

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION



TRANSPORTATION DIVISION

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**MEMORANDUM**

To: Household Goods Licensees  
From: Illinois Commerce Commission - Transportation Division  
Date: May 8, 2023  
Re: Use of Electronic Records

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The Illinois Commerce Commission's (Commission) regulations pertaining to Household Goods (HHG) Carriers are codified under Part 1457 of Title 92 of the Illinois Administrative Code. The following questions and answers are presented to clarify the Commission's regulations as they pertain to the use of electronic records in the intrastate movement of household goods. Nothing in this memorandum is intended to expand or negate the authority of the Commission under the Illinois Commercial Transportation Law (625 ILCS 5/18c-1101 et seq.) (ICTL) or the regulations adopted by the Commission under 92 Ill. Adm. Code 1457.

**Q. Does the Commission require bills of lading, estimates of charges, and inventory forms to be issued or carried in paper form?**

A. No. Commission regulations require carriers to issue bills of lading and estimates prior to rendition of services.<sup>1</sup> Inventory forms are required to be provided to the shipper at the point of origin prior to loading for "intercity" transportation or at the request of the shipper for "short haul" transportation.<sup>2</sup> Though paper copies are preferable, electronic bills of lading, estimates of charges, and inventory forms are acceptable so long as they conform to all applicable provisions of the ICTL and Commission regulations.

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<sup>1</sup> 92 Ill. Adm. Code 1457.600(a); 92 Ill. Adm. Code 1457.610(c)

<sup>2</sup> 92 Ill. Adm. Code 1457.620(b)

**Q. Are electronic forms required to be approved by the Commission?**

A. Yes. As with paper forms, any electronic form used by the carrier must meet the requirements of Part 1457 and be preapproved by the Commission.<sup>3</sup> If a carrier uses electronic forms, the electronic forms software must allow for the authentication of the original records and/or signature and for the detection of changes or errors in the information.

**Q. If an electronic bill of lading is used, is the shipper still required to input the shipment valuation or release?**

A. Yes. Commission regulations require the shipper to declare the actual valuation of the shipment or release the shipment at 30 cents per pound per article in their own handwriting.<sup>4</sup> If a carrier uses electronic forms, the valuation declaration or release must still be captured from the shipper. This may be accomplished by the shipper: 1) typing or electronically writing the declared valuation; or 2) typing or electronically writing “30 cents per pound per article” and including their signature on the bill of lading. The carrier may not prefill this information for the shipper.

**Q. Are digital signatures acceptable for HHG forms?**

A. Yes. Any signature required under Part 1457 may be captured electronically. If a carrier uses electronic forms with digital or electronic signatures, the electronic forms software must provide a procedure for the purpose of verifying the digital and electronic signature and detecting changes or errors in the information.

**Q. What records does the Commission require a carrier to maintain in paper format during the move?**

A. An HHG licensee is required to maintain paper copies of its HHG license and a valid, executed cab card in each vehicle that it operates under Commission authority.<sup>5</sup> Additionally, Commission regulations require equipment leases to be carried in each motor vehicle that is operated under a lease

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<sup>3</sup> 92 Ill. Adm. Code 1457.600(b); 92 Ill. Adm. Code 1457.610(b); 92 Ill. Adm. Code 1457.620(f)

<sup>4</sup> 92 Ill. Adm. Code 1457.150(b)

<sup>5</sup> 92 Ill. Adm. Code 1302.15(a)

agreement.<sup>6</sup> Paper copies of an HHG license and valid, executed cab card (and lease if applicable) must be presented upon demand during roadside enforcement.

**Q. What should I expect during roadside enforcement if I elect to utilize electronic records for bills of lading, estimates of charges, and/or inventory forms?**

A. The ICC Police prefer paper records for roadside enforcement. The stop will proceed quickly if you have paper records; however, electronic records will be accepted. You must immediately present copies of all records upon demand of law enforcement regardless of the medium in which the records are kept. If unable to present a bill of lading, estimate of charges, or inventory form (if applicable), regardless of reason, you may be issued a citation. To prevent issues related to cellular coverage, the Commission recommends that the records be downloaded to the device before the move commences. The use of a cellular phone or other type of portable electronic device to present records does not constitute consent for law enforcement to access other contents of the electronic device. If the carrier elects to present records electronically, the carrier assumes any risk of accidental damage to the device.

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<sup>6</sup> 92 Ill. Adm. Code 1360.30(f)(2)