

WEST BEND TRANSIT AND SERVICE CO.

NAMING
EXCEPTIONS TO RULES OF
NATIONAL MOTOR FREIGHT CLASSIFICATION

WEST BEND TRANSIT RULES TARIFF WEBE 2

WEST BEND TRANSIT AND SERVICE CO.
105 Forest Ave.
PO Box 0477
West Bend WI 53095

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EXPLANATIONS OF ABBREVIATIONS AND REFERENCE MARKS

AQ.....	Any Quantity
Corp.....	Corporation
d/b/a.....	doing business as
N.M.F.C. or NMFC.....	National Motor Freight Classification
TL.....	Truckload
WI or Wis.....	Wisconsin
WEBE.....	West Bend Transit and Service Co.
>.....	Indicates increase
<.....	Indicates decrease
o.....	Indicates change resulting in neither increase or decrease in rates or charges

Section 1
Governing Publications

ITEM
100

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

TYPE AND KIND OF TARIFF	ISSUING AGENT AND ICC DESIGNATION
Local Interstate Class Rates	WEBE 1
Classification, governing	ICC NMF 100
Dangerous and explosives Articles	ICC ATA 111
Mileage Guide	ICC HGB 100

APPLICATION OF THIS TARIFF

DEFINITION OF LESS-THAN-TRUCKLOAD (LTL) AND TRUCKLOAD (TL)

ITEM
110

Unless otherwise provided, less-than truckload (LTL) rates will apply on shipments with weights of less than 20,000 pounds.

ITEM
150

This tariff is a memorandum tariff only. It is not on file with any regulatory agency. All Provisions, rates and charges name herein are subject without prior notice at any time.

- (1) Except as otherwise provided, all provisions, rates and charges names in this Tariff will apply on shipments moving wholly within the States of Wisconsin, Illinois, and Minnesota.
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Section 2
RULES GOVERNING APPLICATION OF THIS TARIFF

ALTERNATE APPLICATION OF RATES – MIXED SHIPMENTS RULE
205

When a number of articles for which the same or different rates are provided when in straight shipments, are shipped at one time by one consignor from on point of origin to one consignee at one destination, on one bill of lading, as a mixed shipment, the following will apply:

Apply to each article in the shipment the rate applicable thereto, and at the actual weight of each of such articles,
EXCEPT:

Where the total charge for the shipment would be lower if based upon a higher minimum weight at the rates applicable, with the deficit in weight charges figured at the same rates applicable to the lowest rated article in the shipment, such lower charge shall apply.

ALTERNATIVE APPLICATION OF RATES RULE
210

Except as otherwise provided, in individual items in Tariffs governed by this Tariff, this through rate applicable from point of origin to point of destination, either Class, Exception, Volume or Commodity Rate published in a Memorandum Tariff issued by West Bend Transit and Service Co. (WEBE), whichever produces the lowest charge, shall be the rate applicable.

APPLICATION OF VOLUME MINIMUM WEIGHTS RULE
215

- (a) This volume of truckload minimum weights on which charges shall be assessed on articles subject to volume or truckload ratings of NMFC shall be as provided in NMFC, except where minimum weight shall be 20,000 pounds. (See Note 1)
- (b) This minimum applies only in connection with Line VT rates published in Section 4 of Tariff WEBE 1.

Note 1 – In connection with alternating rating and minimum weight factors in NMFC, the rating will be subject to Table of Minimum Weights in Item 997 of NMFC, but not to exceed 30,000 pounds.

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APPLICATION OF RATES TO AND FROM CONTIGUOUS LOCATIONS

RULE
220

Rates to apply shall be the rates published in Tariff WEBE 1 to or from the actual point being served, EXPECT, to and from UNNAMED AND UNINCORPORATED county locations not shown in Tariff WEBE 1.

Rates to or from UNNAMED AND UNINCORPORATED county locations shall be the rates published to or from the nearest point as shown in Tariff WEBE 1.

METHOD OF DETERMINING RATES (TRUCKLOAD TRAFFIC) (Effective: 4-1-84)

RULE
221

Rates in weight groups VT and VT-30 are subject to rules and regulations governing truckload or volume rates, charges and shipments and are to be considered as the equivalent of truckload or volume rates in the application of such rules and regulations.

Explanation of weight groups or designations in Table of Class Rates and Charges in this tariff: (See Note 1)

VT – Applies on shipments weighing each 20,000 pounds or more but less than 30,000 pounds.

VT-30 – Applies on shipments weighing 30,000 or more.

Note 1: When the charge computed at actual weight exceeds the charge computed at the next higher weight group rate and minimum weight, the latter charge will apply.

CAPACITY – MINIMUM CHARGE

RULE
225

- (a) Except on shipments subject to Any Quantity (AQ) rates or ratings (See Notes 1 and 2) and except as provided in connection with Over-dimension, Over-weight articles, each and every standard truck bearing a capacity load of freight, such freight constituting all or part of a single shipment, or truckload minimum weight, whichever is greater, and at the truckload rate or rating applicable.

“LOADED TO CAPACITY” or “CAPACITY LOAD” refer to the extent to which a standard is loaded with freight, each term meaning:

1. That the quantity of freight which when loaded in or on a standard truck equals the maximum legal load carrying capacity of the vehicle authorized by Federal, State or Municipal laws or regulations; or

CAPACITY – MINIMUM CHARGE CONTINUED

2. That quantity of freight which, in the manner loaded, so fills a standard truck that no additional article in the shipping form tendered identical in size to the largest article in the shipment can be loaded in or on the truck, or
 3. That quantity of freight which because of unusual shape or dimensions or because of necessity for segregation or separation from other freight requires the entire capacity of a standard truck.
- (b) When a shipment of freight is received in excess of the quantity loaded, or in excess of the quantity that can be loaded in or on one standard truck, the following shall apply:
Each standard truck shall be subject to a minimum charge as provided in paragraph (a) of this item, except that not more than one truck containing less than a capacity load of the same shipment shall be charged for at the actual weight and truckload rate or rating applicable.
- (c) On shipments subject to joint rates and moving via two or more carriers, the minimum charges provided in this item will be based on truck or trucks furnished and used by this originating carrier and such charges will apply to the contiguous through movements, regardless of inability or failure of the connecting carrier or carriers to furnish at interchange point of points, a truck or trucks of same dimensions.
- (d) When charges are based on “capacity load” or “loaded to capacity” provisions, the originating carrier must indicate on freight billing, “Capacity Load,” “Loaded to Capacity” or similar notation together with the actual weight loaded on the vehicle, or on each vehicle if more than one vehicle is used in transport the shipment. If one vehicle per shipment is not loaded to capacity, the billing must show the actual weight loaded thereon. Proper cross-reference in billing of each vehicle must be made to link all vehicles used to transport the shipment.

EXCLUSIVE USE OF VEHICLE

RULE
390

Upon demand by the consignor or consignee, the exclusive use of a freight carrying vehicle will be assigned to the transportation of a shipment subject to the following conditions: (See Note 2 & 5)

- (a) Only one freight carrying vehicle per shipment will be furnished. If freight is tendered in a quantity which will exceed the loading limits of the vehicle furnished, the excess will be made into a second shipment requiring a second bill of lading. In such instances unless a demand for the exclusive use of another vehicle is made, the second shipment will be transported under the provisions of Note 4.

EXCLUSIVE USE OF VEHICLE CONTINUED

- (b) The demand must be given in writing, attached and referred to, or inserted in the bill of lading and shipping order (See Note 3) in substantially the following form:
“Exclusive use of vehicle requested.”
- (c) The vehicle will be devoted exclusively to the transportation of the shipment, without transfer of lading and without breaking of seals, if any have been applied, except in cases of emergency, when the shipment will be given the exclusive use of the vehicle in which it is transferred.
- (d) The consignor may not execute the non-resource stipulation of the bill of lading, and to this extent, Section 7 of the contract terms and conditions of the bill of lading will not apply.
- (e) Charges (See Note 1) will be computed at the lawfully published rates and weights applicable to the shipment without reference to this item. These charges shall be subject to a minimum charge based on 15,000 pounds at the regular Class 100 truckload rate (not line VT 30 rate) applicable between point of origin and destination.

NOTE 1 – The term “charges” or “minimum charges” as used in this item means line haul transportation charges and does not include accessorial charges of any kind which shall be assessed in addition thereto.

NOTE 2 – The term “vehicle” as used in this item means truck or trailer, but not a truck and trailer combination.

NOTE 3 – When the demand for the exclusive use of freight carrying vehicle is made by the consignor or consignee after a shipment has been receipted for and is in possession of the carrier, the carrier will, if possible intercept the shipment and convert same to exclusive use of vehicle service over as much of the route as possible. In such case, the provisions of this item will apply. The party making considered as part of the bill of lading contract. Charges will be assessed in paragraph (e) between point of origin and destination.

NOTE 4 – Except as provided in (a), no shipment is entitled to the exclusive use of the vehicle in which it is to be transported. The carrier has control of the vehicle and the unrestricted right to:

- (a) Select the vehicle for the transportation of a shipment.
- (b) Transfer the shipment to other vehicles.

EXCLUSIVE USE OF VEHICLE CONTINUED

(c) To load other freight in the same vehicle with such shipment.

NOTE 5 – Not subject to the provision of the Rule 900 except (1) split pick-up service within primary point of origin.

CLAIMS, LOSS AND DAMAGES

RULE
407

For principles and practices for the investigation and disposition of freight claims, see National Motor Freight Traffic Association, Inc, Agent, ICC NMF 100 series.

Unless otherwise stated in Customer’s tariff, West Bend Transit’s maximum claims liability shall not exceed a maximum of \$.50 per pound and/or a maximum of \$2,500.00 on any one shipment. Claims filed for under \$50.00 will be declined.

Claims will not be paid if the Customer’s account has Invoices or discrepancies exceeding the payment terms, as stated in Rule 720.

C.O.D. SHIPMENTS

RULE
430

Except as otherwise provided below, C.O.D. shipments will be accepted and transported accordance with, and subject to the provisions of Item 430, MWB 125 for rules and rule 430-A of WEBE 2 for charges.

EXCEPTIONS:

That portion of Section 9 of Item 430 of NMFC, which provides for payment in cash will not apply when the amount to be collected is \$250.00 or more, and in lieu thereof, payment must be made as otherwise specified in that Section.

COLLECTION OF CHARGES – THIRD PARTY BILLING (See Notes 1 and 2)

1. When a party other than the consignor or consignee on the bill of lading and shipping order is responsible for paying the freight charges, such party’s name and address must appear in the body of the bill of lading and shipping order at time of original tender. (See Paragraph 2)
2. Shipments subject to the provisions of this item will be accepted only when the consignor has established credit with the originating carrier and guarantees to pay all lawfully accrued charges if the third party fails to do so within the time allowed under the credit regulations as prescribed by the Wisconsin Transportation Commission.

NOTE 1 – Shipments subject to the provisions of this item must be billed “Prepaid.”

NOTE 2 – Shipments subject to the provisions of this item will not be accepted if the consignor executes Section 7 of the bill of lading.

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C.O.D. CHARGES

EFF. DATE – 1/1/96

RULE
430-A

Whenever reference is made to this Item, the rates named herein will apply for collection of C.O.D. shipments:

6% of C.O.D. amount, minimum \$125.00

Carrier will only accept liability for collecting C.O.D. amounts up to \$2500.00.

A charge of \$25.00 per shipment will be made for increasing, reducing, or canceling the C.O.D. collection fee, if any, and must be guaranteed by the consignor in writing.

COLLECTION OF CHARGES – THIRD PARTY BILLING

RULE
435

- (1) When a party than the consignor or consignee on the bill of lading and shipping order is responsible for paying the freight charges, such party's name must appear in the body of the bill of lading and shipping order at time of original tender (See Paragraph 2 and Note C).
- (2) Shipments subject to the provisions of this item will be accepted only when the consignor has established credit with the originating carrier and guarantees to pay all lawfully accrued charges if the third party fails to do so within the time allowed under the credit regulations of the Interstate Commerce Commission.

NOTE A: Shipments subject to the provisions of this item must be billed as "prepaid."

NOTE B: Shipments subject to the provisions of this item will not be accepted if the consignor executes Section 7 of the bill of lading.

NOTE C: When consignor or consignee instruct the carrier to bill the freight charges to a third party and such information is not shown on the bill of lading at time of shipment, an additional charge of (A) \$15.00 will be assessed for a new billing in addition to all other applicable charges. The additional charges will be assessed against the party billed for the freight charges. The provision of the Note will not apply on Export Shipments.

CONTAINERS, EMPTY, RETURNED

RULE
465

Whenever reference is made to this Item, the rates named in the item making reference hereto will be subject to the following conditions:

Rates will apply only on shipments of Empty Returned Containers as described in the item, and will apply only on shipments of such containers which were handled full by the same carrier of carriers, subject to the following certification being shown on the bill of lading by the shipper.

DENSITY MINIMUM CHARGE

RULE
490

Applies on shipments with an actual density of less than 6 pound per cubic foot (PCF) and which occupy more than 750 cubic feet of trailer space. The cubic capacity of the shipment shall be determined in accordance with Section 8, Item 110, NMFC 100 Series. Shipments that qualify will be subject to a minimum charge using a calculated weight that will be determined by multiplying the cubic capacity of the shipment by six (6) pounds for each cubic foot or portion thereof. The minimum charge will be determined by multiplying the calculated weight by the actual class rate, or 77.5, which ever is higher, less the customer's applicable discount percentage, if any.

OVERSIZE PALLET FEE

Pallets or shipping articles exceeding 48" in length and 48" in width shall be considered oversize and will be subject to an Oversize Fee equal to 25% of the total freight charge, or \$25.00 which ever is greater.

LINEAL FOOT RULE

Shipments exceeding 10 lineal feet of a trailer will be rated at 800 pounds per lineal foot, or the negotiated rate, whichever is greater.

DETENTION – LTL SHIPMENTS

RULE
500

This item applies when carrier's vehicles with power units are delayed or detained on the premises of the 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 LTL rates.
- (2) 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 820 will apply.

Section 2: Computation of Time

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 of unloading. Time shall end upon completion of loading and receipt by the driver of a signed bill of lading or receipt for delivery.

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DETENTION – LTL SHIPMENTS CONTINUED

Section 3: Free Time

Free time per vehicle stop shall be as follows:

Actual Weight (In Pounds)	Free Time (In Minutes)
Less than 4,999	15
5,000 to 9,999	30
10,000 to 19,999	45
20,000 and over	60

Section 4: Charges

- (1) When the loading is delayed, the charge per vehicle for each 15 minutes or fraction thereof, beyond free time will be \$15.00.
- (2) The amount 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 the linehaul charges are prepaid or collect.

EXPLOSIVES AND DANGEROUS ARTICLES

RULE
540

Except as otherwise provided below, this transportation of all explosives and dangerous articles by carriers participating in this Tariff shall be in accordance with the rules and regulations published in American Trucking Associations, Inc. Agent MOTOR CARRIERS EXPLOSIVES AND DANGEROUS ARTICLES TARIFF No. I.C.C. – A.T.A. 111-G, supplements thereto and reissues thereof.
Hazardous Materials Handling Fee \$25.00 per shipment

HANDLING FREIGHT AT POSITIONS NOT IMMEDIATELY ADJACENT TO TRUCK

RULE
566

When requested by consignor by written endorsement of the bill of lading, or, when requested by consignee by written endorsement on the delivery receipt, and carrier's operating conditions permit, carrier may move shipments or portions of shipments from

or to positions beyond the immediately adjacent loading and unloading positions defined in RULE 750, Paragraph (2), (Pick-up and/or Delivery), subject to the following provisions:

- (a) If inside pick-up or delivery is requested on the ground floor, pickup or delivery will be made subject to a minimum charge of ¼ hour at current hourly rate, and ¼ hour rate for any fraction thereof after the first ¼ hour, in addition to all other charges applicable.
- (b) If inside pick-up or delivery is requested to floors other than ground floor, pick-up or delivery will be made subject to a minimum charge of ¼ hour at current hourly rate and ¼ hour rate for any fraction thereof after the first hour, in addition to all other

HANDLING FREIGHT AT POSITIONS NOT IMMEDIATELY ADJACENT TO TRUCK CONTINUED

charges applicable. No service will be performed at floors, above or below street or dock level unless elevator or escalator facilities and labor to operate same are provided without cost to carrier.

- (c) Unless the bill of lading is specifically endorsed to show prepayment of the charges, they will be collected from the party requesting such service.

HOURLY USE OF CARRIERS EQUIPMENT

RULE
569

Where carrier is required or requested to deliver freight on the same day of pick up West Bend Transit will have the option to assess a cartage rate of \$150.00 per hour or class rates, which ever produces the greater revenue.

IMPRACTICABLE OPERATIONS

RULE
570

Pick-up 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 condition 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 apprehension of danger to persons or property.

MINIMUM CHARGE

RULE
610

Base Minimum – not less than \$35.00 on special pricing. Except as otherwise provided herein, the minimum charge for a single shipment from one consignor to one consignee

on one day on one bill of lading shall be as provided in Item 110 of WEBE 1. Notify charge \$15.00.

REPAYMENT OF CHARGES

RULE
720

Charges for all services rendered must be paid within 15 days of receipt of Invoice. Payments not received within 30 days of the ship date will go into delinquency status and interest will start to compound at 1.5% per day.

Freight charges must be prepaid on all shipments consigned to or in care of Trade Shows, Traveling Shows, Chautauquas, Fairs or Exhibitions.

PICK-UP AND/OR DELIVERY SERVICE

(Effective: 12-4-85)
RULE
750

- (a) Rates named in herein include both pick-up and delivery and refer to the service involved in calling for, collecting and/or delivering freight at dock, platform or doorway directly accessible to highway vehicles and does not include placing of freight inside building.
- (b) If, for any reason beyond carrier's control, a shipment is not accepted by the consignee when tendered for delivery and a redelivery is made necessary, an additional charge for such delivery at an intrastate rate from carrier's terminal to destination, subject to a minimum charge as provided in Rule 610. (See Note.) Redelivery minimum \$35.00 charge for redelivery but may be negotiated or adjusted.
- (c) Rates published herein apply only on such articles as can ordinarily be handled by one man. When more than one man is furnished by the carrier for the loading, or unloading of any shipment, which on account of weight, dimensions or physical characteristics of pieces or packages cannot be handled by one man, or where consignor's or consignee's requirements or arrangements are such that they will not tender or accept shipments unless carrier provides more than one man, or when furnished for the benefit of, and at the request of the consignor or consignee, the additional man (or men) when furnished, will be charged for at a rate of \$50.00 per man for each hour of fraction thereof, minimum charge \$250.00 per man per day, subject to the provisions of 1, 2 and 3 below;
 - (1) Charges for the additional man (or men) shall be computed from the time such additional man (or men) is dispatched from the carrier's terminal until the time he (or they) return to the carrier's terminal. Such charges will be assessed against the party at the point at which the service is performed.

- (2) When loading or unloading is not completed at the end of a business day, time will be resumed when the man (or men) is again dispatched from the carrier's terminal. When loading or unloading is discontinued during meal period, meal time, not exceeding one hour, will be excluded from computation of time.
- (3) The provisions of this item do not obligate the carrier to furnish additional labor, if no additional labor is available to him at the point of loading or unloading.
- (d) On heavy or bulky articles requiring special devices for safe loading or unloading, consignor and/or consignee, shall furnish such special devices and men necessary to operate the special devices and shall assume full responsibility for safe loading and/or unloading.
- (e) Shipments picking up, or delivering to locations requiring the use of a pallet jack will be charged \$.50 CWT, per shipment.

PICK-UP AND/OR DELIVERY SERVICE CONTINUED

NOTE: Charges to be paid by party responsible for such redelivery and party must fax approval for such charges.

PICK-UP AND DELIVERY OF VOLUME SHIPMENTS IN OTHER THAN ROAD HAUL EQUIPMENT

RULE
751

On shipments subject to volume rates, when it is physically impossible, due to location of loading or unloading facilities, for road-haul carrier to use road-haul equipment, or where the law will not allow road-haul carrier to use road-haul equipment for delivery service with other equipment, such shipments will be subject to the following charges in addition to re-delivery charges when re-delivery is performed, and all other applicable charges.

- (a) When pick-up or delivery service (not both) is rendered with other than road-haul equipment, the charge shall be 100 cents per every 100 pounds over 2000 pounds, with a minimum charge of \$55.00
- (b) When pick-up and delivery service (both) are rendered with other than road-haul equipment, the charge shall be 150 cents per every 100 pounds over 2000 pounds, with a minimum charge of \$55.00.

PICK-UP OR DELIVERY OF SHIPMENTS THAT REQUIRE POWER LIFTGATE

RULE
752

When pick-up or delivery service (not both) requires a power lift gate the charge shall be \$70.00 minimum for the first pallet space and \$10.00 for each additional pallet space in addition to all other applicable charges.

PICK-UP OR DELIVERY AT PRIVATE RESIDENCES

RULE
753

- (1) Except on shipments of furniture as provided in paragraph (2) below, shipments picked up at or delivered to private residences (see Note 1) or camps (other than military) will be assessed a charge of ½ hour minimum charge at current cartage rates with a ¼ hour cartage rate thereafter. A maximum charge of \$350.00 per shipment or \$350.00 per vehicle if more than one vehicle is used to transport the shipment.
- (2) Shipments consisting wholly or in part of furniture as described in Items 79000 through 82700 of NMFC picked up at or delivered to private residences (See Note 1) or camps (other than military) will be assessed a charge of ½ hour cartage rate at current cartages rates with a ¼ hour cartage rate for each ¼ hour or fraction thereof.

PICK-UP OR DELIVERY AT PRIVATE RESIDENCES CONTINUED

- (3) Service under this item will be provided to floors above or below the level accessible to carrier's vehicle only when elevator or escalator is available, and labor necessary to operate same is provided without cost to the carriers.
- (4) The charges provided in this item apply separately for pick-up and separately for delivery and are in addition to all other lawful charges. Unless the bill of lading is specifically endorsed to show prepayment of these charges they will be collected from the party whose location requires such service, except such charges for shipments moving on Government Bills of Lading will be collected from the U.S. Government.

Note 1: The term "Private Residence" shall apply to 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 sales of merchandise or services to the walk-in public during normal business hours.

PICK-UP OR DELIVERY SERVICES – SUNDAYS OR HOLIDAYS

RULE
754

When consignor or consignee requests carrier to pick-up or deliver freight (See Note C) on Sundays or Holidays, such service (See Note A) will be subject to a charge of \$116.00 per man per hour, or fraction thereof, minimum charge of \$325.00 per man per day. Such charges shall be in addition to all other charges.

NOTE A: The provisions of this item shall not be constructed as obligating the carrier to furnish pick-up or delivery service on Sundays or Holidays.

NOTE B: Time shall be computed upon notification of the driver to the responsible representative on 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, as the case may be.

NOTE C: The provisions of this item shall also apply when consignor or consignee request carrier to place or pick-up empty trailer(s) (Vehicles without power) of the freight, which may occur on a day other than Sundays and Holidays. The charge for this service will be current cartage rates with a minimum charge of one hour.

NOTE D: Charges must be either paid by the party requesting the service or guaranteed to the satisfaction of the carrier before pick-up or delivery be made.

PICK-UP OR DELIVERY SERVICE – SATURDAYS

RULE
755

When consignor or consignee requests carrier to pick-up or deliver freight on Saturdays (See Note A) such service (See Note B) will be subject to a charge of \$116.00 per man per hour, or fraction thereof, minimum charge of \$225.00 per man per day (See Notes C & D). Such charges shall be in addition to all other applicable charges.

NOTE A: When Saturday is a holiday, the provisions of the item will not apply. Apply Item 754 (Pick-up or Delivery Service – Sundays or Holidays).

NOTE B: The provisions of this item shall not be construed as obligating the carrier to furnish pick-up or delivery service on Saturdays.

NOTE C: Time shall be computed upon notification 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 upon completion of loading or unloading and receipt by driver of signed bill of lading or receipt for delivery, as the case may be.

NOTE D: Charges must be either paid by the party requesting the service or guaranteed to the satisfaction of the carrier before pick-up or delivery will be made.

PROHIBITED OR RESTRICTED ARTICLES

RULE
781

(1) Property of extraordinary value.

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

Banks bills	Museum exhibits or articles
Currency	of antiquity
Deeds	Notes
Drafts	Original works of art
Jewelry, other than costume or novelty jewelry	Postage stamps
Letters, with or without stamp affixed (Note 1)	Precious stones
	Valuable papers of any kind

- (b) Articles of extraordinary value will not be accepted for shipment nor as premium accompanying other articles. Extraordinary value is deemed to be any shipment whose actual value exceeds twenty dollars (\$20.00) per pound. If articles are inadvertently accepted with an invoice value exceeding \$20.00 per pound, they will be considered to have been released by the shipper at \$20.00 per pound.

PROHIBITED OR RESTRICTED ARTICLES CONTINUED

Note 1 – United States Mail will be accepted when the consignor and consignee are United States Post Offices.

- (2) Freight liable to damage other freight or equipment. Carrier is not obligated to receive freight liable to permeate 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.

PROTECTIVE SERVICE

RULE

810

Except as otherwise provided, shipments requiring protection from freeze will be accepted for transportation at the customers request, subject to the following.

During the months of November thru March, shipments that require protect from freeze will be picked up on any day of the week except Friday and/or the day before a Holiday. Special care will be given while in our possession to prevent freezing. Shippers must note on both the Bill of Lading and on every individual piece of freight and/or pallet, "Protect from Freezing" or "Freezable". West Bend Transit will protect from freezing while at our terminals, however our trailers are not heated and cannot protect from freezing while in transit.

West Bend Transit provides limited protective services and therefore assumes no liability for damage to perishable commodities, including but not limited to wilting, freezing, heat damage, burning, melting, disease, and any and all damage related to the perishable nature of the commodity or commodities which may occur while the shipment is in the

Carrier's possession.

The charge for this service will be as follows:

\$1.00 per CWT , with a minimum charge of \$30.00 per shipment.

DIVERSION OF RECONSIGNMENT

(Effective: 12-4-85)

RULE

820

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

1. DEFINITIONS OF DIVERSIONS OR RECONSIGNMENT

For the purpose of this rule, the term "diversion" and "reconsignment" 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 point.
- (c) A change in the destination point.
- (d) Relinquishment of shipment at point of origin (See Note 3).
- (e) Instructions received by the originating carrier prior to receipt of shipment (See Note 4).

2. CONDITIONS

- (a) Requests for reconsignment must be made or confirmed in writing and the carrier must be satisfied that the party making the request has the authority to do so. Conditions or qualified requests will not be accepted.
- (b) Carrier will make diligent effort to execute a request for reconsignment, but will not be responsible if such service is not affected.
- (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.

DIVERSION OR RECONSIGNMENT CONTINUED

- (d) Only entire shipments, not portions of shipments, may be reconsigned.
- (e) An order for reconsignment of a shipment moving under uniform order bill of lading will not be considered valid, unless and until the original Uniform order bill of lading is surrendered for cancellations, endorsed, or exchanged.
- (f) Instructions for reconsignment of C.O.D. shipments will be accepted only from the consignor.
- (g) Marking of Tagging (See Note 5).
- (h) Correction of bill of lading will have a \$5.00 fee.

3. CHARGES:

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

If Reconsignment Results in a change and Reconsignment occurs: (See Note 1)	In the name of the consignor or consignee with no charge in place of delivery.	In the place of delivery within original destination point.	In the Destination Point
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THE CHARGE WILL BE

Prior to tender of delivery	No Charge	No Charge	Published tariff rate to and from reconsignment point (See Note 2)
After tender of delivery	\$35.00 per shipment plus applicable freight charges	\$35.00 per shipment plus applicable freight charges	Published tariff rate to and from reconsignment point

NOTE 1: The provisions governing reconsignment “prior to tender of delivery” will only apply when carrier receives the request for reconsignment:

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

NOTE 2: If the change in destination point is requested and instructions are received in time to effect the requested change at the origin terminal of the originating carrier the charge will be ½ hour current cartage rates.

NOTE 3: Where a request is made by a shipper, before a shipment has left carrier’s terminal at point of origin for return of a shipment to the original place of shipment, or delivery thereof, to another, carrier at point of origin or relinquished possession thereof to shipper or to another carrier at carrier’s terminal such service if performed, will be subject to a charge of ½ hour current cartage rate.

DIVERSION OR RECONSIGNMENT CONTINUED

NOTE 4: Upon instructions received by the originating carrier prior to receipt of shipment at point of origin accompanied 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 therefore (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 ½ hour current cartage rate.

NOTE 5: Shipments moving under the provisions of this item requires marking or tagging in order to comply with the provisions of Item 580 of NMFC or when carrier specifically requested to do so by the consignor or consignee, will be marked or tagged by the carrier at a charge of \$5.00 for each pallet, package or

piece of freight so marked tagged, subject to a minimum charge of \$5.00 per shipment.

STOPPING IN TRANSIT FOR PARTIAL LOADING OR PARTIAL UNLOADING
AND SPLIT PICK-UP OR SPLIT DELIVERY PRIVILEGES RULE
900

Except as otherwise specifically provided in individual items, a single shipment subject to a minimum weight of 10,000 pounds or more may be stopped for partial loading, or partial unloading subject to the following provisions.

PART 1 – GENERAL PROVISIONS

- A. After initial pick-up stop at origin and prior to final delivery stop at destination a shipment may be stopped for the purpose of picking up or delivering component parts of a single shipment at origin, at points enroute directly intermediate to destination, or at destination.
- B. Pick-up or delivery service may be performed at loading or unloading sites at origin, destination or intermediate stop-off points within the continuous private property at the place of the party receiving the service. Continuous private property may be intersected by no more than on public street or thoroughfare.

PART 2 – LIMITATION

- A. Except as provided in Paragraph B of the General Provisions, each stop-off is limited to one setting of the truck in accordance with Rules 300, 305, and 310 (Pick-up or Delivery Service) of Tariff WEBE 2.
- B. On joint line traffic stop-off privileges apply only when the entire shipment is delivered to one connecting carrier or, if stop-off has already been accorded when the entire remaining portion of the shipment is delivered to one connecting carrier.

STOPPING IN TRANSIT FOR PARTIAL LOADING OR PARTIAL UNLOADING
AND SPLIT PICK-UP OR SPLIT DELIVERY PRIVILEGES CONTINUED

- C. Stop-offs for partial loading or unloading will not be permitted on shipments moving “C.O.D.,” “In Bond,” “To Order,” “Order Notify,” “Exclusive Use of Vehicle,” nor on which Section 7 of the Bill of Lading has been executed on collect shipments.
- D. The substitution of freight for that originally loaded or any exchange of contents at a point or place of stop-offs is prohibited.
- E. All the component parts of a shipment must be loaded and in transit before any stop is made for partial unloading.

F. This item will not apply on containerized shipments moving as on unit of freight, whether in wheeled trailers or containers or other that wheeled trailers or containers.

PART 3 – STOP-OFF CHARGES

The initial pick-up stop and the final delivery stop are not subject to stop-off charges. All other stops are subject to a charge of \$63.63 per stop.

PART 4 – ASSESSEMENT OF CHARGES – LINE HAUL

Charges shall be determined on the basis of the minimum weight or actual weight, if greater, of the entire shipment at the rates or rate applicable and in effect on date of shipment.

- 1) from the point of initial origin, or
- 2) from any intermediate point where shipment is stopped for partial loading or
- 3) to any intermediate point where shipment is stopped for partial unloading or
- 4) to the point of final destination from and to which the highest charges are applicable.

PART 5 – PAYMENT OF CHARGES

All charges must be prepaid by consignor and only one freight bill will be issued for the entire shipment. However charges may be collected when they are guaranteed by the consignor and so noted in the bill of lading at the time of shipment. All charges to be collected from the consignee at final destination.

PART 6 – FAILURE TO DELIVER STOP-OFF FREIGHT

Where bill of lading requires stop-off to unload component part of the shipment and carrier is unable during normal business hours (See Note 1) to effect delivery of such freight at the point or place of stop-off, the undelivered portion of such shipment shall then be subject to rules and regulations governing storage and redelivery of freight, to the extent that such services are applicable.

STOPPING IN TRANSIT FOR PARTIAL LOADING OR PARTIAL UNLOADING AND SPLIT PICK-UP OR SPLIT DELIVERY PRIVILEGES CONTINUED

PART 7 – MARKING OR TAGGING SHIPMENTS

Except where shipments consist 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 of any shipment stopped for partial unloading must be plainly and durably marked, stenciled, or tagged by shipper in such a manner that each lot of freight intended for delivery at a particular point of place of stop-off will be readily distinguishable from all other freight in the shipment.

PART 8 – STOP-OFF HANDLED IN SEPARATE VEHICLES

For carrier’s convenience, any portion of the shipment may be picked up, transported or delivered in separate trucks and all portions of the shipment need not be transported through the stop-off point or points.

PART 9 – SHIPPING INSTRUCTIONS

- A. 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.
- B. The entire shipment must be available for pick-up at time of tender.
- C. The shipper must tender the part lots in the order required by the carrier.
- D. 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 the billed consignee.
- E. The bill of lading shall designate the following:
 - 1) Stop-off point or points and place;
 - 2) The weight, quantities, marking and description of articles to be loaded or unloaded.
 - 3) The name and address of the party to tender freight or to accept freight for unloading at point or place of stop-off.

NOTE 1 – The term “Normal Business Hours” as used herein refers to the daily period from 8:00 A.M. to 5:00 P.M., Mondays through Fridays, inclusive, but excluding Holidays.

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STORAGE CHARGES

RULE
910

Freight held in carrier’s possession by reason of an act or omission of 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:

- (1) Storage charges on freight awaiting line haul transportation will begin at 7:00 A.M. the day after freight is received by the carrier.
- (2) Storage charges on undelivered freight will begin at 7:00 A.M. the first business day (See Note 1) after notice of arrival has been given (See Note 2) 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).

- (3) Freight, other than that provided for in paragraph (4) stored in carriers possession will be assessed a charge of 50 cents per 100 pounds or fraction thereof per 24 hours, or fraction thereof, subject to the following minimum and maximum charges:

MINIMUM CHARGES: \$5.00 per shipment per each 24 hours, but not less than \$15.00 per shipment

MAXIMUM CHARGES:

PERIOD	CHARGES
For the first 24 hours or fraction thereof.....	\$40.00
For the second 24 hours or fraction thereof.....	\$50.00
For the third and each succeeding 24 hours or fractions thereof.....	\$75.00

Per shipment or per vehicle if more than one vehicle is used to transport the shipment.

- (4) Freight stored in carrier's possession which is subject to truckload rates, or which is subject to "Exclusive Use of Vehicle" or "Capacity Load" provisions (See Items 160 and 170), will be assessed the following charges:

For the first 24 hours or fraction thereof.....	\$40.00
For the second 24 hours or fraction thereof.....	\$50.00
For the third and each succeeding 24 hours or fraction thereof.....	\$75.00

Per shipment or per vehicle if more than one vehicle is used to transport the shipment.

- (5) Storage charges under this item will end when carrier is unable to deliver or transport the freight as a result of action by the consignor, consignee or Customs Official.

STORAGE CHARGES CONTINUED

- (6) 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 \$1.81 per 100 pounds subject to a minimum charge of \$16.78 and a maximum charge of \$230.53 per shipment or \$230.53 per vehicle if more than one vehicle is used to transport the shipment will be assessed.

EXCEPTION: When carrier notifies consignee before 12:00 o'clock Noon on the day the freight is ready to be delivered subject to the provisions if Item 500 on NMFC and the consignee refuses or is unable to accept delivery on the day notified, storage charges as provided in paragraph (2) of this item will not apply.

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, that consignee will not accept freight for more than 24 hours, storage charges will begin at 7:00 A.M. the first day after arrival at carrier’s destination terminal.

WEIGHT VERIFICATION

**RULE
992**

Carrier will verify the weight of any shipment upon request by either the consignee or consignor. Such verification will only be made in the custody of the carrier. A charge of \$25.00 will be made for furnishing such verification and is to be paid by the party requesting the service.

2016 ACCESSORIAL FEES AND EXCEPTIONS

- Airport Fee \$75.00 plus detention
- Attempted Pickup Fee \$45.00
- Attempted Delivery Fee \$45.00
- Cemetery \$35.00
- Chicago Loop Fee \$45.00 per pallet, max cap \$225.00 and 8 pallets
60601, 60602, 60603, 60604, 60605, 60606,
60611, 60661
- Church \$35.00
- Claims Liability \$.50 per pound, maximum \$2,500.00. Claims less than \$50.00 will be declined.
- C.O.D. Fee 6% of COD amount, minimum \$125.00
Maximum COD liability \$2500.00
- College \$35.00
- Construction Site \$35.00
- Convention Center \$150.00
- Corrections Institution \$75.00
- Cross Dock Fee \$5.00 per pallet, minimum \$30.00
- Customs Warehouse Detention will apply
- Demurrage Fee \$15.00 per ¼ hour, after the first ¼ hour
- Farm \$35.00
- Golf Course \$35.00
- Grocery/Food Dist. Center \$125.00
- Hand Unload \$0.15 per pound, minimum \$35.00
- Hazardous Materials Fee \$10.00 per shipment
- Hotel \$35.00
- Hourly Rate \$150.00 per hour

- Inside Pickup Fee \$0.15 per pound, minimum \$35.00
- Inside Delivery Fee \$0.15 per pound, minimum \$35.00
- Lift Gate Fee \$10.00 per pallet, minimum \$75.00 (2000# max./sk)
- Lineal Foot Rule Shipments exceeding 10 lineal feet will be rated at an additional \$10.00 per lineal foot.

- Lumper Fee \$0.15 per pound, min. \$75.00, max. \$250.00
- Mall \$35.00
- Military Installations \$75.00
- Notify Fee \$10.00
- Over Length Fee \$45.00 exceeding 4'x4"
Note: Pallet pricing will be based on total spots used, using a standard 4x4 pallet spot (ie: 8 feet is equivalent to 4 pallets)

- Over Weight Fee \$35.00 exceeding 2000# (max. 4000#)
Note: Pallet pricing will be calculated based on a maximum weight of 2000 lbs. per pallet (example: two pallets weighing 4,500 lbs. total, will be rated as three pallet spots)

- Park \$35.00
- Prison \$75.00
- Protect From Freeze \$1.00 per CWT, minimum \$50.00 (note: protect from freeze is not offered while in transit, thus Carrier is not liable for "freezing claims")
- Redelivery Fee Redelivery fees are calculated from the delivering terminal's location to the consignee's location. Minimum \$38.00
- Residential Fee \$35.00
- Reweigh Fee \$25.00
- School \$35.00
- Sort and Seg. Fee \$.015 per pound, min. \$75.00, max. \$250.00
- Storage Fee \$25.00 per pallet per day after the 2nd day of storage
- Storage Unit Facility \$35.00
- Straight Truck Fee \$25.00 per pallet, minimum \$100.00
- Storage Trailer Rental \$350.00 per month, plus P&D charge at hourly rate
- Toll Fee (Illinois) \$2.00 per freight bill
- University \$35.00
- Utility Sites (power plants etc) \$75.00
- Weekends & Holidays Quoted on a per shipment basis
- Weight Limit per pallet 2000 pounds
- High Cost Service Zone \$35 per shipment (SW corner of Wisconsin)
53503, 53504, 53506, 53507, 53510, 53515, 53516, 53517, 53518, 53522, 53526, 53530, 53533, 53535, 53540, 53541, 53543, 53544, 53553, 53554, 53556, 53560, 53561, 53565, 53569, 53570, 53572, 53573, 53577, 53580, 53581, 53582, 53584, 53586, 53587, 53588, 53595, 53599, 53801 - 53827, 54102, 54103, 54119, 54120, 54121, 54125, 54151, 54156, 54525, 54528, 54534, 54536, 54542, 54550, 54559, 54565