

4901:2-19-11 **Tendering for delivery.**

- (A) Except upon the request or concurrence of the consumer, or his representative, a shipment shall not be tendered for delivery prior to the agreed delivery date or period of time specified on the receipt or bill of lading.
- (B) In the event a carrier is able to tender a shipment for final delivery more than twenty-four hours prior to the agreed delivery date or period of time specified on the receipt or bill of lading, and the consumer or his representative has not requested or concurred in such early delivery, the carrier may, at its option, place the shipment in storage at the carrier's expense in a warehouse located in close proximity to the destination point of the shipment.

A carrier exercising its option under paragraph (B) of this rule shall immediately notify the consumer of the name and address of the warehouse in which the shipment has been placed. The carrier shall make and keep a record of the notification as a part of its record of shipment.

- (1) Notwithstanding all carrier responsibilities pursuant to the bill of lading, which shall continue until final delivery, carrier responsibility for storage and any attendant storage charges shall not extend beyond the agreed delivery date or the first day of the period within which delivery was to have been accomplished as specified in the bill of lading.
- (2) At the time of delivery of a collect-on-demand shipment, for which a nonbinding estimate has been furnished, the carrier shall relinquish possession of the shipment upon payment of not more than one hundred ten per cent of the estimated charges. Payment of the balance of any remaining charges shall be deferred for thirty days following the date of delivery. Payment shall be made in the form as specified in the estimate.
- (C) At the time of delivery of a collect-on-demand shipment, on which a binding estimate has been furnished, the carrier shall relinquish possession of the shipment upon payment of the total charge specified in the binding estimate. Payment shall be made in the form as specified in the estimate.
- (D) At the time of delivery of a collect-on-demand shipment, on which a guaranteed-not-to-exceed estimate has been furnished, the carrier shall relinquish possession of the shipment upon payment of an amount equal to the maximum charge specified in the estimate. Payment shall be made in the form as specified in the estimate.
- (E) At the time of delivery of a collect-on-demand shipment on which a guaranteed-not-to-exceed oral estimate has been furnished pursuant to paragraph

(G) of rule 4901:2-19-08 of the Administrative Code, the carrier shall relinquish possession of the shipment upon payment of an amount equal to the maximum charge specified on the bill of lading. Payment shall be made in the form as specified in the estimate.

- (F) At the time of delivery of a collect-on-demand shipment, on which a binding oral estimate has been furnished under the provisions of paragraph (F) of rule 4901:2-19-08 of the Administrative Code, the carrier shall relinquish possession of the shipment upon payment, in cash, certified check or money order, of the amount agreed upon, but not exceeding, five hundred dollars.
- (G) Except for as provided for in paragraphs (F) and (G) of this rule, at the delivery of a collect-on-demand shipment, on which the carrier did not furnish a written estimate as required by rule 4901:2-19-08 of the Administrative Code, the carrier must relinquish possession of the shipment upon demand of the consumer.
- (H) The responsibility of interstate household goods carriers for tendering shipments of household goods shall be determined by 49 C.F.R. 375, 601 to 609 as effective on the date referenced in paragraph (E) of rule 4901:2-19-02 of the Administrative Code.

Replaces: 4901:2-19-11

Effective:

Five Year Review (FYR) Dates: 08/25/2016

Certification

Date

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