

WWMF 100 Rules Tariff

Item 2160 Detention - Vehicles With Power Units

Section 01

Effective Jan/01/08

Section 1 - General Provisions

This item applies when Carrier's vehicles with power units are delayed or detained on the premises of the Shipper, Consignee, or on the premises designated by them, or as close thereto as conditions will permit, subject to the following provisions:

1. 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.
2. Nothing in this item shall require a Carrier to pick up or deliver freight at hours other than Carrier's normal business hours.
3. 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 loading shall not begin until free time for unloading has elapsed.
4. When upon instructions of Shipper or Consignee, or in the absence of such instructions at the discretion of the Carrier, freight remaining undelivered after the accrual of any detention charges provided in this item may be placed in storage. Such freight shall be subject to accrued detention charges up to the time the freight is placed in storage and shall immediately become subject to storage charges (see Item 2360). If the freight is later tendered for delivery, charges for redelivery will apply (see Items 2310 and 2500), and detention charges as provided in section 5 of this item will resume upon vehicle's arrival for unloading.
5. When through no fault of the Carrier, the unloading of a vehicle with power cannot be completed at the end of a normal business day, and the Consignee requests that the vehicle without power remain at its premises, the provisions of Section 4 Paragraph 3 of this item will apply. When through no fault of the Carrier, the unloading of a vehicle with power cannot be completed at the end of a normal business day, and upon instructions of the Consignee the vehicle with power is returned to the Carrier's premises, computation of free time remaining, if any, will cease and that portion of the freight not unloaded will immediately become subject to storage charges (see Item 2360). Such portion not unloaded will be subject to redelivery provisions and charges (see Items 2310 and 2500). When the remaining portion of the freight is tendered for delivery, computation of free time, if any, will be resumed.

Section 2 - Definitions

1. "Vehicle" means straight trucks or tractor-trailer combinations used for freight transportation
 2. "Loading" includes furnishing the Carrier with bill of lading and any other instructions or documents necessary for forwarding of the shipment.
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3. "Unloading" includes notification to the Carrier that vehicle is unloaded, signing the delivery receipt when delivering Carrier's agent is present at unloading, payment of charges to Carrier when required prior to delivery of the shipment, and surrender of the Original Bill of Lading on "order" shipments.
4. "Premises" means the entire property at the physical facilities of the Shipper or Consignee or their designated agent.
5. "Normal" non-working periods means meal, coffee, and rest breaks.

Section 3 - Computation of Time

1. Computation of time shall begin upon notification by the driver to the responsible representative of the Shipper 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. Computations of time are subject to the normal business hours at the point of loading or unloading. Neither the free time nor the detention time shall include normal non-working periods.
3. When the Carrier is permitted to work before or after the normal day, such working time shall also be included.
4. When the Shipper or Consignee and the Carrier have agreed to a scheduled time for loading or unloading and the vehicle is late, the free time will be extended 15 minutes for each 15 minutes the vehicle is late. The maximum extension allowed will be 60 minutes.
5. When the loading or unloading is scheduled and the vehicle arrives before the time agreed, the free time shall commence at the scheduled time, or when loading or unloading actually begins, whichever is earlier.
6. 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. When 50 percent or more of the weight loaded or unloaded is comprised of commodities or articles described in Item 240, viz. furniture, free time per vehicle stop shall be:

Actual Weight (in pounds):	Free Time (in minutes):
Less than 1,250	30
1,250 but less than 2,500	60
2,500 but less than 5,000	90

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5,000 but less than 10,000	120
10,000 or more	150

2. When less than 50 percent of the weight loaded or unloaded is comprised of commodities or articles described in Item 240, viz. furniture, free time per vehicle stop shall be:

Actual Weight (in pounds):	Free Time (in minutes):
Less than 2,500	30
2,500 but less than 5,000	60
5,000 but less than 10,000	90
10,000 but less than 20,000	120
20,000 or more	150

NOTE A: when at least 90 percent of the shipment is loaded on pallets, free time will be 80 percent of the amount normally applicable for the weight subject to minimum free time of 30 minutes.

NOTE B: Loading or unloading at more than one site at or on the continuous premises of the Shipper, Consignee or other designated party shall constitute one vehicle stop.

3. Once a vehicle with power is placed for loading or unloading and then changed to a vehicle without power at the request of Shipper 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 charges 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 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, vehicle will immediately be placed on detention for vehicle without power with no further free time allowed.

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 (BELOW):
 2. The amounts due the Carrier under the provisions of this rule shall be assessed against the Shipper in the case of loading, and against the Consignee in the case of unloading, irrespective of whether line haul
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charges are prepaid or collect. When detention charges are attributable 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.

Charge Per 15-minute Period:

\$25.00

Section 6 - Leased Equipment

The provisions and charges for detention of vehicle with power units will also apply to equipment owned by steamship lines, railroads or third party leasing companies.

Section 7 - Records

A record of the following information must be maintained by Carrier and kept available at all times:

1. Name and address of Shipper, Consignee or other party at whose place of business vehicle is loaded or unloaded.
 2. Identification of vehicles tendered for loading or unloading.
 3. Date and time of notification of the arrival of the vehicle for loading or unloading.
 4. Date and time loading or unloading begins.
 5. Date and time loading or unloading is completed.
 6. Date and time vehicle is released for departure by Shipper, Consignee or by other party, at place of pickup or delivery after loading or unloading is completed.
 7. Total weight loaded or unloaded per vehicle stop.
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