

BRTC 125-A  
Cancels  
BRTC 125

# **BROWN TRANSFER COMPANY**

## **TARIFF BRTC 125-A**

### **RULES**

**CHARGES FOR TERMINAL AND SPECIAL SERVICES**

**EXCEPTIONS TO RULES OF GOVERNING CLASSIFICATION**

Unless otherwise provided, exceptions to rules of the National Motor Freight Classification herein take precedence over those published in the National Motor Freight Classification.

## **RULES TARIFF**

This tariff may be used only in connection with tariffs making specific reference hereto.

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For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 100

GOVERNING TARIFFS

Part A

This tariff is governed, except as otherwise provided in this tariff, by the following described tariffs and by supplements thereto or successive issues thereof:

KIND OF TARIFF	ISSUING AGENT	TARIFF SERIES	FOR SPECIAL PROVISIONS SEE
Classification, Governing	NMF	NMF 100	
Class Rates	MWB	MARS 500	Note A
Class Rates	BRTC	BRTC 500	Note A
Discount & Commodity Rates	BRTC	BRTC 600	Note A
Discount & Commodity Rates	BRTC	BRTC 6000	Note A
Hazardous Materials	DOT	Title 49	

Note A: The rules listed herein apply to all class, commodity and exception rated shipments unless otherwise provided.

Part B

PRECEDENCE AND APPLICATION OF RULES

1. The exceptions named herein, unless otherwise provided, are subject to the rules, conditions and other requirements of the NMFC and to the conditions of the Uniform Bill of Lading defined therein.
2. When rules published in this tariff are in conflict with a rule published in the NMFC, such rule published herein, the extent of its application, will apply in lieu of the rule published in the NMFC.
3. The rules published herein apply to all contract or class rated shipments unless otherwise provided.

ITEM 115

DEFINITIONS AND EXPLANATION OF TERMS

1. DEFINITION OF BUSINESS HOURS.

The term "Business Hours" means those hours during which persons in the community or trade involved generally keep their stores, offices, plants, etc., open for the transaction of business to all concerned.

2. DEFINITION OF HOLIDAYS.

The term "Holiday" means:

New Years Day	Labor Day (First Monday in September)
Memorial or Decoration Day (Last Monday in May)	Thanksgiving Day
Independence Day (July 4)	Christmas Day (December 25)

or any other day generally observed as a holiday by the carrier at the point where the service is performed. When such holiday falls on Sunday, the following Monday shall be considered as a holiday.

3. DEFINITION OF LESS TRUCKLOAD AND TRUCKLOAD:

LTL - Except as otherwise provided the term LTL applies to shipments subject to stated minimum weights of less than 20,000 lbs.

TL - Except as otherwise provided, the term truckload or TL applies to shipments subject to stated minimum weights of 20,000 lbs. or greater.

(Concluded on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 115 (Concluded)

4. A "TRUCKLOAD" OR "VEHICLE" MEANS:
- (a) Any one truck or one vehicle which is self-propelled, or
  - (b) Any one vehicle which must be towed by a power unit (See paragraph (c)) and used on highways in the transportation of property.
  - (c) When two or more vehicles as defined in (b) are towed by one power unit they shall be considered as two or more vehicles.

ITEM 300

ADVANCING CHARGES  
ADVANCING CHARGES TO SHIPPERS, ETC.  
(Exception to NMFC Item 300)

No charges of any description will be advanced to shippers, owners, consignees or agents thereof, nor to their draymen or warehousemen, except charges which are incidental to the transportation of shipment (See Note 1). The nature of charges to be advanced, as shown in Note 1, must be stated on the Bill of Lading at time of shipment.

The charges for collecting and remitting the amount of the advance charges will be collected from the consignee, except that such charges may be prepaid by the shipper, providing notation to that effect is made by the shipper on the Bill of Lading and shipping order, at time of shipment.

NOTE 1 - The term "Charges incidental to the transportation of the shipment" shall include only the following:

- (a) Inbound transportation charges (ocean transportation will not be advanced) (Subject to Note 4)
- (b) Loading or unloading charges.
- (c) Charges for packing or crating the shipment.
- (d) Drayage charges (Subject to Note 2).
- (e) In bond or custom house charges.
- (f) Wharfage or handling charges on import shipments.
- (g) Warehouse storage or warehouse handling charges.
- (h) Broker's fees on Customs or in bond shipments (See Notes 3 and 5).
- (i) Demurrage.
- (j) Carriers storage.

NOTE 2 - The term "Drayage" as used in this item shall mean local transportation with the pickup terminal area, from actual origin to the line haul carrier's dock. "No drayage charges which are not lawfully on file with the Interstate Commerce Commission will be advanced unless the payment is guaranteed in writing by the consignor".

NOTE 3 - When reference is made hereto, the nature of the charges to be advanced need not be stated on Bill of Lading at time of shipment if they accrue at a point other than origin.

NOTE 4 - Cost of preparing immediate transportation entry (IT) papers will be advanced by the carrier and will not be subject to the advance charge.

NOTE 5 - Provisions of this item do not include the advancing of brokers' fees on in bond shipments moving from a place in a foreign country to another place in a foreign country and transported through the United States.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 345

ARRIVAL NOTICE AND UNDELIVERED FREIGHT

PART 1

ARRIVAL NOTICE:

1. Actual tender of delivery at consignee's place constitutes the notice of the arrival of a shipment.
2. If the shipment is not actually tendered for delivery, notice of arrival will be given to the consignee not later than the next business day (See Note 1) following the arrival of the shipment.
  - (a) The notice will be given by telephone, if convenient and practical; otherwise by mail or telegraph. The notice however transmitted, will specify the point of origin, the consignor and the commodity and weight of shipment.
  - (b) If the consignee's address is unknown to the carrier, the notice will be mailed to him at the post office serving the point of destination shown on the bill of lading.
  - (c) In the case of notification by mail, the notice will be deemed to have been given (that is, received by the addressee) at 8 AM on the first business day (See Note 1) after it was mailed.

PART 2

UNDELIVERED FREIGHT:

1. If freight cannot be delivered because of the consignee's refusal, or inability to accept it, or because the carrier cannot locate the consignee, or if freight cannot be transported because of an error or omission on the part of the consignor, the carrier will make a diligent effort to notify the consignor promptly that the freight is in storage and the reason therefor.
2. Undelivered shipments will be subject to storage as provided in Item 910.
3. On undelivered shipments disposition instructions issued prior to tender of delivery will not be accepted as authority to reshipe or return a shipment or to limit storage liability.

NOTE 1 - For the purpose of this item, business day means Monday through Friday, excluding holidays.

ITEM 360

BILL OF LADING ORDER-NOTIFY SHIPMENTS

Except as otherwise provided, shipments moving on Order-Notify bills of lading will be subject to an additional charge of \$30.00 per shipment.

ITEM 381

CANCELLATION OF ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel, except as otherwise specifically indicated, correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.  
 Example: Item 445-A Cancels Item 445, and Item 365-B Cancels Item 365-A in a prior supplement, which in turn cancelled Item 365 (if Item 365 had not been cancelled for some reason, Item 365-B would cancel it as well). If the new item provides a specific cancellation of a prior issue or issues, this rule is not applicable.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 390

CAPACITY LOADS - OVERFLOW

1. Each and every vehicle loaded to capacity shall be subject to a minimum weight of 20,000 lbs.
2. The excess or overflow portion of a shipment that does not require another vehicle to be loaded to capacity shall be rated as a separate shipment.
3. The terms "LOADED TO CAPACITY" or "CAPACITY LOAD" refers to the extent to which a vehicle is loaded with freight, each term meaning:
  - (a) That quantity of freight which, because of unusual shape or dimensions or because of necessity for segregation from other freight, requires the entire capacity of a vehicle; or;
  - (b) That quantity of freight which, in the manner loaded, so fills a vehicle that no additional article in that shipping form tendered identical in size to the large article in the shipment can be loaded in or on the vehicle.
  - (c) That quantity of freight that can be legally loaded in or on a vehicle because of the weight or size limitation of state or regulatory bodies; or
  - (d) The quantity of freight consisting of one article loaded in or on a vehicle when one additional article, weighing the same as or more than the articles loaded, cannot be legally loaded because of the weight limitation of state or regulatory bodies.

NOTE 1 - The provisions of this paragraph will apply regardless of whether there is another article tendered for loading as part of the same shipment.

ITEM 410

CARRIER LIABILITY LIMITS.

PART 1

**MAXIMUM LIABILITY**

1. Shipments accepted for transportation at the rates or charges in tariffs and/or contracts made subject to this tariff will be subject to a released value not exceeding \$25.00 per pound and in no case will the carrier's liability exceed \$75,000.00 per shipment.
2. The \$25.00 per pound provision will not apply where a released valuation is provided in NMF 100 series or a lower rvnx applies under Parts 2 , 3 or 4 to this item.

PART 2

**RELEASED OR ACTUAL VALUE CONDITIONS USED COMMODITIES**

1. Shipments of used commodities will be accepted for transportation only when the consignor releases the shipment subject to a value not to exceed 50 cents (\$.50) per pound.
2. Commodities to which provisions of this item apply include but are not limited to the following.
  - NMFC Items 8900 through 11580 (Agricultural Implements or Parts)
  - NMFC Items 17800 through 20252 (Auto Parts)
  - NMFC Items 60500 through 63561 (Electrical Equipment or Parts)
  - NMFC Items 114000 through 133430 (Machinery or Parts)
  - NMFC Items 188500 through 193050 (Vehicles and Vehicle Parts)
  - Furniture and/or Household Goods
3. The released value must be entered on the shipping order.
4. If the consignor declines or fails to declare the value. The shipment will not be accepted.
5. If inadvertently accepted, shipment will be considered as being released to 50 cents per pound and will be charged for at the applicable rate.
6. Failure of the consignor to declare that a commodity is "used" shall not alter the application of the item.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 410 (Continued)

CARRIER LIABILITY LIMITS

7. This item will not apply to those commodities named in the NMFC 100 series which provide for specific released value provisions.
8. For the purpose of these provisions, commodities which have been rebuilt, reconditioned, remanufactured or refurbished, will be considered as "USED".
9. The following definition is intended to distinguish between new and used. Cargo is considered new if it has come from the manufacturing facility and it remains in and has never been removed from its original packaging.

In no case will maximum carrier liability exceed Part 1 to this Item.

PART 3

**MAXIMUM LIABILITY ON SPECIAL PRICING**

Except as otherwise specifically provided herein, or outlined in other BRTC tariffs, the following maximum liability will apply on FAK or per unit pricing whichever produces the lesser amount:

1. The actual value of the article.
2. The lowest released value provided in BRTC tariffs or NMF 100 series.
3. The maximum per pound per lost or damaged package outlined in Table A or B herein, for the weight of each article tendered on the shipment derived from the application of a FAK or per unit rating.

TABLE A LIABILITY FOR SHIPMENTS RATED BY FAK PRICING

<u>FAK CLASS</u>	<u>MAX. LIABILITY*</u>	<u>FAK CLASS</u>	<u>MAX. LIABILITY*</u>	<u>FAK CLASS</u>	<u>MAX LIABILITY*</u>
50	\$1.00	85	\$9.00	175	\$10.00
55	\$1.50	92.5	\$10.00	200	\$10.00
60	\$2.25	100	\$10.00	250	\$10.00
65	\$3.75	110	\$10.00	300/500	\$10.00
70	\$5.50	125	\$10.00		
77.5	\$7.00	150	\$10.00		

\*Maximum liability is per pound per damaged or lost package.

TABLE B LIABILITY FOR SHIPMENTS PRICED BY HANDLING UNIT

Carrier's liability for loss or damage to any shipment that has been priced per handling unit (per piece, per pallet, per drum, etc.), is limited to the (1) actual invoice value of the commodities damaged, lost or destroyed; (2) limited liability provisions of the bill of lading or the NMFC; or (3) 50 cents (\$.50) per pound per package of the commodities lost or damaged; whichever is less.

In no case will maximum carrier liability exceed Part 1 to this item.

PART 4

**LIABILITY FOR VOLUME OR SPOT PRICE QUOTES**

Carrier's liability for damage or loss to any shipment or part thereof in connection with volume or spot price quotes will not exceed (1) actual invoice value of the actual item lost, damaged or destroyed; (2) limited liability provisions of the bill of lading; (3) applicable limited provisions of the NMFC ; whichever is less with a maximum liability of \$1.00 per pound per lost or damaged item. In no case shall carrier's maximum liability exceed \$10,000.00 per shipment. This section is not subject to Part 1 or 5 of this item.

(Concluded on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 410 (Concluded)

CARRIER LIABILITY LIMITS

**PART 5  
EXCESS LIABILITY COVERAGE**

Unless otherwise outlined in subsequent sections herein, or otherwise specifically outlined in participating tariffs, shipper may request coverage in excess of the limits previously outlined in Part 1 by indicating in writing in the body of the bill of lading at time of shipment the total dollar amount of excess coverage requested (see example). Excess coverage will be limited to a maximum liability of \$75,000.00 per shipment. Excess liability will not apply on:

1. Articles specifically named in item 780 herein.
2. Articles with declared or released values as described in BRTC tariffs or NMC 100 series unless requested in advance and rate quote number issued by Carrier.
3. Any amount that actually exceeds the value of the goods being shipped.

BRTC will apply an additional charge of \$3.00 per \$100.00 of additional coverage requested in excess of the initial maximum liability subject to a minimum charge of \$60.00 per shipment. This charge is in addition to all other lawful freight charges and is not subject to any discount provisions. Charges are to be paid by the party responsible for payment of the otherwise applicable freight charges. Excess liability coverage will only apply to shipments that meet the provisions outlined in the bill of lading contract which includes the minimum packaging requirements as provided in NMF 100 series. Carrier has the right to refuse any request where carrier deems the cargo unsafe to transport.

EXAMPLE: Shipper requesting additional excess coverage of \$10,000.00 would enter on the bill of lading the following:

“Excess liability coverage requested: \$10,000.00.”

OR

\$10,000 excess liability coverage requested.”

Stating the value on the bill of lading without requesting excess liability coverage will not increase carrier’s liability and charges for excess liability coverage will not be assessed to the bill.

ITEM 430

COD SHIPMENTS

The charge for collecting and remitting a COD shipment will be 3 per cent of the COD amount, subject to a minimum charge of \$35.00.

ITEM 470

CONTROL AND EXCLUSIVE USE OF VEHICLE

**SECTION 1  
Control of Vehicle**

Except as provided in Section 2 of this item, no shipment is entitled to the exclusive use of the vehicle in which it is to be transported and the carrier has control of the vehicle with the unrestricted right to:

1. Select the vehicle for the transportation of a shipment.
2. Transfer the shipment to another vehicle.
3. Load other freight on the same vehicle.
4. Remove locks or seals applied to the vehicle.

(Continued on following page)

For explanation of reference marks, see Item 999999.

## GENERAL RULES

ITEM 470 (Continued)

## CONTROL AND EXCLUSIVE USE OF VEHICLE

## SECTION 2

## Exclusive Use Of Vehicle

When the exclusive use of a vehicle is provided by the carrier at request of consignor or consignee, the following provisions will apply:

1. Charges will apply to each vehicle used to transport the shipment.
2. The request must be given in writing or placed on the bill of lading and shipping order.
3. When bill of lading and/or shipping instructions prohibit the breaking of locks or seals or the co-loading of additional freight, such instructions will be considered as a written request for exclusive use service.
4. The vehicle will be devoted exclusively to the transportation of the shipment, without the breaking of locks or seals, except as provided in Paragraph 5.
5. In the event a lock or seal has been removed from a vehicle, the carrier will immediately re-lock or re-seal the vehicle and will notate the accompanying papers with the new lock or seal number and the reason for removal of the original lock or seal. No freight will be added to the vehicle except at the instruction of the consignor or consignee.
6. Charges will be computed at the rates and weights applicable to the shipment without reference to this item subject to a minimum charge for 20,000 lbs. at the Class 125 weight group 20M rate.
7. Charges are to be paid or guaranteed by the party requesting the service and the non-recourse stipulation of the bill of lading may not be executed (This paragraph not applicable on shipments moving on Government bills of lading).
8. When the request for exclusive use of vehicle is made by the consignor or consignee after shipment has been receipted for and is in possession of the carrier, the carrier will, if possible, intercept the shipment and convert it to exclusive use of vehicle service over as much of the route as possible. The party making the request must confirm in writing and must guarantee charges. Such written verification will be preserved by the carrier and be considered as part of the bill of lading contract. Charges will be assessed as provided in Part 6 between the point of origin and point of destination.
9. Stop-offs for partial loading or partial unloading will not be permitted on shipments transported under provisions of this section.

ITEM 480

## CUSTOMS OR IN BOND FREIGHT

1. Shipments moving under United States Customs Bond for U. S. Customs clearance at a point in the United States will be assessed a charge of 200 cents per 100 pounds, subject to a minimum charge of 3500 cents and a maximum charge of 17500 cents per shipment based on the actual weight or applicable minimum weight, whichever is greater. Such charge shall be in addition to all other applicable charges. On shipments requiring the use of more than one trailer, each trailer shall be considered as a separate shipment for the purpose of applying the provisions of this item. (See Note 2)
2. Except as provided in Notes 1, 3 and 4, line haul charges on shipments requiring U. S. Customs Clearance destined to a point outside of the commercial zone of the point of U. S. Customs Clearance will be assessed on the basis of rates and charges applicable from point of origin to the point of U. S. Customs Clearance, plus the rates and charges applicable from the point of U. S. Customs Clearance to the final destination. When the final destination is within the commercial zone of the point of U. S. Customs Clearance, the line haul rates and charges to be assessed will be those applicable to the point of U. S. Customs Clearance or to final destination, whichever is greater.
3. Import Freight moving In Bond may not be included on the same shipment on the same bill of lading and shipping order with freight not moving In Bond.
4. Shipments moving under United States Customs Bond will not be accorded stopping in transit or split pick up or split delivery privileges.
5. Detention charges, if any, will be assessed against the party responsible for the line haul charges. For the purpose of applying storage rules and charges in connection with shipments moving under U. S. Customs Bond, notification to the Deputy Collector of Customs that a shipment is available for Customs inspection will constitute tender of shipment for delivery.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 480 (Continued)

CUSTOMS OR IN BOND FREIGHT

6. Each IT Permit (Immediate Transportation Permit) issued for movement of an In Bond Shipment will be considered as a separate shipment, and must be accomplished by one bill of lading and shipping order. The provisions of this paragraph will not apply to volume or truckload shipments moving In Bond between steamship company piers or wharves or when such shipments are delivered to a U. S. Customs Bonded Warehouse.
7. Shipments tendered in a vehicle sealed by or at the instructions of the consignor, or as required by competent authority, will be considered as fully loaded or loaded to capacity and subject to the provisions of Item 390 of this tariff. On shipments cleared enroute by U. S. Customs, and movement beyond such clearance does not require a seal, normal rates and charges shall apply to the beyond point.

NOTE 1 - Not applicable from or to Canada when U. S. Customs clearance is performed at ports located on the U. S.-Canadian boundary line or adjacent hereto.

NOTE 2 - Will also apply when carrier is required to move freight from site of initial pickup to another site for U. S. Customs clearance prior to departure from port facilities.

NOTE 3 - Line-haul charges on shipments requiring U.S. Customs clearance at Brownsville, Hidalgo or Roma, TX, destined to a point outside the corporate limits of the point of U.S. Customs clearance will be assessed on the basis of rates and charges applicable from point of origin to point of U.S. Customs clearance, plus the rates and charges applicable from the point of U.S. Customs clearance to the final destination (See Note 4).

NOTE 4 - On shipments requiring U.S. Customs clearance at; Brownsville, TX destined to points within 6 miles of the corporate limits thereof; Hidalgo, TX destined to points within 3 miles of the corporate limits thereof; or Roma, TX destined to points within 4 miles of the corporate limits thereof, the line-haul rates and charges to be assessed will be those applicable to the point of U.S. Customs clearance or to the final destination, whichever is greater.

ITEM 480-1

CUSTOMS OR IN BOND FREIGHT

- (a) A part of a truckload or LTL shipment held out by United States Government authorities at port of import for appraisalment or other action by them, when forwarded, will be billed as a part lot of the original shipment and full reference to the original billing shall be shown on the part lot billing.
- (b) Such freight will be rated as a part of the original shipment and not as a separate LTL shipment. The rate on this part of the shipment does not include pickup service provided for in Item 570 (Pickup and Loading Service).
- (c) If such part lot shipment is brought to the carrier's dock by other than the motor carrier, the actual cost of such movement, if paid by the motor carrier, will be added to the freight bill. If such part lot shipment is picked up by the motor carrier a charge of 750 cents per 100 pounds, minimum charge of 3500 cents per shipment, will be assessed and such charge will be in addition to the line haul charge.

ITEM 500

DETENTION - VEHICLES WITH POWER UNITS

APPLICATION:

Detention - vehicles with power units - This item applies when carrier's vehicles with power units are delayed or detained on the premises of consignor, consignee, or on other premises designated by them, or as close thereto as conditions will permit, subject to the following provisions:

SECTION 1 - General provisions -

- (a) This item applies only to vehicles which have been ordered or used to transport shipments subject to truckload rates. For the provisions of this item, the term "truckload rates" shall be considered to include shipments moving on a rate subject to a stated minimum weight of 10,000 pounds or more when not designated as a truckload rate, and, where applicable, shipments which are assessed charges based on the provisions of a Capacity Load Rule or are accorded Exclusive Use of Vehicle Service or Expedited Service.

(Continued on following page)

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 500 (Continued)

## DETENTION - VEHICLES WITH POWER UNITS

## SECTION 1 - General provisions (Continued)

- (b) This item applies only when vehicles are delayed or detained at the premises of pickup or delivery and only when such delay or detention is not attributable to the carrier.
- (c) Free time for each vehicle will be as provided in Section 4. After the expiration of free time, charges will be assessed as provided in Section 5.
- (d) The detention charges due the carrier will be assessed against the consignor in the case of loading and against the consignee in the case of unloading, irrespective of whether line-haul charges are prepaid or collect. When detention charges are attributable to others who are not parties to the Bill of Lading, the party responsible for the payment of the freight charges will be held responsible for any accrued detention charges. (See Note A)  
NOTE A - At those marine terminal facilities where Federal Maritime Commission detention charges apply, carrier charges pursuant to this rule will be assessed on the party responsible for the payment of the freight charges to the extent such charges exceed those of the Federal Maritime Commission.
- (e) When carrier's employee assists in loading, unloading, or checking the freight, this item will apply whether or not the power unit is actually detained.
- (f) Nothing in this item shall require a carrier to pick up or deliver freight at hours other than carrier's normal business hours. This shall not be construed to restrict a carrier's ability to accept pickup and delivery schedules at hours other than its normal business hours.

## SECTION 2 - Definitions - The following general definitions will apply when the below terms are used in this item:

- (a) "Vehicle" means straight trucks or tractor-trailer combinations used for the transportation of property.
- (b) "Loading" includes furnishing carrier with the Bill of Lading, forwarding directions, or other documents necessary for forwarding the shipment.
- (c) "Unloading" includes:
  1. Surrender of the Bill of Lading to the carrier on shipments billed "To Order".
  2. Payment of lawful charge to the carrier when required prior to delivery of the shipment.
  3. Notification to the carrier that vehicle is unloaded, and
  4. Signing of the delivery receipt.
- (d) "Premises" means the entire property at or near the physical facilities of consignor, consignee, or other designated party.
- (e) "Site" means a specific location at or on the premises of consignor, consignee, or other designated party.
- (f) "Normal nonworking periods" mean meal, coffee, and rest breaks.
- (g) "Pallet" means pallets, platforms, shipping racks, or skids with or without standing sides or ends, but without tops.

## SECTION 3 - Computation of time -

- (a) Commencement and terminations:
  1. The time per vehicle shall begin to run upon actual notification by carrier's employee to a responsible representative of consignor, consignee, or other designated party at the premises of pickup or delivery of the arrival of the vehicle for loading or unloading. Upon such notification, the responsible representative of consignor, consignee, or other designated party may enter the time of arrival onto the carrier's detention record. If the representative refuses to enter the time, then carrier's employee will enter the time and it will be binding upon each party.
  2. Time shall end upon completion of loading or unloading except as provided for in paragraph (c) of this section. Upon such completion, a responsible representative of consignor, consignee, or other designated party may enter the time of completion onto the carrier's detention record. If the representative refuses to enter the time, then carrier's employee will enter the time and it will be binding.

(Continued on following page)

GENERAL RULES

ITEM 500 (Continued)

DETENTION - VEHICLES WITH POWER UNITS

SECTION 3 - Computation of time - (Continued)

(b) Prearranged scheduling:

1. Upon reasonable request of consignor, consignee, or others designated by them, carrier will, without additional charge, enter into a prearranged schedule for arrival of the vehicle for loading or unloading.
2. When the carrier enters into a prearranged schedule with consignor, consignee, or others designated by them for the arrival of the vehicle for loading or unloading and carrier is unable for any reason to maintain such schedule, then carrier and consignor, consignee, or other party designated by them have the option to agree to a mutually convenient and prompt alternative arrival time or in the event such agreement cannot be reached, to compute detention time against consignor, consignee, or other party designated by them for carrier's actual arrival time subject to a extension of 15 minutes for each 15 minutes, or fraction thereof, the vehicle is delayed beyond the originally scheduled arrival time; in no case shall such extended free time exceed 60 minutes.
3. If carrier's vehicle arrives prior to scheduled time, time shall begin to run from the scheduled time or actual time loading or unloading commences, whichever is earlier.

(c) Conditions governing the computation of time:

1. Computations of time are subject to and are to be made within the normal business hours at the designated place of pickup or delivery. If carrier is permitted to work beyond this period, such working time shall also be included.
2. When loading or unloading is not completed at the end of the normal business hours at the designated place, consignor, consignee, or other party designated by them shall have the option:
  - (i) to request that the vehicle without power remain at its premises subject to the provisions of Section 4(d); or
  - (ii) to request that the vehicle with power be returned to carrier without being subject to charges for storage or redelivery so long as free time has not yet expired. When the vehicle is returned for completion of loading or unloading the computation of any remaining free time will resume. If free time has expired and detention has begun to accrue, storage or redelivery charges as may otherwise be provided will be assessed.
3. When carrier's employee interrupts loading or unloading by the taking of any normal nonworking periods, any such time will be excluded from the computation of free time, or will be excluded from the computation of time in excess of free time.

SECTION 4 - Free time -

(a) Free time shall be computed as follows:

Actual Weight in Pounds per Vehicle stop (See Note B)	Free Time in minutes per vehicle stop
Less than 10,000	120
10,000 but less than 20,000	180
20,000 but less than 28,000	240
28,000 but less than 36,000	300
36,000 but less than 44,000	360
44,000 or more	420

NOTE B - Also applies to the last vehicle used in transporting overflow truckload shipments, or to vehicles containing truckload shipments stopped for completion of loading or partial unloading.

- (b) When at least 90 per cent of the shipment weight (exclusive of pallet weight) is loaded on pallets, or when shipment is loaded on flat-bed or other open-top equipment, free time shall be one-half that amount normally applicable for the weight, not to exceed 120 minutes, except that, when open-top equipment is used in lieu of closed equipment to transport shipments of unpalletized general commodities, free time will be as provided in Section 4(a).
- (c) When more than one truckload shipment or a truckload shipment and one or more less-than-truckload (LTL) or any quantity (AQ) shipments are loaded on one vehicle at the premises of consignor or when more than one truckload shipment or a truckload shipment and one or more LTL or AQ shipments are unloaded from one vehicle at the premises of consignee or other designated party, the combined weight will be used to determine free time, in all other instances the individual shipment weight will be used.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 500 (Continued)

DETENTION - VEHICLES WITH POWER UNITS

SECTION 4 - Free time -(Continued)

- (d) When a vehicle with power is changed to a vehicle without power at the request of consignor, consignee, or other party designated by them, the free time and detention charges will be applied as follows:
  1. If the change is requested and made before the expiration of free time for a vehicle with power, free time will cease immediately at the time the request is made, and detention charge for vehicles without power will immediately commence with no further free time allowed.
  2. If the change is requested and made after the expiration of free time for a vehicle with power, free time and detention charges will be computed on the basis of a vehicle with power up to the time the change was requested. In addition thereto, the vehicle will immediately be charged detention for vehicles without power with no further free time allowed.
- (e) When a vehicle is both unloaded and reloaded, each transaction will be treated independently of the other, except that when loading is begun before unloading is completed, free time for loading shall not begin until free time for unloading has elapsed.
- (f) Loading or unloading at more than one site at or on the premises of consignor, consignee, or other designated party shall constitute one vehicle stop.

SECTION 5 - Charges -

When the delay per vehicle beyond free time is 1 hour or less, the charge will be \$45.00. For each additional 30 minutes or fraction thereof, the charge will be \$22.50.

ITEM 501

DETENTION - VEHICLES WITHOUT POWER UNITS

APPLICATION:

Detention - vehicles without power units - spotting or dropping trailers - (See Note A)

This item applies when carrier's vehicles without power units are delayed or detained on the premises of consignor, consignee, or on other premises designated by them, or as close thereto as conditions will permit, subject to the following provisions:

NOTE A - For the purposes of this item the terms "spotting" and "dropping" are considered to be synonymous and are used interchangeably.

SECTION 1 -General provisions -

- (a) Subject to the availability of equipment, carrier will spot empty or loaded trailers for loading or unloading on the premises of consignor, consignee, or on other premises designated by them, or as close thereto as conditions will permit.
- (b) Loading or unloading will be performed by consignor, consignee, or other party designated by them. When carrier's employee assists in loading, unloading, or checking the freight, the detention provisions governing vehicles with power units will apply. In the case of spotting for loading the bill of Lading must show "Shipper Load and count."
- (c) Carrier responsibility for safeguarding shipments loaded into trailers spotted under the provisions of this item shall begin when loading has been completed and possession there of is taken by the carrier.
- (d) Carrier responsibility for safeguarding shipments unloaded from trailers spotted under the provisions of this item shall cease when the trailer is spotted at or on the site designated by consignee.
- (e) Free time for each vehicle will be as provided in Section 3. After the expiration of free time charges will be assessed as provided in Section 4.
- (f) The detention charges due the carrier will be assessed against the consignor in the case of spotting for loading and against the consignee in the case of spotting for unloading irrespective of whether charges are prepaid or collect.
- (g) Nothing in this item shall require a carrier to pickup or deliver spotted trailers at hours other than the carrier's normal business hours. This shall not be construed as a restriction on carrier's ability to pickup or deliver spotted trailers at hours other than its normal business hours.

(Continued on following page)

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 501 (Continued)

## DETENTION - VEHICLES WITHOUT POWER UNITS

SECTION 2 - Definitions - The following general definitions will apply when the below terms are used in this item:

- (a) "Vehicle" means tractor-trailer combinations used for the transportation of property where:
1. "Trailer" means mobile units with or without wheels, used to transport property and,
  2. "Tractor" means a mechanically powered unit used to propel or draw a trailer or trailers upon the highways.
- (b) "Loading" includes:
1. Furnishing of the Bill of Lading, forwarding directions, or other documents necessary for forwarding the shipment to the carrier, and
  2. Notification to the carrier that the vehicle is loaded and ready for forwarding.
- (c) "Unloading" includes:
1. Surrender of the Bill of Lading to the carrier on shipments billed "To Order."
  2. Payment of lawful charges to the carrier when required prior to delivery of the shipment.
  3. Notification to the carrier that vehicle is unloaded and ready for forwarding, and
  4. Signing of delivery receipt.
- (d) "Premises" means entire property at or near the physical facilities of consignor, consignee, or other designated party.
- (e) "Site" means a specific location at or on the premises of consignor, consignee, or other designated party.
- (f) "Spotting" means the placing of a trailer at a specific site designated by consignor, consignee, or other party designated by them, detaching the trailer, and leaving the trailer in full possession of consignor, consignee, or other designated party unattended by carrier's employee and unaccompanied by power unit. Carrier will not move the trailer until such time as it has received notification pursuant to Section 3, that the trailer is ready for pickup at any site on premises. Consignor, consignee, or other designated party may shift the spotted trailer with its own power units at its own expense and risk for the purpose of loading or unloading. Empty trailers placed at the premises of consignor without specific request are not spotted until the carrier receives a consignor's request and places a trailer for spotting. Movement of the trailer from the consignor's premises to the specific site for spotting shall be the obligation of the carrier, and free time shall accrue as provided in Section 3.

## SECTION 3 - Computation of free time -

- (a) Commencement of spotting and free time:
1. Spotted trailers will be allowed 24 consecutive hours of free time for loading or unloading. For trailers spotted for unloading, such time shall commence at the time of placement of the trailer at the site designated by consignee, or other party designated by consignee. For trailers spotted for loading, such time shall commence when the trailer is spotted at the site specifically designated by the consignor or a party designated by consignor.
  2. When any portion of the 24 hour free time extends into a Saturday, Sunday, or holiday (national, State, or municipal), the computation of time for such portion shall resume at 12:01 A.M. on the next day which is neither a Saturday, Sunday, or holiday.
  3. Free time shall not begin on a Saturday, Sunday, or holiday (national, State, or municipal), but at 8:00 A.M. on the next day which is neither a Saturday, Sunday, or holiday.
  4. When a trailer is both unloaded and reloaded, each transaction will be treated independently of the other, except that when unloading is completed, free time for loading shall not begin until after free time for unloading has elapsed.
- (b) Termination of spotting and notification:
1. Consignor, consignee, or other party designated by them shall notify carrier when loading or unloading has been completed and the trailer is available for pickup. The trailer will be deemed to be spotted and detention charges will accrue until such time as the carrier receives notification. Notification by telephone if convenient and practical, otherwise by telegraph or mail, shall be given by consignor, consignee, or other party designated by them at their own expense, to carrier or other party designated by carrier for the purpose of advising such carrier or other party that the spotted trailer has been loaded or unloaded and is ready for pickup. If notification is by telephone, carrier may require written confirmation.

(Continued on following page)

GENERAL RULES

ITEM 501 (Continued)

DETENTION - VEHICLES WITHOUT POWER UNITS

SECTION 3 - Computation of free time - (Continued)

(b) Termination of spotting and notification: (Continued)

2. When a spotted trailer is changed to a vehicle with power at the request of consignor, consignee, or other party designated by them, the free time and detention charges will be applied as follows:
  - (i) If the change is requested and made before the expiration of free time for a spotted trailer, free time will cease immediately at the time the request is made, and detention charges for vehicles with power will immediately commence with no further free time allowed.
  - (ii) If the change is requested and made after the expiration of free time for a spotted trailer, free time and detention charges will be computed on the basis of a spotted trailer up to the time the change was requested. In addition thereto, the vehicle will immediately be charged detention for a vehicle with power with no further free time allowed.

(c) Prearranged scheduling:

1. Upon reasonable request of consignor, consignee, or others designated by them, carrier will, without additional charge, enter into a prearranged schedule for the arrival of trailers for spotting.
2. If carrier's vehicle arrives later than the scheduled time, time shall begin to run from actual time spotting commences.
3. If carrier's vehicle arrives prior to scheduled time, time shall begin to run from the scheduled time or actual time loading or unloading commences, whichever is earlier.

SECTION 4 - Charges -

(a) General detention charges: After the expiration of free time as provided in Section 3(a) of this item, charges for detaining a trailer will be assessed as follows:

	Charge
1. For each of the first and second 24-hour periods or fraction thereof (Saturdays, Sundays, and holidays excepted)	\$60.00
2. For each of the third and fourth 24-hour periods or fraction thereof (Saturdays, Sundays, and holidays excepted)	\$75.00
3. For the fifth and each succeeding 24-hour period or fraction thereof (Saturdays, Sundays, and holidays included)	\$100.00

(b) Delay in trailer pickup charge: No additional charge will be made for picking up trailers spotted under this item when such pickup can be performed within 30 minutes after arrival of driver and power unit at premises of consignor, consignee, or other party designated by them. When a delay of more than 30 minutes is encountered, detention charges for vehicles with power will commence from the time of arrival as specified in Item 500.

(c) Strike interference charge: When, because of a strike of its employees, it is impossible for consignor, consignee, or other party designated by them to make available for movement by carrier any partially loaded, or empty trailers detained on their premises, a detention charge of \$60.00 per day or fraction thereof, per trailer will be made following expiration of free time. Saturdays, Sundays, and holidays shall be included after the 4th day of charges.

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 502

## DETENTION - LTL OR AQ SHIPMENTS - WITH POWER UNITS

This item applies when carrier's vehicles with power units are delayed or detained either on the premises of consignor or consignee or as close thereto as conditions will permit subject to the following provisions:

## SECTION 1 - GENERAL PROVISIONS:

1. This item applies only to vehicles which have been ordered or used to transport shipments: Subject to rates having a stated minimum weight of less than 10,000 lbs. not subject to Item 470 (Exclusive Use of Vehicle Service) or Item 390 (Capacity Load Provisions).
2. When carrier's employee assists in loading, unloading or checking the freight, this item will apply whether or not the power unit is actually detained.
3. Nothing in this item shall require a carrier to pickup or deliver freight at hours other than such carrier's normal business hours.
4. When vehicle is both unloaded and reloaded, each transaction will be treated independently of the other, except that when loading is begun before unloading is completed, free time for the loading shall not begin until free time for unloading has expired.
5. Freight remaining undelivered after the accrual of any detention charges may be placed in storage. Such freight shall be subject to accrued detention charges up to the time freight is placed in storage and shall immediately become subject to storage charges in Item 910. If the freight is later tendered for delivery, the charge for redelivery in Item 830 will apply. In such event detention charges as provided in Section 5 of this item will immediately become applicable.
6. When the loading or unloading of a vehicle with power cannot be completed at the end of a normal business day:
  - (a) Consignor or consignee may request that the vehicle without power remain at its premises and the provisions of Section 4 (2) will apply.
  - (b) Consignor or consignee may request that the vehicle with power be returned to carrier's premises. At that time, computation of any remaining free time will cease. That portion of the shipment in the carrier's possession is subject to storage as provided in Item 910. When the vehicle is returned to consignor's or consignee's premises, computation of any remaining free time will resume. The portion of a shipment that is redelivered is subject to redelivery charges provided in Item 830.

## SECTION 2 - DEFINITIONS:

"LOADING" - Includes the furnishing to the carrier the bill of lading of forwarding directions or documents necessary for forwarding of the shipment.

"UNLOADING" - Includes:

- (a) Surrender to the carrier of bill of lading on shipments billed "To Order".
- (b) Payment of lawful charges to the carrier when required prior to delivery of the shipment.
- (c) Notification to the carrier that vehicle is unloaded.
- (d) Signing delivery receipt when delivering carrier's agent is present at unloading.

## SECTION 3 - COMPUTATION OF TIME:

1. Except as provided in Paragraphs 2 and 3, computation of time shall begin upon notification by the driver to the responsible representative of the consignor or consignee of the arrival of the vehicle for loading or unloading. Time shall end upon completion of loading or unloading and receipt by the driver of a signed bill of lading or receipt for delivery.
2. Computation of time are subject to and are to be made within the normal business day at the designated premises at place of pickup or delivery, except:
  - (a) When loading or unloading is not completed at the end of such day, time will be resumed upon notification by driver to the responsible representative of the consignor or consignee that he is ready to resume loading or unloading.
  - (b) When loading or unloading is interrupted for a normal meal period, meal time not to exceed one hour will be excluded from computation of time.

(Continued on following page)

GENERAL RULES

ITEM 502 (Continued)

DETENTION - LTL OR AQ SHIPMENTS - WITH POWER UNITS

SECTION 3 - COMPUTATION OF TIME: (Continued)

3. When carrier is permitted to work before or after the normal day, such working time shall also be included.
4. When consignor tenders or consignee receives more than one LTL or AQ shipment at one time, the combined weight will be used to determine free time. The free time will be increased by 5 minutes for each shipment subject to a maximum of 60 minutes additional free time.
5. Where there is more than one payor, charges will be prorated on the basis of the weight of each individual shipment. Where single or multiple LTL or AQ shipments subject to LTL or AQ rates exceed the carrying capacity of one vehicle, free time for each vehicle shall be computed separately.

SECTION 4 - FREE TIME:

1. Free time shall be as follows:

Actual Weight in Pounds Per Vehicle Stop	Free Time in Minutes Per Vehicle Stop
Less than 2,500	30
2,500 but less than 5,000	60
5,000 but less than 7,500	90
7,500 but less than 10,000.	120
10,000 but less than 20,000	180
20,000 or more	240

2. Once a vehicle with power is placed for loading or unloading and then changed to a vehicle without power at the request of consignor or consignee, the free time and detention charges will be applied as follows:
  - (a) If the change is requested and made within free time allowed for a vehicle with power, free time will cease immediately at the time request is made and detention charge for vehicle without power will be applied immediately with no further free time allowed.
  - (b) If the change is requested and made after expiration of free time for vehicle with power, free time and detention charges will be computed on the basis of a vehicle with power up to the time the charge was requested. In addition thereto, vehicle will immediately be placed in detention for vehicle without power with no further free time allowed.
3. Free time will be computed on the total number of shipments and their combined weight on the vehicle, regardless of origin or destination. Where any shipment on the vehicle is subject to a similar rule providing greater total free time for the vehicle than here provided, such greater free time will apply. When free time is exceeded, detention charges on the vehicle will be determined by the application of the lowest detention charge governing any shipment on the vehicle.

SECTION 5 - CHARGES:

1. When the loading or unloading is delayed, the charge per vehicle for each 15 minutes, or fraction thereof, beyond free time will be \$25.00.
2. The amounts due the carrier under the provisions of this rule shall be assessed against the consignor in the case of loading, and against the consignee, in the case of unloading, irrespective of whether line-haul charges are prepaid or collect. In the case of import, intercoastal or coastwise shipments, the consignee will be responsible for the charges and in the case of export, intercoastal or coastwise shipments, the consignor will be responsible for the charges.

ITEM 560

EXTRA LABOR - LOADING OR UNLOADING

1. When requested by the consignor or consignee, extra labor will be furnished by the carrier for loading or unloading. At each location where extra labor is used:
  - \$40.00 per man for each hour or fraction thereof up to 8 hours.
  - \$75.00 per hour or fraction thereof over 8 hours.
  - \$40.00 minimum charge per man per day.
 Time shall be computed from the time the extra labor arrives at the place of pickup or delivery until loading or unloading is completed. This charge will be assessed against the consignor (See Note 1) if the extra labor is used for loading and against the consignee (See Notes 2 and 3) if the extra labor is used for unloading. Extra labor will not be furnished unless requested by consignor or consignee.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 560 (Continued)

EXTRA LABOR - LOADING OR UNLOADING

2. Carrier's records must be maintained and kept available at all times and must show as to each vehicle containing shipments on which extra labor is used:
  - (a) Name and address of consignor and consignee at whose place of business freight is loaded or unloaded.
  - (b) Identification of vehicle tendered for loading or unloading.
  - (c) Number of extra men used and the number of hours or days each such man was used.
3. The provisions of this item will not apply on Sundays and Holidays. On such days apply the charges provided in Item 754 (Pickup or delivery Service - Sundays or Holidays).
4. The provisions of this item do not obligate the carrier to furnish extra labor, if such labor is not available at the point of loading or unloading.

NOTE 1 - Consignor, as used in this item, means the party from whom the carrier received the shipment, or any part thereof, for transportation at point of origin or any stop-off point, whether he be the original consignor or warehouseman, or a connecting air, motor, rail or water carrier with which the carrier does not maintain joint through rates, or other person to whom the bill of lading is issued.

NOTE 2 - Consignee, as used in this item, means the party to whom the carrier is required, by the bill of lading or other instructions, to deliver the shipment, or any part thereof, at destination or any stop-off points, whether he be the ultimate consignee or warehouseman, or a connecting air, motor, rail or water carrier with whom the carrier does not maintain joint through rates, or other person designated by the bill of lading.

NOTE 3 - Charges for extra labor or unloading shall be assessed against the consignor if requested by the consignor and so noted on the bill of lading.

ITEM 564

EXTREME LENGTH

Shipments containing one or more articles with dimensions that equal or exceed 12 feet in length shall be subject to an additional charge of \$20.00 per shipment. This charge shall be in addition to all other applicable charges and shall be collected from the party responsible for the payment of the freight bill.

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 565

## GUARANTEED DELIVERY

Brown Transfer Guaranteed Delivery is Carrier's delivery or attempted delivery of a shipment in accordance with our normal transit standard in effect on the date of shipment, subject to the following conditions:

1. Guaranteed Delivery is only applicable on LTL shipments between points served direct by Brown Transfer and will not apply on interline shipments.
2. Shipment must be picked up by Carrier no later than 5:00 PM local time to qualify. Guaranteed Delivery does not apply on missed pickups.
3. Carrier guarantees to make shipment available for delivery by end of day (11:59 PM local time) on or before the date advertised by Carrier. The consignee must be open and willing to accept delivery up to 5:00 PM local time, delivery shall only be considered late if the consignee's facility is closed after 5:00 PM.
4. Guaranteed Delivery fee shall be 25% (\$35.00 minimum) of the freight charges (accessorials excluded) after discount, added to the freight bill.
5. To request Guaranteed Delivery, shipper must contact their local sales representative and request in writing across the bill of lading "Guaranteed Delivery Service Requested".
6. The provisions of this item are not applicable under the following:
  - a. When the shipment is delayed because the freight tendered does not match the information shown on the bill of lading, or delayed due to missing, inaccurate or incomplete documentation.
  - b. When the delay or failure to perform is the result of impractical operations, acts of God, inclement weather, industry disruptions, fires, strikes, the public enemy, the authority of law including customs inspections, a disruption in communications or an information systems failure.
  - c. Where special delivery requirements or conditions apply such as:
    - I. Appointments
    - II. Notification prior to delivery including customer pick up at carrier facilities.
    - III. Use of lift gates or special equipment.
    - IV. Shipments held for consolidation.
    - V. Shipments requiring protective service.
    - VI. COD shipments.
    - VII. Private residence deliveries.
    - VIII. Hazardous materials.
    - IX. Shipments requiring delivery on non normal work days.
    - X. Any blackout periods as may be displayed on carrier web site.
    - XI. Remote or limited access points.
    - XII. Trade show deliveries.
    - XIII. Sorting or segregating.
    - XIV. Requirement of dropped trailer for consignee unloading.
    - XV. Extreme length shipments.
    - XVI. Shipments subject to Capacity, Cubic Capacity or Truck Load rates.
    - XVII. Blind shipments.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 566

HANDLING FREIGHT AT POSITIONS NOT IMMEDIATELY ADJACENT TO VEHICLE

When requested by consignor or consignee, and carrier's operating conditions permit, the carrier's may move the shipments or portions of shipments from or to positions beyond the immediately adjacent loading or unloading positions defined in Item 750 (Pick-up or Delivery Service).

Service under this item will be provided to floors above or below the level accessible to carrier's vehicle only when elevator or escalator service is available and labor, when necessary to operate same is provided without cost to the carrier. (See Note 1)

Service provided under this item will be assessed a charge of:

CENTS PER 100 POUNDS	MINIMUM CHARGE PER SHIPMENT (IN CENTS)	MAXIMUM CHARGE OR PER VEHICLE CHARGE IF MORE THAN ONE VEHICLE IS USED (IN CENTS)
450	4500	50000

When shipments are accorded split pickup, split delivery or stopped in transit for partial loading or unloading, the minimum and maximum charges will apply to each stop separately wherever the service is performed.

The charges provided in this item will be in addition to all other lawful charges and unless the bill of lading is specifically endorsed to show prepayment of these charges they will be collected from the party requesting such service, except such charge for shipments moving on Government Bills of Lading will be collected from the U.S. Government.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 567

HAZARDOUS MATERIAL CHARGE

A flat charge of \$10.00 per shipment will apply on shipments of hazardous materials of any quantity. Class A and B explosives will not be accepted for shipment single or joint line.

ITEM 568

HEAVY OR BULKY ARTICLES, LOADING OR UNLOADING  
(Exception to NMFC Item 568)

- (a) The provisions of NMFC Item 568 will not apply. For provisions to apply, see Item 750 (Pickup and Delivery) and paragraph (b) below.
- (b) Consignor or consignee shall furnish hoists, cranes, winches, jacks, pulleys, blocks and tackle for the loading or unloading of heavy articles, and men to operate such special equipment and assume responsibility for safe loading and unloading.

ITEM 570

IMPRACTICABLE OPERATIONS

Pickup or delivery service will not be performed by the carrier at any site from or to which it is impracticable to operate vehicles because of:

1. The conditions of roads, streets, driveways, alleys or approaches thereto.
2. Inadequate loading or unloading facilities.
3. Riots, acts of God, the public enemy, the authority of law, the existence of violence, or such possible disturbances as tending to create reasonable apprehension of danger to persons or property.

ITEM 578

LOADING BY CONSIGNOR - UNLOADING BY CONSIGNEE

Rates subject to provisions that consignor is to load and/or consignee is to unload the shipment, as the case may be, are subject to the following additional provisions:

1. At the time of shipment, the consignor must endorse on the Bill of Lading and Shipping Order the notation "Consignor load and count and/or consignee must unload" the shipment, as the case may be.
2. The complete loading and/or unloading service, as the case may be, of the freight, including the count thereof must be performed by the shipper and/or consignee at his expense, without any assistance from the carrier. The carrier's employee and power unit is to be released while loading and/or unloading is performed. At carrier's option, the carrier's employee and power unit may remain during loading or unloading but will render no assistance in loading or unloading or counting.
3. (a) The complete loading service includes the counting and loading of the freight into or on the carrier's vehicle and the proper stowing and/or stacking thereof to withstand the normal hazards of transportation. Any temporary blocking, flooring or lining, racks, standards, strips, stakes or similar bracing, dunnage or supports not constituting a shipping carrier, container or package, or a part of the vehicle, when required to protect and make shipments secure for transportation, must be furnished and installed by and at the expense of the consignor.  
(b) The complete unloading service means that the consignee must count and remove the freight from the position in which it is transported in or on the carrier's vehicle.
4. On mixed shipments, when any portion of the freight is required to be loaded or unloaded by shipper and/or consignee, as the case may be, as a condition precedent to the application of the rate, the entire shipment must be loaded and/or unloaded and counted by the shipper or consignee otherwise the rate will not apply and rates otherwise published will be assessed.
5. In the event the shipment is stopped-off for partial loading or partial unloading the party or parties tendering or receiving any portion of the shipment will be subject to the requirements as to loading or unloading and counting, as the case may be.
6. If the consignor fails to comply with the requirements of paragraph 1 herein, or if for any reason the consignor or any party tendering any portion of the shipment refuses to perform the loading and counting, or the consignee, or any party receiving any portion of the shipment refuses to perform the unloading and counting, the rate will not apply and rates otherwise published will be assessed.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 580

MARKING OR TAGGING FREIGHT - CHANGING MARKINGS OR TAGS (See Note 1)  
(Exception to NMFC Item 580)

PART 1

The provisions of NMFC Item 580 will apply, however, carrier will at the request of the shipper or consignee, change or alter according to instructions, the markings or tags on any packages or pieces of freight subject to the following charges:

\$1.75 per package or piece of freight on which the marking or tag is changed or altered, subject to a minimum charge of \$25.00 per shipment.

All charges accruing under the provisions of this item, must be either paid by the party requesting the service or guaranteed to the satisfaction of the carrier before the service will be performed.

PART 2

1. Shipments of commodities as described in Note 2, may be accepted without being stenciled or otherwise marked with the name and address of the consignee, if in lieu thereof each package in the shipment is code marked by numbers subject to the following conditions:
  - (a) Numbers must be not less than 3/4 inch high.
  - (b) Numbers must appear prominently on all sides, top and bottom of each package.
  - (c) Numbers must be legibly and durable machine-printed on each package.
2. In addition to the normal requirements, bill of lading covering such code marked shipments must show the number of packages of each coded commodity, the code number and the applicable bill of lading description.
3. An extra copy of the bill of lading must be submitted with each shipment.
4. Nothing in Paragraphs 1, 2 or 3 above shall be construed as changing the requirements of NMFC Item 580 for the stenciling or otherwise marking of each package in a shipment with the name and address of the shipper.

NOTE 1 - PART 1 will not apply on shipments reconsigned or diverted. On such shipments, apply provisions of Item 820.

NOTE 2 - Where reference is made hereto in PART 2 the commodities are as follows:

FOODSTUFFS GROUP, AND RELATED ARTICLES, VIZ.:

- Baking Powder.
- Beverage Preparations, NOI, dry.
- Bluing, Laundry.
- Cereal Food Preparations, Cooked, Viz.:
  - Bran.
  - Confection Coated.
  - Flaked or Shredded, NOI.
  - Granulated.
  - Puffed, NOI.
  - Rice, rolled.
- Chocolate Candy.
- Chocolate, not confectionery.
- Cocoa.
- Cocoa Compounds.
- Cocoa Paste.
- Cocoanut, prepared.
- Coffee Extract (Instant).
- Coffee, roasted.
- Coffee, Substitutes.
- Confectionery, NOI.
- Dessert Preparations, NOI.
- Feed, animal, meat.
- Feed, animal, prepared, NOI.
- Flour, edible, NOI.
- Flour, Grain.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 580 (Continued)

MARKING OR TAGGING FREIGHT - CHANGING MARKINGS OR TAGS (See Note 1)  
(Exception to NMFC Item 580)

NOTE 2 - Where reference is made hereto in PART 2 the commodities are as follows: (Continued)  
FOODSTUFFS GROUP, AND RELATED ARTICLES, VIZ.: (Continued)

- Fruit Tarts (Bakery Goods).
- Gelatine, NOI.
- Gravy.
- Milk, Powdered.
- Milk food, other than liquid.
- Milk Substitutes, dry.
- Pads, Scouring, with or without soap.
- Pectin.
- Potatoes, cooked.
- Rice, cleaned.
- Rice, dry, with seasoning and dry vegetable or other dry ingredients.
- Salad Dressing.
- Salad Dressing Preparations, dry.
- Scourers, Pot, NOI.
- Soup Ingredients (Soup Mix).
- Soups.
- Spaghetti Sauce Mix, dry.
- Starch, liquid.
- Syrup, not medicated, NOI.
- Table Sauces, NOI.
- Tapioca.
- Tea.
- Tea, extract of (instant) dry.
- Wax, laundry compound.

ITEM 612

MINIMUM CHARGE DENSITY

The provisions of this item will apply to any shipment, or portion thereof, which is 750 cubic feet or more and has an average density of less than six pounds per cubic foot. Density to be calculated using actual shipment weight.

This item is not applicable in connection with: (a) Charges determined by any Unit Measure other than by weight; (b) Exclusive use or Maximum charges; (c) Capacity Load charges; (d) Truckload or Volume Rates, Charges per vehicle or Trailer used; or (e) Where the otherwise applicable charge is greater than the calculation in this item.

1. The cubic capacity of the shipment shall be determined by totaling the cubic feet of each packaged unit in the shipment, in accordance with NMF 100 Series, item 110 Section 8, except a minimum vertical dimension of 8 feet shall be used to determine the cube of the individual shipping unit(s) when top loading is precluded because of:
  - (a) The nature of the article/commodity when due to the irregular shape on top (e.g., machines, etc); (b) Packaging or lack of packaging used; (c) Palletization in pyramided, rounded off, or topped off fashion; (d) Specific instructions by the shipper or by notation on the bill of lading; or (e) Packaged units bearing instructions that the freight is not to be top loaded or double stacked.
2. The minimum charge under this item will be based upon the calculated weight and the applicable rate. The calculated weight will be determined by multiplying the total cubic feet by six pounds for each cubic foot or portion thereof. The minimum charge will then be determined as shown in (a) or (b) below.
  - (a) Multiply the calculated weight by the applicable class 150 rate from the customers base rates less any applicable discount. The class 150 rate used here shall not be reduced or increased by any exception class, class tier/grouping or Freight All Kinds class rating(s) contained in the customers pricing.
  - (b) Where the customers pricing is determined from mileage rates or where their applicable base rates do not provide a class 150 rating and rate, the minimum charge shall be determined by multiplying the calculated weight by the applicable class 150 rate from the most current BRTC 500 Series class rate tariff less a 50% discount.

(Concluded on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 612 (Concluded)

MINIMUM CHARGE DENSITY

3. For the purpose of applying this rule and charge, when two or more shipments are tendered to Carrier from the same place during one calendar day for delivery to one place, they will be considered one shipment.
4. The provisions of NMF 100 Series, Item 171 (bumping clause) will not apply in connection with this item.
5. Any overflow portion of a truckload shipment which is charged for as a separate shipment will be subject to the provisions of this item.

ITEM 640

MIXED SHIPMENTS

On a mixed shipment consisting of two or more commodities subject to difference rates, the charge for each commodity shall be at the respective rate applicable to the aggregate weight of the shipment on the actual weight of each commodity. Any deficit in weight will be charged at the rate applicable to the lowest rated commodity in the shipment.

Where articles in the shipment are subject to more than one minimum charge, the highest of such minimum charges shall apply.

When rates or ratings contain a provision that a certain article or articles may not exceed a certain weight or percentage of weight and a shipment exceeds the amount authorized, such excess will be charged for as a separate shipment (See Note 1). When the articles subject to a weight limitation are differently rated, the lower rated articles may be used to make up the amount of weight allowed and the higher rated articles will be considered as excess. The excess weight may not be used to make up a minimum weight.

NOTE 1 - The rate to apply will be the rate applicable on the weight of the article or articles being charged for on the basis of the rate or rates considering such portion as a separate shipment for rating purposes subject to a minimum charge if applicable.

ITEM 647

NOTIFICATION PRIOR TO DELIVERY

Shipments on which the consignor or consignee has given instructions directing the carrier to give notice of arrival prior to delivery will be subject to a charge of \$20.00 per shipment.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 710

PALLETS, PLATFORMS OR SKIDS  
(Exception to NMFC Item 995, Section 1)

The provisions of Sec. 1. NMFC Item 995, will apply, except, when a shipment of 20,000 lbs. or more is prepared for shipment in conformity with packing requirements and in addition is loaded on pallets, platforms or skids, (See Note 3) no charge will be made for the transportation of pallets, platforms or skids, (See Notes 1, 2, 4 and 5) provided the shipper specified the gross weight of the shipment and the actual weight of the pallets, platforms or skids separately on the shipping order and bill of lading at time of shipment, and provided further that when the entire shipment is not loaded on pallets, platforms or skids (See Note 3), shipper specifies separately the weight of those articles which are not loaded on pallets, platforms or skids.

When material not a part of the pallets, platforms or skids is used to protect top of lading or to secure the load to the pallets, platform or skid, allowance will be made for the weight of the pallet, platform or skid, but not for the weight of such material.

In no case, after deducting the weight of the pallets, platforms or skids, to be transported without charge, shall the weight on which charges are based be less than the prescribed minimum weight. When sufficient pallets, platforms or skids cannot be placed on the floor of the trailer to load the prescribed minimum weight, then pallets and palletized material must be capable of being double-decked. At request of carrier, shipper will double-deck in loading.

NOTE 1 - The total weight of the pallet, platforms or skids, transported without charge will not exceed 1,000 pounds per shipment.

NOTE 2 - The weight of the pallets, platforms or skids in excess of the amount transported without charge under the provisions of Note 1 herein will be charged for as follows:

- (a) Straight Shipments - At the rate applicable to the article being transported thereon.
- (b) Mixed Shipments - At the highest rate applicable to any palletized article in the shipment.

NOTE 3 - This item will not apply unless at least 90 per cent of the shipment's weight. (Exclusive of pallet, platform or skid weight) is loaded on pallets, platforms or skids.

NOTE 4 - The provisions of this item do not apply on freight which is loaded on pallets; platforms; racks, shipping, NOI; or skids, as described in NMFC Item 150390, Subs 1, 2 or 3.

NOTE 5 - The provisions of this item apply only on shipments loaded by the shipper and unloaded by the consignee as provided in item 578 herein.

ITEM 711

PALLET INTERCHANGE

Carrier having equipped certain vehicles with pallets will furnish such vehicles, when available, upon request. Pallets so constituting part of the standard equipment, of the carrier's vehicle, may be removed by consignor, provided such consignor replaces in the vehicles a like number of pallets of identical size and construction, underload; or may be removed by consignee provided such consignee replaces in the vehicle a like number of pallets of identical size and construction, loaded or empty.

Pallets so replaced on vehicle will become carrier's property as part of the standard equipment of the vehicle in lieu of the carrier's pallets exchanged by consignor or consignee.

ITEM 720

PAYMENT OF FREIGHT CHARGES

All legally applicable rated shipments charges must be paid in full within 30 days of original shipment. Any collection or attorney fees incurred in collecting freight charges will be paid by the shipper.

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 750

## PICKUP OR DELIVERY SERVICE

Except as otherwise provided, rates in tariffs governed by this tariff include one pickup and loading and one delivery and unloading or one tender for delivery of a shipment by the carrier (See Item 570 for Impracticable Operations), during business hours, at one site, subject to the following provisions:

## 1. PLACEMENT OF VEHICLE FOR LOADING:

At the request of the consignor, the carrier will furnish and place a vehicle at the loading site designated by the consignor to pickup a shipment there tendered for transportation.

## 2. PLACEMENT OF VEHICLE FOR UNLOADING:

The delivery of a shipment by the carrier to the place of delivery specified on the bill of lading will include the placing of a vehicle at the delivery site designated by the consignee.

## 3. LOADING BY CARRIER: (See Note 2)

Freight tendered for loading shall be so situated by the consignor as to be directly accessible to the vehicle, or it shall be immediately adjacent to a parking space suitable for carrier to place his vehicle for loading. (See Note 1). (See Item 566 for handling freight not adjacent to vehicle). Carrier will furnish only one employee per vehicle for loading whether it be the driver, helper or any other employee except as otherwise provided.

## 4. UNLOADING BY CARRIER: (See Note 2 and exceptions)

Freight will be unloaded at the delivery site immediately adjacent to the delivery vehicle. (See Note 1). (See Item 566 for handling freight not adjacent to the vehicle). Carrier will furnish only one employee per vehicle for unloading whether it be the driver, helper or any other employee except as provided in item 560 (extra labor).

## 5. RESTRICTIONS ON LOADING OR UNLOADING BY CARRIER: (See Notes 2 and 5)

(a) Loading or unloading service does not include assembling, packing, unpacking dismantling, inspecting, sorting or segregating freight.

(b) Except as otherwise provided, loading or unloading service does not include furnishing by the carrier of rigging or special loading or unloading equipment such as platform vehicles (other than two wheeled hand trucks), winches, cranes, jacks, blocks or falls or other special equipment used in hoisting, lowering, handling or placing freight in position. When such equipment is used in loading or unloading, the consignor or the consignee, as the case may be, shall furnish same and the necessary labor to operate such equipment at its expense, and shall also assume responsibility for safe loading or unloading, except carrier's employee may use hand trucks or four-wheeled hand carts and hand or electrically operated pallet jacks (non-riding type) when furnished by the consignor or consignee.

## 6. LOADING BY CONSIGNOR OR UNLOADING BY CONSIGNEE: (See Note 2)

The consignor or consignee may elect to waive the loading or unloading of freight by the carrier as provided in this item by performing at his own expense the loading or unloading of the shipment on or from the carrier's vehicle.

## 7. WAIVER OR DELIVERY RECEIPT:

When consignor or owner has made written arrangements with the carrier, freight consigned to construction sites (or other places where no representative of the consignee is present or available to receipt for the shipment) will be delivered and unloaded by the carrier and left unattended at the place designated.

## 8. HEAVY OR BULKY FREIGHT - LOADING OR UNLOADING: (See Notes 3 and 4)

When freight (per package or piece) in a single container, or secured to pallets, platforms or lift truck skids, or in any other authorized form of shipment:

(a) Weight 110 lbs. or less, the carrier will perform the loading and/or unloading.

(b) Weights more than 110 lbs. but less than 500 lbs.:

1. The carrier will perform the loading and/or unloading where the consignor and/or consignee provides a dock, a platform or ramp directly accessible to the carrier's vehicle. Not applicable when the freight exceeds 8 feet in its greatest dimension or exceeds 4 feet in each its greatest and intermediate dimension - See Paragraph (b) 2 and (d).

(Continued on following page)

GENERAL RULES

ITEM 750 (Continued)

PICKUP OR DELIVERY SERVICE

Except as otherwise provided, rates in tariffs governed by this tariff include one pickup and loading and one delivery and unloading or one tender for delivery of a shipment by the carrier (See Item 570 for Impracticable Operations), during business hours, at one site, subject to the following provisions: (Continued)

8. HEAVY OR BULKY FREIGHT - LOADING OR UNLOADING: (See Notes 3 and 4)(Continued)

(b) Weights more than 110 lbs. but less than 500 lbs. (Continued)

1. (Continued).

When the consignor and/or consignee does not provide a dock, platform or ramp, the truck driver on request will assist the consignor and/or consignee in loading and/or unloading.

2. The carrier will perform the loading and/or unloading where the consignor and/or consignee provided a dock, platform or ramp directly accessible to the carrier's vehicle if such freight (i) exceeds 8 feet but does not exceed 22 feet in its greatest dimension and does not exceed 2 feet in its intermediate dimension, or (ii) if it does not exceed 10 feet in its greatest dimension and does not exceed 5 feet in its intermediate dimension and does not exceed 1 foot in its least dimension.

Where the consignor and/or consignee does not provide a dock, platform or ramp, the truck driver on request will assist the consignor and/or consignee in loading and/or unloading.

(c) Weighs 500 lbs. or more the consignor will perform the loading and the consignee will perform the unloading. On request of consignor or consignee, the truck driver will assist the consignor or the consignee in loading or unloading.

(d) Exceeds 8 feet in its greatest dimension or exceeds 4 feet in its greatest and intermediate dimension, the consignor will perform the loading and the consignee will perform the unloading. On request of consignor or consignee, the truck driver will assist the consignor or the consignee in loading or unloading. The provisions of this paragraph will not apply to the extent provisions are published in Paragraph (b) 2 of this item.

9. SAME DAY DELIVERY

Shipments requesting same day delivery or deliver enroute will be charged an additional \$55.00.

NOTE 1 - (a) Freight shall be deemed to be immediately adjacent to a space suitable for carrier to place his vehicle for loading or unloading if separated therefrom only by an intervening public sidewalk.

(b) If a parking space suitable for carrier to place his vehicle for loading or unloading is occupied or city ordinance prevents its use, the nearest available parking space may be used.

(c) When two or more shipments are placed by the shipper as close as practicable to a parking space suitable for carrier to place its vehicle for loading, all of such shipments will be considered as immediately adjacent thereto even though the shipment or shipments that were closest to such parking space were picked up first by the same or different motor carriers.

(d) When shipper assigns to two or more carriers designated spaces in its shipping room or loading platform where outgoing freight will be placed by the shipper for pickup by the designated carriers and all of such assigned spaces are as close as practicable to a parking space suitable for carrier to place its vehicle for loading, all such assigned and designed spaces will be considered immediately adjacent to such parking space.

NOTE 2 - (a) Loading, by definition in this item, includes stowing and counting of the freight in or on carrier's vehicle.

(b) Unloading, by definition in this item includes the removal and counting of the freight from the position in which it is transported in or on the carrier's vehicle.

NOTE 3 - (a) Loading, by definition in this item, includes stowing of the freight in or on the carrier's vehicle.

(b) Unloading, by definition in this item includes the removing of the freight from the position in which it is transported in or on the carrier's vehicle.

NOTE 4 - The provisions of NMFC Item 568 (Heavy or Bulky Freight - Loading or Unloading) will not apply.

NOTE 5 - The provisions of Paragraph 5 will not allow for the opening of packages or unitized shipments, including shrink wrapped or banded freight on pallets, skids or slip sheets.

ITEM 751

INSIDE DELIVERY SERVICE

When inside delivery service is performed the charge, in addition to all other lawful charges, will be 350 cents per 100 pounds subject to a minimum charge of \$45.00 and a maximum charge of \$450.00.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 753

PICKUP OR DELIVERY SERVICE AT PRIVATE RESIDENCES AND OTHER SUCH LOCATIONS

- A. Pickup or Delivery services for movements to or from private residences or camps (other than military) will be assessed a charge of 400 cents per 100 pounds subject to a minimum charge of 3500 cents and a maximum charge of 40000 cents.
- B. The term "private residences" shall apply to the entire premises on which a dwelling for living is located, except will not apply to that portion of the premises where commercial or business activity is conducted that involves the sale of merchandise or services to the walk in public during normal business hours.
- C. The term "other such locations" shall include construction sites and rural delivery.

ITEM 754

PICKUP OR DELIVERY SERVICE - SUNDAYS OR HOLIDAYS

- 1. When consignor or consignee requests carrier to pickup or deliver freight on Sundays or holidays, such service will be subject to a charge of 75.00 cents per man per hour or fraction thereof, minimum charge of 55000 cents per man per day. Such charge shall be in addition to all other applicable charges.
- 2. Time shall be computed upon notifications of the driver to the responsible representative of the consignor or consignee that the vehicle or vehicles are available for loading or unloading at premises of consignor or consignee, and shall end upon completion of loading or unloading and receipt by driver of signed bill of lading or receipt for delivery.
- 3. Consignor or consignee may request carrier to place or pickup an empty trailer (vehicles without power units) on Sundays or holidays even though the actual pickup and/or delivery of freight may occur on a day other than Sundays or Holidays the charge for this will be 50000 cents per man per day, or fraction thereof.
- 4. The carrier is not obligated to furnish pickup or delivery service on Sundays or Holidays. If a delivery date is specified on the bill of lading and shipping order and it is a Sunday or a Holiday, such document must also indicate that the date is in fact a Sunday or Holiday.
- 5. Charges must be either paid by the party requesting the service or guaranteed to the satisfaction of the carrier before pickup or delivery will be made.

ITEM 780

PROHIBITED OR RESTRICTED ARTICLES  
(Exception to NMFC Item 780)

Sec. 1 - Property of extraordinary value.

(a) Unless otherwise provided, the following property will not be accepted for shipment nor as premiums accompanying other articles:

Bank bills	Notes
Currency, other than coin (Note 1)	Original works of art (Note 5)
Deeds	Postage Stamps
Drafts	Precious stones
Jewelry, other than costume or novelty jewelry	Revenue stamps (Note 3)
Letters, with or without stamps affixed (Note 2)	Valuable papers of any kind
Museum exhibits or articles of antiquity (Note 4)	

(b) Articles of extraordinary value will not be accepted for shipment nor as premiums accompanying other articles.

NOTE 1 - Monetary coins will not be accepted as premiums with other articles.

NOTE 2 - United States Mail will be accepted when the consignor and consignee are United States Post Offices.

NOTE 3 - Except U. S. Internal Revenue Distilled Spirits Stamps, which will be accepted in truckload or volume shipments only.

NOTE 4 - Except antique furniture subject to Items 100240 and 100260 of NMF 100 series, or numismatic exhibits subject to Item 63830.

NOTE 5 - Except pictures or paintings subject to items 100240, 10260 and 149420 of NMF 100 series.

Sec. 2 - Freight liable to damage other freight or equipment.

Carrier is not obligated to receive freight liable to impregnate or otherwise damage other freight or carrier's equipment. Such freight may be accepted and receipted for "subject to delay for suitable equipment, " or may, for lack of suitable equipment, be refused.

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 820

## RECONSIGNMENT OR DIVERSION

A request for the reconsignment or diversion of a shipment will be subject to the following definitions, conditions and charges:

1. DEFINITION OF RECONSIGNMENT OR DIVERSION:

For the purpose of this rule, the term "reconsignment" and "diversion" are considered to be synonymous and the use of either will be considered to mean:

- (a) A change in the name of the consignor or consignee.
- (b) A change in the place of delivery within original destination points.
- (c) A change in the destination point.
- (d) Relinquishment of shipment at point of origin (See Note 4).
- (e) Instructions received by the originating carrier prior to receipt of shipment (See Note 5).

A request for the reconsignment or diversion of a shipment will be subject to the following definitions, conditions and charges:

2. CONDITIONS:

- (a) Request for reconsignment must be made in writing or confirmed in writing. The carrier must be satisfied that the party making the request has the authority to do so. Conditional or qualified requests will not be accepted. Carrier will not accept disposition instructions printed on the bill of lading, shipping order, shipping label or container as authority to reship, return or reconsign a shipment.
- (b) Carrier will make a diligent effort to execute a request for reconsignment, but will not be responsible if such service is not effected.
- (c) All charges applicable to the shipment whether accrued or accruing must be paid or guaranteed to the satisfaction of the carrier before reconsignment will be made.
- (d) Only entire shipments, not portions of shipments may be reconsigned.
- (e) An order for reconsignment of a shipment moving under uniform order bills of lading will not be considered valid, unless and until the original bill of lading is for cancellation, endorsed or exchanged.
- (f) Instruction for reconsignment of COD shipments will be accepted only from the consignor.
- (g) Marking or Tagging (See Note 6).

(Continued on following page)

GENERAL RULES

ITEM 820 (Continued)

RECONSIGNMENT OR DIVERSION

3. CHARGES:

Reconsignment as defined in Paragraph 1 will be subject to the following:

<p>If Reconsignment Results in a Charge:</p> <hr/> <p>And Reconsignment Occurs: (See Note 7)</p>	<p>In the name of the consignor or consignee with no change in place of delivery</p>	<p>In the place of delivery within original destination point (See Note 1)</p>	<p>In the Destination Point (See Note 2)</p>
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CHARGES WILL BE

<p>Prior to tender of delivery</p>	<p>\$35.00 per shipment</p>	<p>\$35.00 per shipment</p>	<p>Published tariff rates to and from reconsignment point, but not less than the published through rate from original point of origin to ultimate destination (See Notes 3 and 8)</p>
<p>After tender of delivery</p>	<p>450 cents per 100 pounds \$45.00 min charge per shipment \$500.00 maximum charge per vehicle if more than one vehicle used</p>	<p>450 cents per 100 pounds \$45.00 min. charge per shipment \$500.00 maximum chg. per vehicle if more than one vehicle used</p>	<p>Published tariff rates to and from reconsignment point, but not less than the published through rate from original point of origin to ultimate destination.</p>

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 820 (Continued)

RECONSIGNMENT OR DIVERSION

NOTE 1 - Charges also apply for reconsignment to points and places outside of the original destination point provided such areas are:

1. Subject to the same line haul rate as the original destination point and;
2. Within the following mileages measured from the municipal limits of the original destination points:

Population of Original <u>Destination</u>	Miles from Original <u>Destination</u>
Less than 2,500	2
2,500 to 24,999	3
25,000 to 99,999	4
100,000 and over	5

3. If any portion of an Incorporated municipality falls within the mileages shown, the entire municipality shall be included.

NOTE 2 - Includes points and places other than those defined Note 1.

NOTE 3 - If the change in destination points is requested and instructions are received in time to effect the request change at the origin terminal of the originating carrier the charge will be \$35.00 per shipment in addition to the applicable tariff rate from point of origin to new destination.

NOTE 4 - Where a request is made by shipper, before a shipment has left carrier's terminal at point of origin (includes points and places determined by Note 1), for return of a shipment to the original place of shipment or delivery thereof to another carrier at point of origin to relinquish possession thereof to a shipper or to another carrier at carrier's terminal such service if performed, will be subject to a charge of 450 cents per 100 pounds with a minimum charge of \$45.00 per shipment and a maximum charge of \$500.00 per shipment or \$500.00 per vehicle if more than one vehicle is used to transport the shipment.

NOTE 5 - Upon instructions received by the originating carrier prior to receipt of shipment at point or origin accomplished by a through bill of lading covering the shipment, the carrier will accept the shipment when tendered by the party in possession of the shipment, issue a receipt therefor (not a bill of lading) to the party tendering the shipment and then execute the bill of lading. Such shipment will be subject to a charge of \$35.00 per shipment.

NOTE 6 - Shipments moving under the provisions of this item which require marking or tagging in order to comply with the provisions of Item 580 of NMFC or when carrier is specifically requested to do so by the consignor or consignee will be marked or tagged by the carrier, subject to charges for Marking or Tagging.

NOTE 7 - The provisions governing reconsignment "prior to tender of delivery" will only apply when carrier received the request for reconsignment:

- (a) Before shipment has been loaded on delivery vehicle (in cases where shipment is transferred to city delivery vehicle for delivery); or
- (b) Before shipment has been dispatched for delivery (in cases where shipment is not transferred to city vehicle for delivery).

Thereafter, the provisions governing reconsignment "after tender of delivery" will apply.

NOTE 8 - When consignor or consignee or its agent elects to accept shipment at carrier's terminal located at reconsignment point, charges will be assessed on the basis of the applicable rate from point of origin to reconsignment point plus a reconsignment charge of 300 cents per 100 pounds subject to a minimum charge of \$25.00 and a maximum charge of \$300.00 per shipment or \$300.00 per vehicle if more than one vehicle is used to transport the shipment.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 830

RE-DELIVERY

When a shipment is tendered for delivery and through no fault of the carrier, such delivery cannot be accomplished, no further tender will be made except upon request. Additional tenders or final delivery will be subject to the following provisions: (except as provided in Note 1)

(a) When one or more additional tenders of final delivery is made at the consignee's place the shipment will be subject to the following charges for each such tender and for the final delivery:

\$3.00 per 100 pounds;

\$35.00 minimum charge; (See Note 1)

\$300.00 maximum charge per shipment or per vehicle if more than one vehicle is used to transport the shipment.

(b) All charges accruing under the provisions of this rule must be paid, or guaranteed to the satisfaction of the carrier, by the party or parties requesting re-delivery before the shipment is re-delivered.

NOTE 1 - On Order-Notify shipments, the minimum re-delivery charge shall be \$65.00.

ITEM 845

REFERENCE TO TARIFFS OR PORTIONS

Where reference is made to classifications, tariffs or portions thereof, such reference will include amendments to or successive issues of such classifications, tariffs or portions thereof.

ITEM 846

REISSUED MATTER, METHOD OF

Matter brought forward without change from a supplement being cancelled into another supplement will be designated as reissued by the existence of a number enclosed in a box, bracket or parenthesis. The number represents the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective.

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 886

SORT AND SEGREGATE SERVICE

Upon request by shipper or consignee, driver will sort and segregate pieces of a shipment. The cost for this service will be 35 cents per piece, \$40.00 minimum charge.

ITEM 887-1

SORTING OF SHIPMENTS

Unless specifically provided, the sorting of shipments is prohibited. Sorting is defined as practice requiring articles to be separated or selected as to grades, brands, sizes, colors, flavors, marks, kinds, variety, class or order of articles, or special storage in vehicle, not necessary or required for the purpose of determining the legal classes or to identify the article separately for rating purposes. (See Note 1)

NOTE 1 - "Sorting" does not apply to the checking of shipments by the carrier to determine that the shipment tendered to it is correct as to the number of pieces, packages, bundles, or any other unit form of shipment, and where marking is shown as to consignee and delivery address that they coincide with those shown on the shipping order.

ITEM 890

SPECIAL SERVICE - POWER LIFT GATE SERVICE

When a consignor or consignee requests and is furnished power lift gate service for pickup and/or delivery, the following charges will apply in addition to all other lawful and legal charges assessed against the shipment:  
\$2.15 per 100 pounds;  
\$50.00 minimum charge and  
\$150.00 maximum charge.

For explanation of reference marks, see Item 999999.

## GENERAL RULES

## ITEM 900

## STOP-OFFS - PARTIAL LOADING OR PARTIAL UNLOADING

Except as otherwise specifically provided, shipments on which charges are paid on the basis of not less than 24,000 pounds, may be stopped for partial loading or for partial unloading subject to Parts 1 through 17 below:

## PART 1 - SHIPPING INSTRUCTIONS:

Arrangements for any stop-off service provided in this item must be made with the originating carrier before shipment, or any portion thereof, is tendered for transportation, The Bill of Lading shall designate the point or points as well as any places therein, at which shipment is to be stopped for partial loading or for partial unloading, and shall specify the quantity, markings and descriptions of articles to be loaded or unloaded, also name and address of the party or parties authorized to accept freight to be unloaded or authorized to tender freight for loading at the point or place of stop-off, and billing agent shall show this information on freight bill. The party or parties authorized and designated by the shipper to accept or tender freight at a point or place of stop-off may be the same or other than billed consignee. Carrier's driver or other authorized agent shall make notation on freight bill, showing date, description, markings, quantity and weight of articles loaded or unloaded at point or place of stop-off.

## PART 2 - STOPPING FOR PARTIAL LOADING:

Two stops will be permitted for the purpose of picking up a (the) component part(s) of a single shipment.

Both of these stops may be within the primary point of origin or one pick-up stop may be within primary point of origin and the other pick-up stop may be made at a point outside primary point of origin and intermediate to the point of destination provided such stop-off point is directly intermediate between such origin and destination points via the direct route over which operations are generally conducted.

## PART 3 - STOPPING FOR PARTIAL UNLOADING:

- (a) Outside point of final destination (stopping enroute): Two stops in addition to the final delivery stop at which the last component part of the shipment is unloaded, may be made at points outside the point of final destination, either at same point or at separate points, provided such stop-off points are directly intermediate between the origin and destination points via the direct route over which the operations are generally conducted, OR
- (b) Within point of final destination (split deliveries): Three stops, in addition to the final delivery stop at which the last component part of this shipment is unloaded, may be made for partial unloading within the point of final destination, OR
- (c) One stop outside the point of final delivery as described in paragraph (a) and one stop, within point of final delivery as described in Paragraph (b), in addition to the final delivery stop at which the last component part of this shipment is unloaded, may be permitted, but total stops for partial unloading shall not exceed three.

## PART 4 - RESTRICTION OF SERVICES:

- (a) A shipment stopped for partial loading may not also be stopped for partial unloading.
- (b) A shipment stopped for partial unloading may not also be stopped for partial loading.

## PART 5 - USE OF SEPARATE VEHICLES:

Any portion of the shipment may be picked-up, transported or delivered in separate vehicles, and all portions of the shipment need not be transported through the stop-off point or points.

## PART 6 - EXTENT OF STOP-OFF SERVICES: LIMITATIONS

The service of stopping for partial loading or stopping for partial unloading, will be limited at each of such stops, including the initial pick-up and final delivery stops, to one placement of the truck at one site at one place.

(Continued on following page)

## GENERAL RULES

ITEM 900 (Continued)

## STOP-OFFS - PARTIAL LOADING OR PARTIAL UNLOADING

Except as otherwise specifically provided, shipments on which charges are paid on the basis of not less than 24,000 pounds, may be stopped for partial loading or for partial unloading subject to Parts 1 through 17 below:  
(Continued)

## PART 7 - STOP-OFF CHARGES:

Except as otherwise provided a charge of \$70.00 will be made for each stop, except the initial stop at the primary point of origin and the final stop at point of final destination. Such charge will be in addition to any other charges applicable to the shipment. On mixed shipments containing commodities with which the stop-off charge is different, the stop-off charge will be the highest applicable to any articles in the mixed shipment.

## PART 8 - NON-APPLICATION OF STOP-OFF CHARGE: LIMITATIONS

The stop-off charge provided herein will not apply on any shipment on which a stop-off charge is provided for the same service in any Tariff made subject to this Tariff.

## PART 9 - ASSESSMENT OF FREIGHT CHARGES:

- (a) The per shipment line haul charge will be the applicable charge over the route of movement from primary point of origin to final destination; from primary point of origin to any stop-off point for partial unloading, or from any stop-off point for loading component parts of the shipment to final destination, whichever is the highest.
- (b) Charges will be based on the total weight of the shipment or the applicable minimum weight, whichever is greater.

## PART 10 - PAYMENT OF CHARGES:

All freight charges on shipments stopped for partial loading or unloading must be prepaid.

## PART 11 - COD AND ORDER NOTIFY SHIPMENTS:

The provisions of this item will not apply on "COD", "To Order", "Order-Notify", "Order Care of" shipment.

## PART 12 - SECTION 7 OF BILL OF LADING PROVISIONS:

The provisions of this item will not apply on shipments on which Section 7 provisions of the Bill of Lading have been executed.

## PART 13 - NO SUBSTITUTION:

The substitution of other property for that originally loaded or any exchange of contents at a point or place of stop-off is prohibited.

## PART 14 - EXCLUSIVE USE OF VEHICLE:

The provisions of this item will not apply to shipments moving under the provisions of Item 470, Exclusive Use of Vehicle.

## PART 15 - INCORPORATED CITIES, TOWNS OR VILLAGES, ETC.:

When a point of origin, a point of destination or a stop-off point is an incorporated city, town or village, or an unincorporated community or village, the terms "point of origin", "primary point of origin", "point of destination", "point of final destination", "stop-off point" or "point of stop-off" as used herein shall mean all of the acreage lying within the municipal limits or commercial zone of such incorporated city, town or village or all of the acreage lying within such unincorporated community or village and integral parts thereof.

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 900 (Continued)

STOP-OFFS - PARTIAL LOADING OR PARTIAL UNLOADING

Except as otherwise specifically provided, shipments on which charges are paid on the basis of not less than 24,000 pounds, may be stopped for partial loading or for partial unloading subject to Parts 1 through 17 below:  
(Continued)

PART 16 - FAILURE TO DELIVER STOP-OFF FREIGHT:

Where bill of lading requires stop-off to unload a component part of the shipment and carrier is unable, during the hours of 8:00 A.M. to 5:00 P.M., inclusive, to effect a delivery of such freight at the point or place of stop-off, that undelivered portion of such shipments shall then be subject to rules and regulations governing storage and redelivery of freight, to the extent that such services are applicable.

PART 17 - MARKING OR TAGGING:

Except where shipment consists of identical packages or pieces, or where the various lots of freight comprising the shipment are of such nature as to be easily identified and segregated, each package or piece or any shipment stopped for partial unloading must be plainly and durably marked, stenciled or tagged by shipper in such manner that each lot of freight intended for delivery at a particular point or place of stop-off will be readily distinguishable from all other freight in the shipment.

ITEM 910

STORAGE

Freight held in carrier's possession by reason of an act or omission of the consignor, consignee or owner, or for custom clearance or inspection, and through no fault of the carrier, will be considered stored immediately and will be subject to the following provisions:

- A. Storage charges on freight awaiting line-haul transportation will begin at 7 A.M., the day after freight is received by the carrier.
- B. Storage charges on undelivered freight will begin at 7 A.M. the first business day (See Note 1) after notice of arrival as provided in Item 345 has been given, except no charges under this item will be made when actual tender of delivery is made within 24 hours after such notice of arrival has been given (See Exception).
- C. Freight, other than that provided for in paragraph (D), stored in carrier's possession, will be assessed a charge of 125 cents per 100 pounds or fraction thereof per 24 hours or fraction thereof, subject to the following minimum and maximum charges:

MINIMUM CHARGES: 1500 cents per shipment per each 24 hours, but not less than 4000 cents per shipment.

MAXIMUM CHARGES:

PERIOD	CHARGES (in cents)	
For the first 24 hours or fraction thereof	9000	Per shipment or per vehicle if more than one vehicle is used to transport the shipment.
For the second 24 hours or fraction thereof	12000	
For the third and each succeeding 24 hours or fraction thereof	18000	

- D. Freight stored in carrier's possession which is subject to truckload or volume rates, or which is subject to Exclusive Use of Vehicle or Expedited Service or Capacity Load provisions will be assessed the following charges: (See Note 2)

PERIOD	CHARGES (in cents)	
For the first 24 hours or fraction thereof	9000	Per shipment or per vehicle if more than one vehicle is used to transport the shipment.
For the second 24 hours or fraction thereof	12000	
For the third and each succeeding 24 hours or fraction thereof	18000	

(Continued on following page)

For explanation of reference marks, see Item 999999.

GENERAL RULES

ITEM 910 (Continued)

STORAGE

Freight held in carrier's possession by reason of an act or omission of the consignor, consignee or owner, or for custom clearance or inspection, and through no fault of the carrier, will be considered stored immediately and will be subject to the following provisions: (Continued)

E. Storage charges under this item will end when carrier is enabled to deliver or transport the freight as a result of action by the consignee, consignor, owner or Customers Official.

F. Storage charges under this item will not apply on the day carrier places the freight in a public warehouse. When carrier does place the freight in a public warehouse, a charge of 200 cents per 100 pounds, subject to a minimum charge of 3500 cents per shipment and a maximum charge of 55000 cents per vehicle if more than one vehicle is used to transport the shipment, will be assessed.

NOTE 1 - The term "business day" as used in this item means Monday through Friday excluding holidays.

NOTE 2 - When carrier has been given instructions at time of shipment or prior to giving notice of arrival as provided in Item 345, then consignee will not accept freight for more than 24 hours, storage charges will begin at 7 A.M. the first business day after arrival at carriers destination terminal.

EXCEPTIONS:

When carrier notifies consignee before 12:00 o'clock noon on the day the freight is ready to be delivered subject to the provisions of Item 500, ICC NMF 100 series (Detention-Vehicle with Power Unit), and the consignee refuses or is unable to accept delivery on the day notified, storage charge as provided in paragraph (D) of this item will begin from the time consignee was notified and the provisions of paragraph (B) of this item will not apply.

ITEM 950

TERMINAL CHARGES AT PORTS  
TOLLAGE, WHARFAGE OR PORT TERMINAL CHARGES

Unless otherwise provided, rates and charges do not include tollage, wharfage, usage, loading or unloading charges or any other port terminal charges at piers, wharves, dockside terminals or warehouses, and carriers will not absorb said charges.

ITEM 985

VEHICLES FURNISHED BUT NOT USED

When carrier upon receipt of a request to pickup a truckload shipment, or to furnish a vehicle for expedited service, or for the exclusive use of a consignee, has dispatched a vehicle for such purpose and, due to no disability, fault or negligence on the part of the carrier vehicle is not used, a charge of \$175.00 per day or fraction thereof, per vehicle, will be assessed against the consignor making such request. Accrual of these charges will terminate when carrier is notified that vehicle will not be used.

ITEM 995

WEIGHTS - GROSS WEIGHTS AND DUNNAGE (See Exception)  
(Exceptions to NMFC Item 995)

Sec. 1 - Unless otherwise provided, charges shall be computed on actual gross weights, except when estimated weights are authorized such estimated weights shall be used.

Sec. 2 - Any temporary blocking, flooring or lining, racks, standards, strips, stakes or similar bracing, dunnage or supports not constituting a shipping carrier, container or package, or a part of the vehicle, shall be excluded from the gross weight.

Sec. 3 - Any temporary blocking, flooring or lining, racks, standards, strips, stakes, or similar bracing, dunnage or supports not constituting a shipping carrier, container or package, or a part of the vehicle, when required to protect or make shipments subject to other than LTL or AQ classes or rates secure for transportation, must be furnished and installed by the shipper, except that upon request of shipper such materials will be furnished or installed by the carrier subject to the following provisions:

(a) When materials are furnished by the carrier, the cost thereof will be paid by the shipper upon presentation of an invoice from a supplier independent of the carrier covering such materials used on the involved shipment.

(b) The labor charge for installation of shipper or carrier furnished material will be at the rate of \$27.50 per hour or fraction thereof, for each man.

Exception - See Item 710 for provisions covering shipments loaded on Pallets, Platforms or Skids.

For explanation of reference marks, see Item 999999.

ITEM 999998

**EXPLANATION OF ABBREVIATIONS**

ABBREVIATION	EXPLANATION
AQ .....	Any Quantity
BRTC .....	Brown Transfer Company
CFR .....	Code of Federal Regulations
Co .....	Company
COD .....	Collect on Delivery
Col .....	Column
Concl'd .....	Concluded
Cont'd .....	Continued
Cou. ....	County
d/b/a .....	doing business as
Incl .....	Inclusive
I & S .....	Investigation and Suspension
KD .....	Knocked Down
LTL .....	less than truckload
MF .....	Motor Freight
Min. wt .....	Minimum weight
MWB .....	Middlewest Motor Freight Bureau, Agent
NMF .....	National Motor Freight Traffic Association, Inc., Agent
NMFC .....	National Motor Freight Classification, as provided in Item 100
No .....	Number
NOI .....	NOI, as used in connection with an article or articles, includes only the articles which are embraced by the same NOI description in the governing classification.
Sec .....	Section
St .....	Street or Saint
Sup .....	Supplement
Thru .....	through
TL .....	truckload
USC .....	United States Code
Via .....	By the way of
Viz .....	Namely
Vol .....	Volume
& .....	and
\$ .....	dollar
¢ .....	cents

ITEM 999999

**EXPLANATION OF REFERENCE MARKS FOR STANDARD USE THROUGHOUT THE TARIFF, AS AMENDED**

- ◆ Denotes reduction.
- ◆ Denotes increase.
- Denotes changes which result in neither increases nor reductions in charges.
- Denotes no change in rate.
- ∅ Applicable on Interstate traffic only.
- c Denotes cancellation.

- The End -

For explanation of reference marks, see Item 999999.