krizar was charged in 2012 with drunken driving by Lower Saucon Township police. He pleaded guilty and was sentenced to six months of probation, court records state.

manuel.gamiz@mcall.com

610-820-6595

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