

**Effective Date:** August 1, 2016

**RED BAY TRUCKING LLC  
SERVICE TERMS AND CONDITIONS**

1. Red Bay Trucking LLC is a licensed for-hire carrier holding authority pursuant to MC-
2. Governing Publications
  - (a) Red Bay Trucking's Motor Freight Rate Catalogue
  - (b) Red Bay Trucking's Rules Tariff
  - (c) Standard Truckload Bill of Lading. Other shipping documents executed by Red Bay Trucking driver as receipt for goods only.
  - (d) Mileage rates based on \_\_\_\_\_
  - (e) National Motor Freight Classification Rules apply
3. Insurance Information and Liability Limits
  - (a) PI and PD (personal injury and physical damage)
    - (i) \$ \_\_\_\_\_ per occurrence limit, BMC-91X on file
    - (ii) Insurer \_\_\_\_\_, certificate of insurance available upon request
  - (b) Cargo Liability
    - (i) Carmack, subject to \$5.00 per pound per article (\$200,000 truckload limit)
    - (ii) Insurer \_\_\_\_\_, certificate of insurance available upon request
    - (iii) Carrier liability for cargo over \$ \_\_\_\_\_ by special request.
4. Claims Processing and Statute of Limitation - General principles of Federal commerce law apply. See Elmore v. Stahl, 377 U.S. 134; UBOI and 49 C.F.R. '370. Claims must be filed within 9 months.
5. Spotting and Detention - Spotting for shipper's convenience by special arrangement. Free time for pick-up and/or delivery two (2) hours; detention thereafter \$ \_\_\_\_\_ per hour.
6. Pick-Ups, Deliveries, Appointments - Pick-ups and deliveries made between 7:00 a.m. and 5:00 p.m., local time or by special arrangement. Appointments made at no charge.
7. Payment of Freight Charges - Due \_\_\_\_\_ days from date of invoice without offset; PODs provided upon request; finance charge is \_\_\_\_\_% per month on delinquent accounts with collection charge of \$ \_\_\_\_\_ per shipment.
8. Pallets - Provided by special arrangement.
9. Stop-Off Service - \$ \_\_\_\_\_ per stop, excluding original pick-up and final delivery.
10. Third-Party Billing - Provided for shipper's/beneficial owner's convenience with recourse.
11. Non-Back Solicitation of Intermediaries - As otherwise agreed.
12. Weight Limitations - 45,000 lbs. per truckload, or as otherwise agreed.
13. Simplified Pricing - Unless otherwise indicated, all common carrier shipments are rated as Freight All Kinds for named customers and are subject to a maximum cargo liability of \$ \_\_\_\_\_ per pound or \$ \_\_\_\_\_ per truckload shipment, whichever is less.
14. Alternative Rates Available - Shipper may obtain rates for shipments with higher release values from Red Bay Trucking's Director of Pricing by calling 888-555-1212. Any such alternative rate shall be reflected by the

insertion of the higher release rate value and appropriate tariff item on the bill of lading at time of pick-up.

15. Inadvertence Clause - If a shipper declares a value exceeding \$\_\_\_\_\_ per pound or \$\_\_\_\_\_ per truckload without insertion of the corresponding tariff item, the shipment will not be accepted, but if the shipment is inadvertently accepted, it will be considered as being released to a value of \$\_\_\_\_\_ per pound or \$\_\_\_\_\_ per truckload, whichever is less and the shipment will move subject to such limitation of liability.

16. Remedies - Possessory lien rights apply to violation of credit terms.

17. Fuel Surcharge - Rates will be increased by \$0.01 per mile for every \$0.05 per gallon by which the weekly DOE prices exceeds a fuel peg of \$1.16 per gallon (see below).

<b>DOE Fuel Index Range</b>	<b>Fuel Surcharge Cents per Mile</b>
116 - 120	0
121 - 125	1
126 - 130	2
131 - 135	3
136 - 140	4
141 - 145	5
146 - 150	6
151 - 155	7
156 - 160	8
161 - 165	9
166 - 170	10
171 - 175	11

(a) The U.S. average diesel fuel price issued by the DOE's Energy Information Administration, National Energy Information Center (202) 586-6966 #1 each Monday will be the weekly fuel cost used. If the fuel index is not issued on Monday, the next index issued will be used.

(b) The fuel surcharge will be calculated weekly.

(c) The fuel surcharge will be effective two days after the diesel fuel price referred to in (a) is issued by DOE. Example: For a fuel index issued on Monday, the fuel surcharge will be effective the following Wednesday.