

<b>PROLOGIX LLC Org 027472 Tariff 001</b>	<b>Date Filed: Jan 30, 2019</b>	<b>Date Effective: Jan 30, 2019</b>	<b>Rule 22 Detention and Demurrage</b>	<b>Revision: Original Publishing Code: I</b>
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## Detention and Demurrage

- For the purpose of this rule, the term “Shipper” shall mean the Shipper, the Consignee or any person acting for or on behalf of the Shipper or Consignee. For the purpose of this rule, the term “Equipment” shall mean containers (dry & refrigerated), trailers (dry & refrigerated), specialized equipment (flat racks, flat beds, platforms, open tops, tanks and equipment not otherwise specified herein), chassis.
- Detention is defined as: Equipment detained beyond published period of time. When equipment is incurring detention, the equipment is not in the carrier’s possession.
- Demurrage is defined as: Equipment remaining on port facilities beyond published period of time. When equipment is incurring demurrage, the equipment is in the carrier’s possession.
- Free Time is defined as: Published period of time a shipper has for container pick up within port facilities (Demurrage) and published period of time a shipper has to return equipment to Carrier or Carrier’s Agent (Detention).
- Carrier will charge Detention/Demurrage charges for each calendar day including weekends and holidays if equipment is not returned to Carrier within the allowed free time. For the purpose of this rule, the first “day” shall be of time commencing at 0800 the day after vessel discharge. Free time expires per the tables below at which point daily charges will accrue until the equipment is returned to Carrier or Carrier’s Agent.
- Any expense incurred in demurrage, detention, storage, handling, inland transportation, unloading, stuffing and restuffing of containers will be for the joint account of the Shipper, Consignee and Cargo Owner.
- The terms and conditions contained herein supersede any interchange agreement that may exist between Prologix LLC and a bonafide motor carrier.

### 10. US EXPORT DETENTION

Free Time will be five (5) days on all equipment.

#### Per Diem Charge after Free Time Expires

<b>Equipment</b>	<b>Size</b>	<b>Free Time</b>	<b>Charge</b>
Standard Dry Equipment	Any	5 Calendar Days	\$125.00
Non-Operating Refrigerated Equip.	Any	5 Calendar Days	\$250.00
Operating Refrigerated Equipment	Any	5 Calendar Days	\$250.00
Flat Rack/Flat Bed/Specialized Equipment	Any	5 Calendar Days	\$250.00
Garment on Hanger (GOH)	Any	5 Calendar Days	\$125.00
Chassis	Any	5 Calendar Days	\$100.00

Note: Chassis per diem charge will only be assessed for detention. Chassis Free Time will follow that of the equipment.

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#### 11. US IMPORT DETENTION

Free Time will be five (5) days on all equipment.

Per Diem Charge after Free Time Expires

<b>Equipment</b>	<b>Size</b>	<b>Free Time</b>	<b>Charge</b>
Standard Dry Equipment	Any	5 Calendar Days	\$125.00
Non-Operating Refrigerated Equip.	Any	5 Calendar Days	\$250.00
Operating Refrigerated Equipment	Any	5 Calendar Days	\$250.00
Flat Rack/Flat Bed/Specialized Equipment	Any	5 Calendar Days	\$250.00
Garment on Hanger (GOH)	Any	5 Calendar Days	\$125.00
Chassis	Any	5 Calendar Days	\$100.00

Note: Chassis per diem charge will only be assessed for detention. Chassis Free Time will follow that of the equipment.

Note 1:

When the cargo interest or designated agent performs movement beyond Carrier's Facility, upon expiration of Free Time, Detention shall apply until return of the Equipment to the Carrier's Facility.

Note 2:

When Carrier is requested to perform or arrange for inland transportation on the part of the cargo interest or cargo interest's agent, upon the expiration of Free Time, Detention shall apply until:

- (1) Return of the Equipment to the Carrier's Facility; or
- (2) Notification by the cargo interest or agent to Carrier that the Equipment is available for interchange and the Equipment is ready for interchange.

#### 12. US EXPORT DEMURRAGE

Free Time will be five (5) days on all equipment.

Per Diem Charge after Free Time Expires

<b>Equipment</b>	<b>Size</b>	<b>Free Time</b>	<b>Charge</b>
Standard Dry Equipment	Any	5 Calendar Days	\$125.00
Non-Operating Refrigerated Equip.	Any	5 Calendar Days	\$250.00
Operating Refrigerated Equipment	Any	5 Calendar Days	\$250.00
Flat Rack/Flat Bed/Specialized Equipment	Any	5 Calendar Days	\$250.00
Garment on Hanger (GOH)	Any	5 Calendar Days	\$125.00
Chassis	Any	5 Calendar Days	\$100.00

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Note: Chassis per diem charge will only be assessed for detention. Chassis Free Time will follow that of the equipment.

### 13. US IMPORT DEMURRAGE

Free Time will be five (5) days on all equipment.

<b>Equipment</b>	<b>Size</b>	<b>Free Time</b>	<b>Charge</b>
Standard Dry Equipment	Any	5 Calendar Days	\$125.00
Non-Operating Refrigerated Equip.	Any	5 Calendar Days	\$250.00
Operating Refrigerated Equipment	Any	5 Calendar Days	\$250.00
Flat Rack/Flat Bed/Specialized Equipment	Any	5 Calendar Days	\$250.00
Garment on Hanger (GOH)	Any	5 Calendar Days	\$125.00
Chassis	Any	5 Calendar Days	\$100.00

Note: Chassis per diem charge will only be assessed for detention. Chassis Free Time will follow that of the equipment.

Hazardous Waste in Container \$495.00\* \*over 10 days in Equipment

#### Note 1:

When shipments are held at Carrier's interchange port or bill of lading discharge port pursuant to instructions the consignee or his agent; or shipment is not interchanged to inland carrier by reason of, but not limited to, delays in processing documentation requirements of governmental agencies beyond the control of the Carrier for a period in excess of the Free Time, all demurrage charges which may have accrued prior to the removal of the shipment from Carrier's terminal shall be assessed and collected from the consignee.

#### Note 2:

Shipments not removed from Carrier's terminal within the Free Time period may, at any time thereafter at the option of the Carrier or governmental agency, be placed in public storage at the full risk and expense of the consignee. All demurrage charges which may have accrued prior to removal from Carrier's terminal shall be assessed and collected from the consignee.

#### Note 3:

In the event that consignee/shipper or its agent instructs Carrier to divert and re-consign the shipment to a port, or a point, or consignee, other than shown on the original bill of lading, diversion rules and charges shall apply, in addition to all other applicable charges. All demurrage charges which may have accrued prior to such instructions, shall be assessed and collected from the party who instructs the Carrier.