

## TO BE RESCINDED

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, provided:
- (1) That whenever a carrier is able to tender a shipment for final delivery more than twenty-four hours prior to such specified date or the first day of such specified period of time 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 for its own account and at its own expense in a warehouse located in close proximity to the destination point of the shipment.
  - (2) Whenever a carrier shall exercise such option, it shall immediately notify the consumer for the name and address of the warehouse in which the shipment has been placed, and shall make and keep a record of such notification as a part of its record of shipment.
- (B) The carrier's responsibility for the shipment under the terms and conditions of the bill of lading, and its responsibility for the charges for redelivery, handling and storage thereof, shall continue until final delivery, provided, however, that the carrier's responsibility under the bill of lading and for storage and handling 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.
- (C) At the time of delivery of a collect-on-demand shipment, on which a nonbinding estimate has been furnished under the provisions of rule 4901:2-19-08 of the Administrative Code, if a dispute arises the consumer may demand delivery of the shipment upon payment, in the form specified by the carrier in the estimate, of an amount not exceeding one hundred ten per cent of the total estimated charges. The carrier shall, upon the demand of the consumer, relinquish possession of the shipment upon payment of not more than one hundred ten per cent of the estimated charges and shall defer demand for payment of the balance of any remaining charges for thirty days following the date of delivery.
- (D) At the time of delivery of a collect-on-demand shipment, on which a binding estimate has been furnished according to rule 4901:2-19-08 of the Administrative Code, the consumer must submit the total charge specified in the binding estimate in the form specified by the carrier in the estimate. The carrier shall relinquish possession of the shipment upon payment of the total charge specified in the binding estimate.
- (E) At the time of delivery of a collect-on-demand shipment, on which a

guaranteed-not-to-exceed estimate has been furnished according to rule 4901:2-19-08 of the Administrative Code, the consumer may demand delivery of the shipment upon payment, in the form specified by the carrier in the estimate, of an amount equal to the maximum charge specified in the estimate. The carrier shall, upon the demand of the consumer, relinquish possession of the shipment upon payment of that amount.

- (F) At the time of delivery of a collect-on-demand shipment on which an oral estimate has been furnished under the provisions of paragraph (K) of rule 4901:2-19-08 of the Administrative Code, the consumer may demand delivery of the shipment upon payment, in the form specified by the carrier in the bill of lading, of an amount not exceeding one hundred ten per cent of the total estimated charges as specified on the bill of lading. The carrier shall, upon demand of the consumer, relinquish possession of the shipment upon payment of not more than one hundred ten per cent of the estimated charges and shall defer demand for payment of the balance of any remaining charges for thirty days following the date of delivery.
- (G) At the time of delivery of a collect-on-demand shipment, on which an oral estimate has been furnished under the provisions of paragraph (L) of rule 4901:2-19-08 of the Administrative Code, the consumer may demand delivery of the shipment upon payment, in cash, certified check or money order, of five hundred dollars. The carrier shall, upon demand of the consumer, relinquish possession of the shipment upon payment of five hundred dollars.
- (H) At the time of 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.
- (I) 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 (F) of rule 4901:2-19-02 of the Administrative Code.

Effective:

R.C. 119.032 review dates: 06/10/2011

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Certification

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Date

Promulgated Under: 111.15  
Statutory Authority: 4921.04, 4921.08, 4921.09, 4921.10, 4921.38  
Rule Amplifies: 4921.08, 4921.09, 4921.10, 4921.38  
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