

TRANSDIGEST

Transportation & Logistics Council, Inc.

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44th Annual Conference Early-Bird Registration

- **Electronic Logging Devices**
- **UPS Rate Increases**
- **ATA Autonomous Truck Policy**
- **FMC Proposes Changes to Contracting Rules**
- **FMC to Hold Hearings on Fees**
- **ATRI Report: Driver Shortage is Top Concern**
- **Tesla Introduces Electric Semi-truck**
- **China Cutting Back on Scrap Paper Imports**
- **More Q&A's**

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Q & A IN PLAIN ENGLISH – BOOKS 7, 8 & 9 - A COMPILATION

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ASSOCIATION NEWS

44TH ANNUAL CONFERENCE – SAVE THE DATES AND REGISTER EARLY

Save the dates for the 44th Annual Conference, March 19 – 21, 2018 to be held in Charleston, SC at the Francis Marion Hotel. Pre-Conference seminars will be offered on the Sunday before the Conference on March 18, 2018. Please see the

attached Early-Bird registration with discounts along with a copy of the preliminary program or visit http://www.tlcouncil.org/How_to_Register and <http://www.tlcouncil.org/2018%20-%20Pre-Conference%20Seminars>.

Rooms fill up quickly, so don't delay in making your hotel reservations. A direct link for attendees has been set up; if you click here you can make your reservations today:

<https://reservations.travelclick.com/76320?groupID=1714992#/guestsandrooms>

WHAT TO DO IN CHARLESTON



Charleston was founded in 1670 and is known for its rich history, well-preserved architecture, distinguished restaurants, and mannerly people. It has much to offer, ranging from historic walking tours around the city, visits to antebellum plantations or a boat ride to Ft. Sumter.

For more information on what to do and see in Charleston visit <https://www.charlestoncvb.com/plan-your-trip/tours-attractions~204/>.

We are excited to announce that Tonn M. Ostergard will be the featured luncheon speaker on Monday, March 19th.



Tonn M. Ostergard is Chairman and CEO of Crete Carrier Corporation, a Nebraska-based transportation and logistics company with a temperature controlled division and a flat-bed subsidiary. Together, they employ over 6,000 associates with 15 terminal locations across the United States operating 5,200 power units and 13,000 trailers. He also currently serves as a Director of the American Trucking Associations and member of the Executive Committee.

Tonn has a background in business and accounting, and an extensive history of involvement and service as a director or member of the board for various financial, educational and civic institutions.

The luncheon speaker for Tuesday, March 20th will be Cynthia Hetherington. She is the founder and president of the Hetherington Group, a consulting, publishing and training firm focusing on intelligence, security and investigations. Hetherington has more than 20 years of experience in research, investigations and corporate intelligence and is recognized for providing corporate security officials, military intelligence units, and federal, state and local agencies with training on online intelligence practices.

Heatherington has overseen international investigations for Fortune 500 companies and other organizations in the Middle East, Europe and Asia and her experience can help you understand and recognize the dangers and intricacies of employee theft and intellectual property loss.



CLASSIFICATION

FUTURE COMMODITY CLASSIFICATION STANDARDS BOARD (“CCSB”) DOCKETS

	Docket 2018-1	Docket 2018-2
Docket Closing Date	December 14, 2017	April 12, 2018
Docket Issue Date	January 11, 2018	May 10, 2018
Deadline for Written Submissions and to Become a Party of Record	February 2, 2018	June 1, 2018
CCSB Meeting Date	February 13, 2018	June 12, 2018

Dates are as currently scheduled and subject to change. For up-to-date information, go to <http://www.nmfta.org>.

FRAUD ALERT

At the end of October the Transportation & Logistics Council, Inc. received the following Fraud Alert from QuadGraphics of Bolingbrook, IL.:

October 30, 2017

Attn: Carriers, Brokers, Freight Forwarders, Factoring Companies, DAT, TIA, ITS, Carrier 411:

To Whom It May Concern:

Please be informed that Quad Logistics Services, LLC d/b/a/ QuadExpress - MC# 415566 / FF03848 has been impersonated by a false broker/trucking company using our name, authority and insurance information.

The imposter is utilizing "Google Subscriber" phone and fax numbers (Phone: (630)283-2987 / Fax: (630)390-2401), a false web site <https://www.quadlogisticsservices.com> and false email addresses (brain@quadlogisticsservices.com and nathan@quadlogisticsservices.com). The Imposter is also using the alias names: "Brian Smith" and "Nathan Seskin".

The imposter provides carriers with a copy of our actual carrier packet along with a false contract and load rate agreement. The false load rate agreement is branded with the logo "QUAD INTERNATIONAL LOGISTICS." This name has no affiliation with any Quad/Graphics, Inc. companies.

Efforts are being made to force this fraudulent entity to cease and desist. A complaint has been filed with the USDOT/FMCSA (Complaint #100101089).

Thank you.

Respectfully,

Kevin Neis

Quad/Graphics, Inc.

Quad Logistics Services, LLC. d/b/a QuadExpress™

Quad Transportation Services

INTERNATIONAL

NEW CONTAMINATION LIMITS REDUCES CHINESE SCRAP PAPER IMPORTS

Efficient trade requires a flow of goods in both directions and ocean carriers do not want to move empty containers. Although low in value, scrap paper, which makes up just over 6% of U.S. exports, have helped fill containers that need to be repositioned in various markets, with China the largest. Scrap paper exports to China account for some 81 percent of total U.S. scrap paper exports to the world.

Unfortunately for this trade, in July China recently announced that it will impose new governmental standards and crack down on importation of adulterated products of any kind. As a result of this announcement, U.S. scrap paper exports to China immediately began to decline, and declined by 30 percent in September. It has been reported that the Chinese government will come down especially hard on scrap paper after it notified the World Trade Organization that effective next year, it plans to reject shipments

containing more than 0.5 percent contaminants, a level that the industry considers so low as to be unattainable. A typical shipment obtained through the recycling process can include scraps of broken bottles and plastic wrap. Generally accepted standards in most countries range up to 5 percent contaminants.

While scrap paper exporters are seeking to develop other markets in Southeast Asia and India, this takes time and the market in China is plummeting now as Chinese importers face severe fines for violations.

Note that there appears to be some discrepancy in reports of just what level of contamination the Chinese may accept. A November 14, 2017 *Resource Recycling* article reported that the current Chinese limit for contamination was 1.5 percent, that they initially proposed a limit of 0.3 percent, and after pushback that that limit was unrealistic, will now impose a 1 percent limit starting in January 2018.

Which limit is finally imposed does not alter the fact that there has been a sharp decline in this trade that is expected to continue.

See <https://resource-recycling.com/recycling/2017/11/14/china-dials-back-contamination-restrictions/>.

This crackdown on waste imports to China extends beyond the paper trade, and is impacting recycling of all sorts of materials. Visit <https://www.nytimes.com/2017/11/25/business/energy-environment/china-waste-recycling.html> for more information.

See TRANSDIGEST 233 for previous reporting on this matter.

MOTOR

ELECTRONIC LOGGING DEVICES

On November 20, 2017 the Federal Motor Carrier Safety Administration (“FMCSA”) announced that in order to ease the trucking industry’s transition to the federal electronic logging device (“ELD”) mandate the agency will provide guidance related to enforcement procedures during the transition. According to the press release:

These will include a 90-day temporary waiver from the ELD requirement for transporters of agricultural commodities, formal guidance specifically pertaining to the existing Hours-of-Service exemption for the agricultural industry, and guidance on the “personal conveyance” provision.

FMCSA will also provide guidance on the existing 150 air miles hours-of-service exemption in order to provide clarity to enforcement and industry. The guidance is designed to allow industry to maximize the use of this statutory exemption. The Agency will consider comments received before publishing final guidance.

FMCSA and its enforcement partners are fully prepared for the Dec. 18, 2017 implementation. The forthcoming announcement represents the agency’s desire to implement the ELD rule in a manner that improves safety without impeding commerce.

“FMCSA has listened to important feedback from many stakeholder groups, including agriculture, and will continue to take steps to ease the transition to the full implementation of the ELD rule,” said FMCSA Deputy Administrator Cathy F. Gautreaux.

Formal publication of the guidance via the Federal Register is expected within the next two weeks, and will include a public comment process.

For more information on ELDs please visit: <https://www.fmcsa.dot.gov/hours-service/elds/electronic-logging-devices>.

Visit <https://www.fmcsa.dot.gov/newsroom/fmcsa-announce-additional-eld-transition-guidance> to view the press release.

In order to ease the transition, the FMCSA also indicated that citations issued between December 18 and April 1 for failure to comply with the new law will not be posted to motor carriers' safety profiles, although they still could be fined.

While the ELD mandate has been long coming and there have been many predictions as to how it will impact the industry, we will soon have answers. Will capacity be reduced as drivers are forced to comply with hours of service rules, will supply chains be disrupted, will rates jump, or will drivers leave an industry where they feel they can no longer make the money they want? Stay tuned.

ATRI REPORT AND DRIVER SHORTAGE

The American Transportation Research Institute ("ATRI") recently issued its yearly report on industry issues and the driver shortage moved to the first place, for the first time since 2006. The report was based on 1,557 responses to ATRI's annual survey on the topic. ATRI said 50.4% of the respondents were motor carriers, 35.7% were commercial drivers and 13.9% were other industry stakeholders.

According to the report:

The significant need for qualified drivers to meet the nation's growing freight demand surged six spots in the annual survey to top the list of concerns this year. Among the top strategies recommended by industry stakeholders to address the driver shortage include working with state and federal authorities to develop a graduated commercial driver's license program to attract safe, younger drivers to the industry, and partnering with the U.S. Department of Labor to formalize a national driver recruitment program.

With the freight market expected to grow and many members of trucking's current workforce nearing retirement age, the industry will need to hire nearly 1 million drivers and technicians in the next decade just to meet economic demands. The American Trucking Associations ("ATA") announced that it is establishing a workforce subcommittee to work with federal and state officials to find solutions to the driver and technician shortages.

As the U.S. economy strengthens, more goods and products need to be moved. At the same time, the electronic logging device ("ELD") mandate is expected to reduce freight capacity through tighter enforcement of hours of service ("HOS") limits and in fact, the ELD mandate ranked in second place in ATRI's survey (after being in first place last year).

The driver HOS rules declined to No. 3 on ATRI's list of top concerns, down from No. 2 last year and No. 1 in each of the three prior years.

Earlier this year, the Federal Motor Carrier Safety Administration ("FMCSA") issued a final ruling to permanently remove the more restrictive 34-hour restart provisions that were introduced in July 2013 and later suspended in 2015. A congressionally mandated study on HOS found that the 2013 restart rule did not provide a greater net safety benefit than the previous regulation.

The shortage of available truck parking held steady at No. 4 on ATRI's list.

The scarcity of truck parking spaces creates "a dangerous and costly situation for truck drivers who are often forced to drive beyond allowable HOS rules or park in undesignated and, in many cases, unsafe locations," ATRI said in its report.

Rounding out the top 10 list of industry issues were: driver retention (No. 5), the federal Compliance, Safety, Accountability program (No. 6), the effect of trucking regulations on productivity and profitability (No. 7), driver distraction (No. 8), transportation infrastructure funding and traffic congestion (No. 9) and driver health and wellness (No. 10).

The report also tracked emerging issues that fell just outside the top 10, including the economy (No. 11), autonomous vehicles (No. 12) and the diesel technician shortage (No. 13).

Visit <http://atri-online.org/2017/10/23/driver-shortage-back-on-top-as-trucking-industrys-top-concern/> to view the ATRI press release and link to the report.

GAS TAX GAINS SUPPORT

According to a recent report in *Transport Topics*, there is growing public support for an increase in the gas tax to fund infrastructure improvements. Pollster Neil Newhouse found that in September 2014, 61% of Americans opposed increasing the gas tax while now 55% are in favor.

The poll also showed that more than three-quarters had a favorable view of trucking. It also found that about 81% oppose leasing highways from private companies while 80% oppose paying a per-mile fee.

However, opposition to tolling was softening with 76% against in 2014, but now 61% oppose tolls to fund infrastructure improvements.

Still, a gas tax increase is the “least objectionable” way of funding the improvements, according to the results.

See <http://www.ttnews.com/articles/survey-finds-growing-public-support-gas-tax-trucking-industry>.

MANAGING TRANSPORTATION SPEND - AN ANALYSIS FROM ICC LOGISTICS

In September, Transwide and Supply Chain Media published a "Checklist" for managing transportation spend. Anthony Nuzio, Jr. at ICC Logistics reviewed the checklist and gives us his analysis and comments below.

Checklist Item #1 – “We have the processes and capabilities to benchmark rates against a broader network than just our current providers on a daily basis.”

In order to be sure a company is receiving the “Best Deal” from its transportation and logistics service providers it must have the ability to benchmark their current services and pricing against a much larger and broader group of equally qualified service providers. The reality is that what may be a “Best Deal” for one company may be a terrible deal for another.

For example, some shippers are currently receiving discounts and incentives which are in the 90% range. While that may seem like the “Best Deal” at least price wise, it probably isn’t. Most of these discounts and incentives are being offered off of the carrier’s current, so-called List Rates. In many cases the “List Rates” have been inflated and that’s precisely why these carriers can afford to offer these 90% discounts. It’s what we call “The Retail Sell.”

What is the retail sell, you ask? The retail sell is when you see a sale off of the “Original Selling Price” of an article typically in a retail store. Those original costs are marked up, so they can be marked down to entice the buyer into thinking they got a great

deal. The reality is the best deal is not necessarily the deal with the largest discount, (as some logistics and financial executives falsely believe); it is ALWAYS the deal that ensures the shipper is receiving the most competitive rate “for the services being offered by the most capable service providers.” Notice we didn’t say the “Lowest Rate” or “Cheapest Rate.”

So how does a shipper obtain the benchmarking information they need to perform these analyses? Most shippers do not have the ability to benchmark their rates against many other competing transportation and logistics service providers. The good news however is that there are firms who specialize in these services and monitor the markets closely on a daily basis. Transportation and logistics prices change on a daily basis. Shippers need to continually monitor their expenditures on a consistent basis to make sure their company receives the best combination of service and cost. Yes, these two characteristics, service and cost must be considered before entering into any long-term service agreements.

We urge all shippers to seek advice from the transportation and logistics consulting firms who specialize in benchmarking rates for all transportation modes and all levels of service. In some cases shippers may even benefit by changing modes of transportation, such as consolidating and moving parcel shipments to LTL; moving LTL shipments into partial truckload shipments, etc. So having an expert help you assess, benchmark and “Target Price” your business to make sure your company receives the “Best Deal” today and into the future will pay huge dividends.

Checklist Item #2 – “We source and negotiate freight rates and award contracts to the optimal carrier trading off between quality, speed and cost.”

So, what does this really mean and why is it so important? Many shippers, in fact all shippers are in need of continually reducing their transportation spends. The transportation industry is one of the only industries we know of that implements General Rate Increases year after year, while many of their shipper customers are usually selling their products at lower price points than they sold for the year prior. That’s where a big disconnect obviously comes into play between shipper and carrier partners.

Shippers in need of reducing, (or at least controlling) their annual freight spends often merely seek out carriers with lower costs. That process may be putting the cart before the horse, because what good is lowering shipping costs if the carrier(s) the shipper selects cannot meet the required service demands of the shipper’s particular business? The answer obviously is— “no good at all!”

So there has to first be an internal analysis completed by all shippers to determine exactly what service levels the shipper requires from its freight carriers. Secondly, the shipper needs to seek out ONLY those carriers that can fully meet those needs. Secondly, there may be times when extended transit times in exchange for lower shipping costs may be appropriate. If that is the case, the shipper should make sure their carriers can provide a multiple of delivery options to meet the shipper’s needs. If they cannot, the shipper may want to engage a freight broker or 3PL, who has contracts with a large and diverse variety of freight carriers providing a varying delivery schedules. The shipper would

then have the ability to “rate shop” individual shipments to make sure they make the best “*trade-off between quality, speed and cost*” as the checklist points out.

One other item we wish to highlight in checklist item #2 that we find extremely valuable is the need to “*award contracts*” to the shipper’s carriers and/or freight brokers. Unlike tariff and rate schedule publications, contract agreements bind both parties and neither party may make any changes to the contracts without the written consent of the other party. So carriers and/or freight brokers cannot arbitrarily increase rates during the contract term without the written consent of the shipper. On the other hand, the shipper cannot decide to pay the carrier in 90 days when the contract specifies payment requirements of 30 days. These are just two simple examples of the benefits of transportation contracts.

One last critical word of advice. If you’re a shipper and your company is not entering into contract agreements with its transportation and logistics service providers, you should take the time to explore the massive benefits contracts can bring to your company. Also, don’t assume that your in-house counsel is completely familiar with transportation law and liability issues; seek the advice of transportation counsel to draft and monitor your transportation contracts. You’ll be glad you did.

Checklist Item #3 – “Carrier Bid and Selection is an Automated Process and Rates are Automatically Updated.”

This point is an interesting and extremely important one because in many company’s bid processes, the final carrier selection is based solely on the lowest cost respondent. That single selection criteria process is not always the best choice, and in fact often times is the worst choice for the shipper. In any carrier bid process, the key element is making sure that all carriers who are invited to bid are in fact “all created equal.” If not, then selecting the least cost carrier may, and often does backfire because the lowest bidder may provide the lowest level of service.

To work with a bid process that is automated and where the carrier rates are updated automatically, is a very powerful tool for any shipper to utilize. Automating processes in conjunction with the carriers’ processes only strengthens the working relationship between both parties, creating true and hopefully long lasting relationships.

Checklist Item #4 – “Almost all of our Carriers are Meeting their Service Level and Routing Compliance Requirements, as a Percentage of the Shipments They Handle.”

The key words in the above checklist point is “almost” and “as a percentage of the shipments they handle.” First and foremost, we all understand that no transportation service provider will provide 100% on-time, damage free deliveries, 100% of the time. Having said that, every company must establish their own metrics for what they feel is a reasonable “fail rate”, because that is exactly what it is, a failure of the carrier to meet its service obligations as outlined by the shipper. If a carrier continually falls below that failure rate, the shipper must have a defined plan to replace that carrier immediately and perhaps even more important, is the need to get that change order

message out to its suppliers, customers and other company employees involved in the process without any interruption in service.

Checklist Item #5 – “We Collaborate and Synchronize data with Carriers, Suppliers and Trading Partners, and we Only Need to Concern Ourselves with Invoice Exception handling.”

Collaboration is such a critical part of any business relationship, especially between shippers and carriers. But we are continually amazed at how often these relationships are thought of as vendor/customer relationships and not business partnerships. This is a fatal mistake and is usually made by the shippers who feel that they own the freight and they pay the bills so they are the ones that are in control...NOT!

The old adage “it takes two to Tango” is still true today. Yes, the carrier needs the shipper’s freight but equally as important is the fact that the shipper needs the carrier to get its goods delivered. Sounds simple enough and it is, but putting the proper tone on these relationships at the outset is critical for long term business success FOR BOTH PARTIES!

The issue of invoice accuracy is another critical aspect of any carrier/shipper relationship. If the rates and charges are agreed to by both parties, the rates and charges would be loaded into the freight carriers billing system and therefore each and every invoice it issues SHOULD be 100% accurate. That’s in a perfect world which none of us live in. Again, metrics are critical here as well. What percentage of invoice inaccuracies is acceptable? What happens if the carrier exceeds that percentage? There is a cost associated with the shipper’s need to audit and properly pay all of the carriers’ invoices in a timely fashion. So the more invoicing errors there are, the more cost the shipper bears. That is another recipe for failure that is often overlooked in the bidding process.

One final point that both shippers and carriers should always strive for. If the carrier and shipper agree to the rates and there is a total collaborative process in place between the shipper and the carrier, the shipper could “Pre-Rate” every shipment it makes based on the agreed upon rates and charges. That would allow the shipper to send payment to the carrier without ever having to receive an invoice from the carrier – How’s that for a collaborative and synchronized business operations process.

Visit <https://www.supplychainmovement.com/checklist-transport-spend-management/> to download the checklist. Visit <http://icclogistics.com/blog/> to view the comments by Anthony Nuzio, Jr. of ICC Logistics regarding the checklist.

OCEAN

FMC PROPOSES CHANGES TO CONTRACTING RULES

On November 9, 2017 the Federal Maritime Commission (“FMC”) issued a press release regarding its move to ease non-vessel operating common carriers (“NVOCCs”) contracting rules by simplifying and

streamlining its NVOCC Service Arrangements (“NSAs”) and Negotiated Rate Arrangements (“NRA”) rules and procedures. The FMC anticipates publishing a Notice of Proposed Rulemaking (“NPRM”) in the Federal Register shortly that will include instructions on how interested parties can file comments.

From the press release:

Through the NPRM, the Commission seeks feedback on three key proposals: ending the requirement for NSAs to be filed with the Commission; expanding the ability of NVOCCs and shippers to amend NRAs; and, finally, allowing the act of tendering cargo to be considered acceptance of a rate under the terms of an NRA. The NPRM will include a specific request for public comments addressing whether the Commission should expand the NRA rules to allow inclusion of non-rate economic terms.

* * *

Acting Chairman Michael A. Khouri said, "I am pleased that the Commission has taken this step to move forward on a petition to reduce unnecessary regulatory burdens that increase complexity and costs in America’s ocean supply chain. Ultimate adoption of these rules will make NSAs and NRAs more useful for consumers in the marketplace. Additionally, I hope to receive more comments on whether the rule could go further, as requested by NCBFAA in their petition, to expand the NRA to utilize non-rate commercial terms."

Elements of the changes being proposed were originally brought to the Commission via Petition P2-15, filed by the National Customs Brokers & Forwarders Association of America (NCBFAA) in 2015 and an Order Granting Petition was served in August 2016. Shortly after its establishment in March 2017, in voluntary response to two Executive Orders, the FMC Regulatory Reform Taskforce identified P2-15 as an immediate objective to rapidly and successfully address burdensome, unnecessary and outdated directives.

Visit https://www.fmc.gov/regulatory_reform_november_meeting/ to view the FMC press release.

FMC TO HOLD HEARINGS ON DETENTION, DEMURRAGE AND PER DIEM CHARGES

In response to Petition P4-16, filed by the Coalition for Fair Port Practices, regarding issues associated with detention, demurrage, and per diem charges, the Federal Maritime Commission (“FMC”) announced that it will hold public hearings on January 16 and 17, 2018.

According to the press release:

Those interested in presenting testimony at the hearings must send their request to the Commission no later than Friday, December 8, 2017. Information included in their correspondence should include the name of the potential witness, the company or employer they will represent, their contact information, and a summary of intended testimony. The Commission may also reach out to other potential witnesses. All witnesses will testify by invitation.

Acting Chairman Michael A. Khouri stated, “I look forward to the opportunity to explore with the witnesses the issues raised by the Petition. One question is whether the Commission can craft a general rule of universal nationwide applicability on detention, demurrage, and per diem provisions given the wide variety of commercial terms and conditions that are incorporated into VOCC [vessel operating common carriers] service contracts and in MTO [marine terminal operator] tariffs nationwide to address various events and circumstances. A further consideration to be addressed is the various and disparate operating protocols used at the 250 plus marine terminal operators currently registered at the Commission.”

The hearings will commence at 10:00 a.m. on both days and are tentatively scheduled to last through the end of each workday. The hearings will be held in the Commission's Main Hearing Room, located at 800 North Capitol Street, NW, Washington, DC.

The Commission voted at its September 20, 2017 meeting to hold these hearings after receiving staff's analysis of the 115 public comments received in this matter. Both the volume of correspondence and variety of issues raised by comment filers demonstrated the complexity of the issue being raised in the petition and the need to not only gain more information, but to have the opportunity to engage stakeholders directly to better understand their perspectives.

Commissioners will engage in lines of questioning based off the already established record, individual research they have done, and in response to testimony of the witnesses.

The hearings on Petition P4-16 will be open to the public to allow any interested parties to observe the proceedings in person. Additionally, the hearings will be webcast and a link to livestream the session will be published closer to the event date.

In particular, the question is whether these fees, which total millions of dollars annually, can be considered unreasonable, and therefore void, when labor disruptions, weather, and other factors out of shippers' control prevent the timely pickup and return of containers.

Ocean carriers and terminal operators have argued the FMC should remain out of the matter. They say that switching the financial burden to their shoulders is not a viable commercial solution and would make them de facto insurers. Shippers, led by the National Retail Federation, argue that while there are merits to carriers' and terminal operators' arguments for a more commercial solution, those solutions in practice have not been manageable or fair.

Frequent port disruptions during the last several years have intensified shipper anger over detention and demurrage fees for late pickup or return of containers and chassis, respectively. Some shippers have accused terminals and carriers of using the fees as a profit center instead of merely to keep equipment flowing smoothly. Terminals and carriers counter that port delays have multiple causes, and container lines and terminals shouldn't be required to assume all of the risks.

Visit https://www.fmc.gov/january_dates_for_petition_p4-16_hearings/ to view press release.

PARCEL EXPRESS

UPS RATE INCREASES

As anticipated, United Parcel Service ("UPS") has followed FedEx and announced its Annual General Rate Increase ("GRI"), to be effective December 24, 2017. The UPS GRI will affect all UPS Ground, UPS Air, UPS International Services, as well as all UPS Air rates within and between the US, Canada and Puerto Rico.

According to the UPS announcement:

Package

The following changes will be effective December 24, 2017:

- The rates for UPS® Ground, UPS Air and International services will increase an average net 4.9%.

- The Large Package Surcharge will apply to any U.S. Domestic package with a length exceeding 96 inches or a length plus girth greater than 130 inches.
- The dimensional weight divisor for packages less than or equal to one cubic foot in size (1,728 cubic inches) will be 139 for all U.S. Domestic services subject to Daily Rates or Alaska and Hawaii Rates.

The following changes will be effective July 8, 2018:

- The Large Package Surcharge for any U.S. Domestic package delivered to a residential address will be \$90.
- The Additional Handling surcharge for any U.S. Domestic package exceeding 70 pounds in actual weight will be \$19.00.

Air Freight

Effective December 24, 2017 the rates for UPS Air Freight within and between the U.S., Canada and Puerto Rico will increase an average net 4.9%.

Visit <http://www.rates.ups.com/> for more information.

As our readers should know by now, the devil is in the details and what matters is how the rate increases will impact YOUR traffic. An average rate increase of 4.9% means that some rates will increase less than 4.9%, but others will increase at much higher percentages.

Some examples (courtesy of ICC Logistics Blog) are:

Large Package Surcharges will be increasing 14.3% to \$80.00 effective on December 24, 2017 and will increase again on July 8, 2018 to \$90.00, which will be an additional increase of 12.5% for an overall increase of 26.8%

Minimum Charge for Ground Shipments will be increasing 3.42%. The new Minimum Charge will be \$7.57

Additional Handling charge will increase 10.6% on December 24, 2017 to \$12.00 and then will be increased again on July 8, 2018 to \$19.00. The overall increase from the current charge of \$10.85 to \$19.00, the charge after the July 8, 2018 increase, will actually be 75.1%

However, the General Rate Increase Winner is the “Over Maximum Limits” Surcharge, because that charge will increase a whopping 233% from \$150.00 to \$500.00.

ICC Logistics has created 2017 vs. 2018 rate comparison charts for both UPS and FedEx rates and surcharges, available upon request by emailing ANuzio@iccllogistics.com or visiting <http://iccllogistics.com/breaking-ups-announces-rate-increases-get-the-comparison-charts-free-now/>.

QUESTIONS & ANSWERS

By George Carl Pezold

FREIGHT CLAIMS – LIABILITY WHEN REEFER REQUIREMENT NOT RELAYED

Question: I work for a third party logistics company and we had a situation come up for one of our customers that led to a very high dollar claim. The details are below:

We booked a load for our customer with a broker as our regular asset carrier was not available for the shipment. The broker has worked with us for a long time and has always done a very good job and used quality carriers. The load in question was an inbound shipment to our customer from one of their vendors and was booked with the broker via a load tender document which we provided. This document gave all the important details of the shipment including the fact that it had to be moved on a reefer unit and kept between 55 and 65 degrees. The broker understood this and says they told the driver of the company they contracted to move the load about the reefer requirement.

We provide a bill of lading to the shipper but this particular vendor will not use the bill of lading that we provide. The bill of lading the vendor generated did not state anything about a reefer requirement. When the driver arrived at the vendor to pick up the load, he noticed the pallets were sitting on the dock in open air. Since they were not being temperature protected there, he decided he did not need to turn on the reefer unit.

Once loaded, the driver departed and drove through the night from California to Arizona and delivered the freight the next morning. Due to the reefer unit not being turned on when the driver arrived for delivery, our customer put the product in quarantine, and after testing has decided not to use the product.

My question is did the bill of lading that was given to the driver by the vendor and did not mention anything about reefer requirements clear the carrier from any damage claim, even though the load tender provided to the broker clearly stated the requirement? That was why a reefer was scheduled in the first place and not just a dry van. The broker agrees he was told of the requirements and passed it along to the carrier. Who do you think is at fault here? Is the broker or the carrier liable for the product?

I appreciate your help and input in this matter.

Answer: Here is my analysis of the situation.

1. Carrier liability.

Regarding the temperature instructions to the carrier, you indicate that the broker said he “passed it along to the carrier”, but it isn't clear whether that information was only verbally given to the carrier, or whether it was in a written communication between the broker and carrier (load tender or rate confirmation) that was actually acknowledged by the carrier, and might constitute some kind of contractual agreement.

As you know the bill of lading is considered the “contract of carriage” and normally any temperature control requirements should be put on the bill of lading. The carrier would probably take this position and decline the claim.

2. Broker liability.

As for your instructions to the broker, apparently your load tender to the broker did state the temperature requirements. As you know brokers are not generally liable for negligence, even if it causes or contributes to the loss or damage. However, in this case you might be able to argue that the load tender constituted a contractual agreement with the broker, and the broker's failure ensure that the carrier set the proper temperature was a breach of that contract.

FREIGHT CLAIMS – INCIDENTAL DAMAGES AS A RESULT OF HURRICANE

Question: My question is whether economic injury can be claimed as incidental damages? Whether damage that occurred incidental to a hurricane, not by the hurricane, is covered.

Answer: I assume that you are asking about a claim for loss or damage to a cargo shipment. If so, it is likely that the damages you describe would be considered “special damages” and not recoverable unless the carrier had been given notice at the time of shipment that the loss or damage would result in specific consequences and damages.

Without more details, this is the best answer that I can give you.

FREIGHT CLAIMS – DATE OF DOLLAR VALUATION ON INTERNATIONAL CLAIM

Question: When talking with my co-workers regarding the scenario below we are both under opposite assumptions as to which document to go by when filing a claim. I am filing a claim against a carrier for losses incurred while in the carrier's possession. The customer is in Canada, therefore the invoice and credit note reflect Canadian dollars. When converting the currency to US Dollars for the claim, I believe we should do so by the date of the invoice, but my colleague believes we should do the conversion by the date of the credit note. Can someone help me understand which document we should always go by when filing a claim? Thank you!

Answer: I don't believe that there is any rule or precedent for determining the date.

Since the Uniform Commercial Code normally determines risk of loss in transit and when the obligation for payment of the goods passes to the buyer, it would seem to me that the date of "delivery" would be the proper date for converting the amount. For example, if the shipment is FOB origin it would be the date when tendered to the carrier; if it was FOB destination it would be the date when delivered to the buyer.

FREIGHT CLAIMS – OFFSETTING FREIGHT BILL

Question: Can I deduct from the carrier's rate for load arriving 3 days late and 2 bags short?

Answer: It is not "illegal" to deduct a claim from the carrier's freight charges. However, either you or the shipper should file a proper loss and damage claim in writing with the carrier for the damages.

FREIGHT CHARGES – “FINING” CARRIER FOR REJECTING LOAD

Question: Is it legal for a shipper to “fine” (charge) a trucking company or broker for accepting a load tender and then giving it back?

Answer: Unless the shipper has some kind of contract with the broker or carrier that legally obligates the broker or carrier to accept loads that are tendered, I don't think there is any basis for a “fine”.

FREIGHT CLAIMS – SHIPPER DAMAGES FREIGHT, BROKER OFFSETS CLAIM

Question: We were hired by a broker to pick up freight, using our equipment. The shipper damaged the product while loading, but the damage was not noticed until the freight was delivered and the consignee rejected two pallets.

Broker stated they considered it was the driver's fault and filed a claim against us. The broker also stated they will just deduct their claim from monies they agreed to pay pursuant to the rate agreement. When we declined responsibility for the claim the broker stated that we should go after the shipper.

I believe the broker has the obligation to pay us for the transportation of the load and cannot legally deduct the money, correct? What legal position do we have against the broker and shipper?

Answer: The broker, on behalf of the shipper, should file a written claim for the loss or damage with the carrier (you), but often brokers just setoff claims against freight charges. Unfortunately, if the broker does this, your remedy is to take legal action and sue the broker for your freight charges. Then, at that time it is likely a counterclaim would be asserted for the loss or damage claim.

The thing to remember is that the legal obligation of the broker to pay the agreed freight charges, and a claim for alleged loss or damage, are two separate things. In order for you to prevail against a loss or damage

claim, or counterclaim, in this situation you would need to be able to prove that the damage was the result of the shipper's actions, and not yours.

RAILROAD

THE END OF BALTIMORE'S DOUBLE-STACK RAIL PROJECT

At the beginning of November it was announced that the project to raise the 121 year old Howard Street Tunnel was over. The \$425 million dollar project would have allowed CSX Transportation to run double-stacked trains from the Port of Baltimore to connections with fast rail links to the Midwest and better compete with other East Coast ports for containerized cargo.

CSX, which was to provide \$125 million to the project, reevaluated its priorities and decided to withdraw its support in favor of other interests. This decision was a major blow to the port, which was counting on the improved rail service to continue growth and remain competitive.

Visit www.baltimoresun.com/news/opinion/editorial/bs-ed-1103-howard-tunnel-20171102-story.html for more information.

TECHNOLOGY

AUTONOMOUS TRUCKS

On October 24, 2017 the American Trucking Associations ("ATA") adopted its first policy on the development of automated trucks and continued to explore how automation might reshape the industry's future. The 21-point policy formally spells out ATA's positions on the emergence of automated driving technologies in trucking.

According to the press release:

"Automated and connected vehicle technologies have the potential to dramatically impact nearly all aspects of the trucking industry. These technologies can bring benefits in the areas of safety, environment, productivity, efficiency, and driver health and wellness," the introduction to the 21-point policy states. "Automated driving technology is the next step in the evolution of the safety technology currently available, and will help to further improve driver safety and productivity, as well as the safety of other motorists and road users. Automated technology comes in many levels that will assist the driver and in some cases, handle the driving task. The application of automated and connected vehicle technology in the trucking industry will center on solutions in which there remains a role for drivers, recognizing the duties and requirements drivers have beyond operating the vehicle."

ATA's new policy covers a variety of topics including safety, the roles of the federal and state governments, uniformity across state lines, infrastructure and education.

Visit <http://www.trucking.org/article/ATA-Board-Endorses-Comprehensive-Automated-Truck-Policy> to view the press release and https://www.scribd.com/document/362727634/ATA-s-Automated-Truck-Policy#from_embed to view the policy document.

TESLA UNVEILS ELECTRIC SEMI-TRUCK

At a recent event, Elon Musk unveiled the new Tesla electric Semi-truck with the following stats:

- 0-60 in 5 seconds
- 0-60 with 80,000 max gross weight in 20 seconds
- 65 up 5 percent grade at max gross
- 500 mile range at maximum weight and highway speed
- .36 drag coefficient/.65-.70 diesel truck/.38 Buggati Chiron
- 4 independent motors and independent suspension
- 1 Gear - No transmission
- Center driver position like a race car
- 400 mile range with 30 minute charge (aka MEGA CHARGE)
- Charge at origin or destination
- Auto braking
- Auto lane keeping
- Million mile guarantee
- Regenerative braking (brake pads last forever)
- Tesla app just like the Model S
- \$1.26 per mile Tesla Semi vs. \$1.51 per mile diesel truck



Tesla says the expected base price in the US for the Semi with a 300-mile range will be \$150,000 and the base price for the 500-mile model will be \$180,000. While the 300-mile Semi would be about \$30,000 more than the upfront cost of a diesel semi, Tesla claims it can offer substantial savings on operating costs, such as maintenance and fuel, and that owners will get a two-year payback and “\$200,000+ in fuel savings”.

Tesla has started taking reservations and although these are impressive statistics and claims, the question remains open as to when customers will be able to take delivery. Despite that uncertainty, it is reported that Walmart has already ordered 15 of the new Tesla semi-trucks and Canadian grocery firm Loblaw's has ordered 25 of them.

Visit <http://www.popularmechanics.com/cars/trucks/a13787133/tesla-semi-truck-reveal/> for more information and visit <https://www.tesla.com/semi/> for Tesla's website.

AUTONOMOUS CARS

On November 20, 2017 Uber, the ride sharing company, announced that it plans on purchasing up to 24,000 self-driving cars from Volvo in a move away from its current business model, in which private car owners make up the company's fleet. It is expected that sometime in 2019 these autonomous vehicles will begin operating on roads in several American cities.

See https://www.washingtonpost.com/news/innovations/wp/2017/11/20/robot-driven-ubers-without-a-human-driver-could-appear-as-early-as-2019/?utm_term=.00c179e5c4b7.

CCPAC NEWS

CCPAC

Established in 1981, the Certified Claims Professional Accreditation Council (“CCPAC”) is a transportation cargo claim accrediting organization with a global membership and is comprised of shippers, manufacturers, freight forwarders, brokers, logistics companies, insurance companies, law firms and transportation carriers including air, ocean, truck and rail and various related transportation organizations. CCPAC seeks to raise the professional standards of individuals who specialize in the administration and negotiation of cargo claims. Specifically, it seeks to give recognition to those who have acquired the necessary degree of experience, education, expertise and who have successfully passed the CCP Certification Exam covering domestic and international cargo liability, warranting acknowledgment of their professional stature.

The next CCP Exam will be conducted nationwide in the USA and Provinces of Canada on Saturday morning, November 4, 2017. On-line registration will be available on the CCPAC website in May. There will not be any CCP Primer Class prior to this Annual Fall Exam.

Information can be obtained by contacting John O’Dell, Executive Director of CCPAC, by phone: 904-322-0383 or email: jodell@ccpac.com or visit <http://www.ccpac.com/>.

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TRANSDIGEST ADVERTISING

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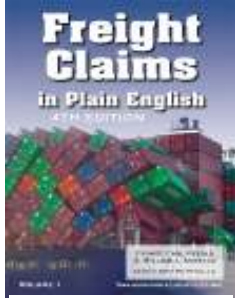
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Freight Claims in Plain English, Fourth Ed.

by George Carl Pezold and William J. Augello



\$285.00

"Freight Claims in Plain English" is now available again in this completely revised and updated Fourth Edition. The text has been expanded to cover many new subjects, recent developments and court decisions affecting transportation in general and claims for loss and damage to cargo in particular, including developments in international ocean and air transportation, intermodal, and cross-border trade with Canada and Mexico.

This Fourth Edition contains extensively revised sections on all aspects of the law and citations to hundreds of new court decisions. The page numbering has been simplified in order to facilitate finding answers to your questions. As with prior editions, a well organized and detailed table of contents, topical index, and table of authorities are included, as well as extensive appendices containing valuable resource materials.

Major topics include:

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- THE IMPACT OF DEREGULATION
- WATER CARRIER LIABILITY
- INTERMODAL AND MULTIMODAL LIABILITY
- BEGINNING AND ENDING OF CARRIER LIABILITY
- CONTRACTS OF CARRIAGE AND BILLS OF LADING
- CLAIMS PROCEDURES & ADMINISTRATION
- LIABILITY OF SURFACE FREIGHT FORWARDERS AND INTERMEDIARIES
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2018 TLC 44TH ANNUAL CONFERENCE REGISTRATION FORM

A separate **REGISTRATION FORM** is required for **each** person registering

EARLY BIRD SPECIAL (On or Before Dec. 20, 2017)	
() TLC MEMBER	\$645.00
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() SPOUSES/GUESTS (select one)	() ALL MEALS \$275.00 () PRESIDENTS DINNER ONLY \$100.00
<ul style="list-style-type: none"> • Multiple registrants from the same company deduct \$50 each after the first registration at full price • Conference fees include Pre-Meeting Breakfast, Mid-Day Breaks, Luncheons and President's Dinner 	

OPTIONAL SEMINARS – SUNDAY MARCH 18, 2018 (<u>NOT</u> included in Annual Conference Registration Fee above)		
	MEMBER	NON-MEMBER
FREIGHT CLAIMS IN PLAIN ENGLISH Includes "Freight Claims in Plain English 4th Ed." On CD ROM	\$550	\$625
CONTRACTING FOR TRANSPORTATION & LOGISTICS SERVICES Includes "Seminar Manual"	\$520	\$595
TRANSPORTATION, LOGISTICS AND THE LAW Includes "Seminar Manual"	\$520	\$595
• All Seminar fees include Pre-Meeting Breakfast, Mid-Day Breaks, and Luncheon		

Hotel rate of \$199/night is available until February 16, 2018 or room block is sold out

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Sunday, March 18th

8:30am-9:00am	<u>Pre-Meeting Breakfast</u>
9:00am-4:00pm	<u>Board of Directors Meeting</u> Transportation & Logistics Council, Inc.
9:00am-5:00pm	<u>Optional Seminars</u>
	1. CONTRACTING FOR TRANSPORTATION & LOGISTICS SERVICES Presented by Raymond A. Selvaggio, Esq. An intensive workshop on the practical and legal aspects of contracting for both purchasers and providers of transportation and logistics services. Includes a review of important legal principles, statutes, regulations and a "walk through" and in-depth discussion of actual contract provisions, terms and conditions.
	2. FREIGHT CLAIMS IN PLAIN ENGLISH Presented by Gerard F. Smith, Esq. Based on the recently-published 4th Edition of the text by George Carl Pezold & William J. Augello, this session covers basics of carrier liability, bills of lading, burdens of proof, defenses, damages, limitations of liability, time limits, liability of freight forwarders, intermediaries, warehousemen, air and ocean carriers.
	3. TRANSPORTATION, LOGISTICS AND THE LAW Presented by Brent Wm. Primus, JD This unique one-day course based upon Bill Augello's landmark text is designed to provide a basic working knowledge of the laws and regulations affecting the supply chain and those governing the relationships between the parties -- shippers, carriers, and intermediaries. This is the vital information you need for minimizing risks and protecting revenues for your organization, and for your own individual professional growth.
	4. CCP PRIMER CLASS This is a fast paced review that covers a broad base of subjects to help those preparing to take the Certified Claims Professional (CCP) exam. Attendees must apply and receive pre-qualified approval from CCPAC in order to take the CCP Primer or the Exam. The CCP Exam will be administered on Wednesday immediately following the close of the Conference. Information and pre-qualifications requirements can be found on the CCPAC website at www.ccpac.com
10:00am-10:30am	<u>Mid-Morning Break</u>
12:00pm-1:00pm	<u>Luncheon</u>
1:00pm-5:00pm	<u>Registration</u>
3:00pm-3:30pm	<u>Mid-Afternoon Break</u>
7:00pm-9:00pm	<u>Hospitality Suite</u>

Monday, March 19th

7:30am-8:30am	<u>Pre-Meeting Breakfast</u>	
7:30am-5:00pm	<u>Registration</u>	
7:30am-5:00pm	<u>Exhibits</u>	
8:30am-10:00am	<u>General Session I</u>	<u>THE TRANSPORTATION INDUSTRY - UPDATES & TRENDS</u> Leading representatives from industry and the trade press will provide an overview of critical issues facing the transportation and logistics industry – the economic outlook, effect of consolidation and mergers in all modes of transportation, the Internet and demise of retail stores, funding for infrastructure, the impact of recent legislation and regulatory initiatives, and administration policies affecting international trade.
10:00am-10:30am	<u>Mid-Morning Break</u>	
10:30am-12:00pm	<u>Workshop 1</u>	<u>TRANSPORTATION OF FOOD AND DRUGS</u> This session will cover recent new laws and regulations, including implementation of the Sanitary Food Transportation Act of 2005 and the FDA Food Safety Modernization Act of 2011, and what shippers, carriers and receivers are doing to ensure that their practices and procedures are in compliance with the new requirements. Panelists will also discuss some of the common issues involving transportation of food and drug shipments such as broken seals, contamination, salvage, and will suggest “best practices” to avoid typical problems.
10:30am-12:00pm	<u>Workshop 2</u>	<u>OUTSOURCING; DEALING WITH CONTRACTORS & INTERMEDIARIES</u> Many companies are “outsourcing” transportation and logistics functions that are not part of their core business to take advantage of the skills and resources of third-party service providers. However, in addition to the benefits there are risks and disadvantages when contracting with a 3PL, broker, freight bill audit and payment company, or other intermediary. Panelists will discuss current issues involving brokers, freight forwarders and 3PL’s; liability for freight charges, cargo loss and damage, surety bonds and insurance, “double brokering”, liability for “negligent hiring”, and how the parties can protect their interests.
12:00pm-1:30pm	<u>Luncheon - Guest Speaker: Tonn M. Ostergard</u>	
1:30pm-3:00pm	<u>General Session II</u>	<u>LAW OF THE LAND, LAW OF THE JUNGLE</u> A continuation of the ever-popular annual session where “Lawyers Explain the Law, and Businessmen Tell It Like It Is”
3:00pm-3:30pm	<u>Mid-Afternoon Break</u>	

3:30pm-5:00pm	<u>Workshop 3</u>	<u>INTERNATIONAL TRADE - WHAT IMPORTERS & EXPORTERS NEED TO KNOW</u> Panelists will give an overview of major issues affecting international trade such as the aftermath of the Hanjin bankruptcy, global carrier alliances and their impact on capacity and rates, the political situation - protective trade policies and tariffs, and changes to NAFTA that could affect cross-border commerce with Canada and Mexico. Attendees will learn the basics of what importers and exporters need to know about the different types of service providers, international treaties and laws governing cargo liability, and compliance with CBP security initiatives and regulations. Common problems and how to avoid them will be discussed with suggested "best practices" for shippers, carriers and intermediaries involved in air, ocean and cross-border shipping
3:30pm-5:00pm	<u>Workshop 4</u>	<u>WORKING TOGETHER TO SAVE \$</u> Shippers and carriers working together to solve common problems can result in savings of time and money for both parties. Panelists will discuss carrier complaints about waiting time for loading and unloading, unreasonable transit time demands, penalties for missed pickup and delivery appointments, etc. and some of the solutions - drop trailers, "drop & pick" arrangements, modifying shipping schedules, more flexible shipping and receiving hours; use of night shifts and overtime, avoiding peak highway congestion.
5:15pm-6:15pm	<u>CCPAC Annual Meeting</u>	
7:00pm-9:00pm	<u>Hospitality Suite</u>	
7:00pm-9:00pm	<u>Exhibits</u>	

Tuesday, March 20th

7:30am-8:30am	<u>Pre-Meeting Breakfast</u>	
7:30am-5:00pm	<u>Registration</u>	
7:30am-5:00pm	<u>Exhibits</u>	
8:30am-10:00am	<u>General Session III</u>	<u>HOW GOOD IS YOUR SECURITY PROGRAM?</u> We once worried about bandits with masks and six-guns - and we still have plenty of old fashioned hijackings and theft that cost shippers and carriers millions every year. But the crooks and thieves have become smarter and more sophisticated. We now have identity and impostor theft and cyberattacks with hackers getting access to critical personal and business data. Panelists will discuss these threats and give tips and advice on what you can do to minimize exposure and improve your security programs.
10:00am-10:30am	<u>Mid Morning Break</u>	
10:30am-12:00pm	<u>Workshop 5</u>	<u>IMPACT OF NEW LAWS AND REGULATIONS</u> Panelists will review the status and impact of recent federal laws like MAP-21, the Fixing America's Surface Transportation Act (FAST) as well as regulatory initiatives and mandates such as Electronic Logging Devices (ELD's), speed limiters, driver coercion rules, Hours of Service (HOS), changes to the Compliance, Safety & Accountability (CSA) program and Safety Fitness Determination (SFD) methodology. Also covered will be new state labor laws and regulations affecting classification and treatment of independent contractors, as well as environmental standards and regulations since they increase the cost of doing business in those states and have serious consequences for both shippers and carriers.
10:30am-12:00pm	<u>Workshop 6</u>	<u>INSURANCE AND TRANSPORTATION CONTRACTS</u> Insurance is a major expense for most any business. What kinds of insurance do shippers, carriers and brokers really need? Panelists will discuss identification and analysis of the risks, how to determine what to look for when purchasing insurance or specifying the coverage your service providers should have, and the allocation of risk through transportation contracts with typical contract provisions and requirements.
12:00pm-1:30pm	<u>Luncheon - Guest Speaker: Cynthia Hetherington</u>	
1:30pm-3:00pm	<u>General Session IV</u>	<u>TRANSPORTATION ATTORNEY PANEL</u> Leading transportation attorneys will address current court decisions and legislation impacting shippers, carriers and intermediaries – loss and damage claims, freight charge disputes, multimodal issues, liability for highway accidents and other current issues.

3:00pm-3:30pm	<u>Mid-Afternoon Break</u>		
3:30pm-5:00pm	<table border="1" style="width: 100%;"> <tr> <td data-bbox="391 237 683 598"><u>General Session V</u></td> <td data-bbox="683 237 1524 598"> <u>MEET THE EXPERTS</u> Would you like help with a problem or have questions that need answers? Then this session is perfect. A Pre-Scheduled one-on-one meeting with top transportation professionals will give you an opportunity to ask specific questions or get guidance with a problem. Each meeting will be 10-15 minutes of uninterrupted time with a presenter or panelist of your choice. Sign up at the registration table for your own personal consultation. </td> </tr> </table>	<u>General Session V</u>	<u>MEET THE EXPERTS</u> Would you like help with a problem or have questions that need answers? Then this session is perfect. A Pre-Scheduled one-on-one meeting with top transportation professionals will give you an opportunity to ask specific questions or get guidance with a problem. Each meeting will be 10-15 minutes of uninterrupted time with a presenter or panelist of your choice. Sign up at the registration table for your own personal consultation.
<u>General Session V</u>	<u>MEET THE EXPERTS</u> Would you like help with a problem or have questions that need answers? Then this session is perfect. A Pre-Scheduled one-on-one meeting with top transportation professionals will give you an opportunity to ask specific questions or get guidance with a problem. Each meeting will be 10-15 minutes of uninterrupted time with a presenter or panelist of your choice. Sign up at the registration table for your own personal consultation.		
6:30pm-10:00pm	<u>President's Reception</u>		

Wednesday, March 21st

7:30am-8:30am	<u>Pre-Meeting Breakfast</u>	
7:30am-10:00am	<u>Registration</u>	
8:30am-10:00am	<u>General Session VI</u>	<u>LOSS PREVENTION AND MITIGATION OF DAMAGES</u> Theft, hijacking, shortage and damage cost shippers and carriers millions every year. This session will cover what shippers and carriers can do to prevent transit loss and damage - packaging, blocking & bracing, scheduling and routing; security practices - locks & seals, GPS tracking, screening and background checks, and premises security such as fencing, cameras, identity checks; Mitigation of losses through prompt action - investigation and salvage services; Special situations such as broken or missing seals on shipments of food, food-related products or drugs; special order goods; as well as product liability, brand and trademark considerations; "Best Practices" for dealing with common situations, both before and after a loss; corrective action to prevent future losses
10:00am-10:30am	<u>Mid-Morning Break</u>	
10:30am-12:00pm	<u>General Session VII</u>	<u>FREIGHT CLAIMS - QUESTIONS & ANSWERS</u> Panelist will tackle questions submitted by the audience and to the Council's "Q&A" forum, tell how they would answer them from both a shipper and carrier viewpoint, and give suggestions on how to resolve difficult situations. Be sure to bring your questions to this session!
12:00pm	<u>Grand Prize Drawing & Adjournment</u>	

The Transportation & Logistics Council, Inc.

Phone: (631) 549-8984

120 Main Street, Huntington, NY 11743

Fax: (631) 549-8962

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APPLICATION FOR ANNUAL MEMBERSHIP

Membership in the Council is open to anyone having a role in transportation, distribution or logistics. Membership categories include:

- **Regular Member** (shippers, brokers, third party logistics and their representatives);
- **Multiple Subscriber** (non-voting additional representatives of a **Regular Member** firm); and
- **Associate Member** (non-voting members – carriers and freight forwarders).

All members receive:

- An email subscription to **TRANSDIGEST** (TLC's monthly newsletter). NOTE: To receive the printed version of the **TRANSDIGEST** by First Class Mail a fee of \$50, in addition to applicable membership fee, will apply.*
- **Reduced rates** for **ALL** educational programs, texts and materials.

New Members also receive:

- A complimentary copy of "Shipping & Receiving in Plain English, A Best Practices Guide"
- A complimentary copy of "Transportation Insurance in Plain English"
- A complimentary copy of "Transportation & Logistics – Q&A in Plain English Books 4, 5 & 6 on CD Disk"

If you are not presently interested in becoming a member, but would like to subscribe to the **TRANSDIGEST**, you can opt for a 1-Year/Non-member subscription to the newsletter by making the appropriate choice below.

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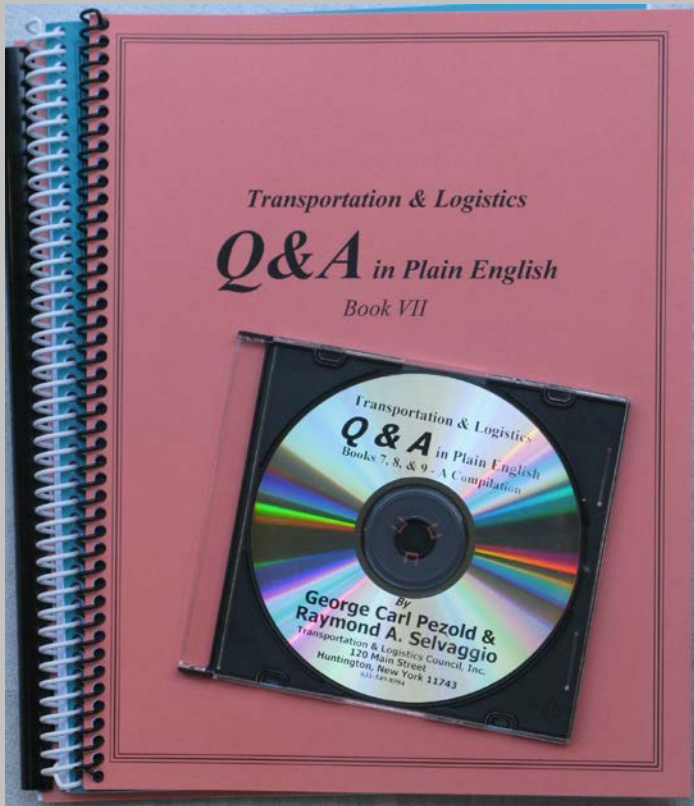
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