

**John S. James Co. Property Broker Only, as outlined in Title 49 CFR PART 371**

DISCLAIMER & SHIPPER'S ACKNOWLEDGEMENT – 3rd Party Domestic Inland and Freight Services.

All quotations should be reviewed for accuracy. Please advise John S. James Co. immediately if there are any discrepancies that exist between your original rate request and this rate quote. Shipper acknowledges and accepts the rate quote provided and agrees to the following:

Rate quotes, either written or oral, are based on the information the shipper provided at the time of quotation. Shipment details at the time of shipment must agree with the details offered at the time of quote, otherwise the rate quote is invalid and charges will be re-assessed and billed accordingly. Rates do not guarantee 3<sup>rd</sup> party service or availability of equipment at the time of shipment. Unless otherwise specified, rates and charges are subject to change without notice.

Rates expire: **7 days from date of quote.**

**U.S. Dept. of Transportation Federal Highway Administration –Federal Motor Carrier Safety Administration** rules and regulations apply to all domestic shipments.

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

**Liability Limitations:** Subject to those of the underlying carrier and freight services provider. John S. James Co. limit of liability is \$50.00 USA\$ per shipment. John S. James Co. is acting ONLY as a property broker as described in Title 49 CFR Part 371.

**Terms and Conditions:** Subject to those of the underlying carrier and/or freight services provider.

John S. James Co. is acting ONLY as a property broker as described in Title 49 CFR. Part 371.

**Shipper's Declared Cargo Value for Carriage:** If cargo is valued over the limit of liability listed in the Terms and Conditions please declare a value and indicate you wish to insure the excessive value.

**Excess Liability Insurance Coverage:** Upon request John S. James Co. can assist with the procurement of cargo insurance.

“John S. James Company is not insuring the cargo” unless prior written arrangements have been made for Marine Cargo Insurance” If you require insurance coverage on this shipment, please contact John S James Co for a Marine Cargo Insurance quote.

**Filing for Claims:** John S. James Co. is a Property Broker and ANY and ALL insurance claims are the responsibility of the Shipper and between the Shipper and Motor Carrier. John S. James Co. assumes no responsibility. ALL freight payments must be paid in full prior to a claim being processed by the Motor Carrier.

**Hazardous Cargo Shipments:** Shipper must comply with the IMDG Code and Title 49 CFR Parts 100 to 185.

**Accessorial Services and Charges:** Upon request John S. James Co. can assist with the procurement of additional services beyond the services outlined in the original shipping order. Charges to be billed by John S. James Co. are for the account of shipper or party

paying the inland and freight service charges whether the same party has approved the charges.

Additional fees and services associated with the handling and routing of overweight, over axle, out of gauge, specialized equipment or hazardous/dangerous goods may apply. The underlying carrier's services, terms and conditions apply.

**Commercial Warehouse Services and Charges:** as per the service provider's tariff, terms and conditions and limits of liability.

**Driver Detention:** Per the underlying carrier's tariff. Free time is not offered on less than truckload (a.k.a.: LTL / LCL) shipments.

**Driver Assistance:** Driver will not assist with the loading and unloading of cargo to and from truck or container.

**Container Cleaning / Dunnage:** Shipper, supplier or consignee is responsible for removal and proper disposal of packing material, trash and dunnage. Container cleaning fees, when applicable, are as per the steamship line's or motor carrier's tariff and for the account of party paying the inland freight.

**Appointments:** All appointments associated with the inland routing and handling of cargo are as per the instructions of the shipper or the shipper's supplier or consignee. John S. James Co. acts as Property Broker only and is not responsible for determining the official appointment schedules between the underlying vendors and the shipper, supplier or consignee.

**Container Rates:** Are based on availability of Intermodal equipment at the time of shipment; they are also based on legal weight, in gauge, round trip, non-hazardous, using SS Line chassis, unless otherwise specified.

**Demurrage / Per-Diem / Storage:** Billed as per Steamship Line's or underlying carrier's tariff. John S. James Co. reserves the right to bill for processing 3<sup>rd</sup> party invoices and payment of these charges.

**Less Than Truckload (LTL/ LCL):** To insure assessment of correct freight charges and avoid infractions, the customer or shipper is required to provide proper cargo description and shipment details. Carriers reserve the right to inspect the contents of packages and weight the shipment to verify shipper has recorded accurate descriptions and weight. In the event the motor carrier determines the commodities have been incorrectly described, the customer will be liable for the freight and additional handling charges on the correct description, weight and cargo details determined by the underlying carrier.

**Specialized Equipment, Truckload / Van / Open Top Containers:**

U.S. Dept. of Transportation Federal Highway Administration –Federal Motor Carrier Safety Administration rules and regulations apply. [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). State and federal restrictions may apply. Additional services and charges associated with the routing and handling of this freight is for the account of shipper or party responsible for inland freight payment. (e.g.: state and federal permits, escorts, handling, cranes, surveyors, driver detention, out of route miles, driver layovers)

**Fuel Surcharge:** Rates are subject to change without notice. We reserve the right to adjust the fuel surcharges based on the Weekly National Average issued by the U.S. Dept. of Energy, Energy Information Administration.

[http://www.eia.doe.gov/pub/oil\\_gas/petroleum/data\\_publications/weekly\\_on\\_highway\\_diesel\\_prices/current/html/diesel.html](http://www.eia.doe.gov/pub/oil_gas/petroleum/data_publications/weekly_on_highway_diesel_prices/current/html/diesel.html)