

TARIFF ODFL 661
Effective January 15, 2009

SPEED SERVICE - ON DEMAND

ITEM 100

GOVERNING PUBLICATIONS

This tariff is governed by the following described publications and by supplements thereto or reissues thereof (see Note A):

- (1) NMF 100 Series (Classification Governing), issued by National Motor Freight Tariff Association, Inc. Agent;
- (2) SMC 185 Series (Directory of Operating Rights), issued by SMC, agent
- (3) ODFL 1 Series (Exempt Commodities), issued by Old Dominion Freight Line, Inc.
- (4) ODFL 100 Series (Rules Tariff), issued by Old Dominion Freight Line, Inc.
- (5) ODFL 115 Series (Points of Service Tariff), issued by Old Dominion Freight Line, Inc.
- (6) ODFL 128 Series (Fuel Increase Master Tariff), issued by Old Dominion Freight Line, Inc.
- (7) U. S. Postal Service Zip Code Directory
- (8) ATA 111 Series, (Hazardous Materials), issued by American Trucking Association, Inc.

NOTE A - Whenever a rule or other provision is published in this tariff, it removes the application of a similar rule or provision published in any "governing publications"

ITEM 120

CANCELLATION OF ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel, except as otherwise specifically indicated, correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445-A cancels Item 445, and Item 365-B cancels Item 365-A in a prior supplement of which in turn cancelled Item 365. If the new item provides a specific cancellation of prior issue or issues, this rule is not applicable.

ITEM 150

APPLICATION OF TARIFF

The provisions of this tariff apply only when the consignor, consignee or payer of freight charges (third party billing shipments) requests **SPEED SERVICE - ON DEMAND**. The request for such service will be subject to the rules, restrictions, discounts, minimum charges and other provisions contained herein.

ITEM 160

RESTRICTED COMMODITIES

Speed Service - On Demand will NOT apply on shipments of the following commodities:

Perishable Goods

Prohibited or Restricted Articles as named in Item 780 of Rules Tariff ODFL 100 series.

ITEM 165**RESTRICTED PICK UPS AND DELIVERIES**

Speed Service - On Demand will NOT apply on shipments requiring delivery or pick ups at the following:

Points in MN, ND and SD served by agent Magnum LTL, Inc. (MGUL)
Points in MI and WI served by agent U S SPECIAL DELIVERY INC (UPPN)
Partner/Interline points

ITEM 170**RESTRICTED SERVICES**

Speed Service - On Demand will NOT apply on shipments requiring the following services:

Collect on Delivery (C.O.D.)
Delivery to points subject to Arbitrary Charges as named in Items 352-1, 751 and 751-5 of ODFL
100 Rules Tariff.
In Bond Shipments
Carrier is not responsible for delays in service due to the final consignees request for
appointments, notifications, or other delays imposed on the delivering carrier.

ITEM 175**FORCE MAJEURE**

Speed Service - On Demand described in this tariff will become void when conditions beyond carriers control and without its fault or negligence arise, including, without limiting and generality of the foregoing; acts of God or the public enemy, fire or explosion, flood, actions of the elements, war, riots, embargoes, quarantine, strikes, lockouts, disputes with workmen or other labor disturbances, acts or requests of any governmental authority, data communication or hardware failure beyond carriers control, or any cause beyond its control, whether or not similar to the foregoing. Service on such shipments delayed by Force Majeure will be performed at normal pricing published for the payer. If payer has no specific pricing published with ODFL and a force majeure situation occurs, a discount of 60% off Class Rates in current ODFL Tariff 559 series will be applied.

ITEM 500**SPEED SERVICE - ON DEMAND**

Requests for Speed Service - On Demand must be made as follows:

1. Call an OD EXPEDITED COORDINATOR at 1-866-637-7333 (866-ODSPEED).
No other person is authorized to Commit ODFL to On-Demand Service and Price levels.
2. OD EXPEDITED COORDINATOR will negotiate service and price.
3. **ON PREPAID SHIPMENTS PAID BY THE SHIPPER:** OD EXPEDITED COORDINATOR will advise shipper of specific information that **MUST** appear on the Bill of Lading including the Pro Number assigned to the shipment.
4. **ON COLLECT SHIPMENTS and THIRD PARTY BILLING SHIPMENTS:** OD EXPEDITED COORDINATOR will contact the payer of charges to verify service and price levels. Payer must Fax written confirmation of service and price to On Demand Coordinator. OD EXPEDITED COORDINATOR will then contact shipper and advise specific information that **MUST** appear on the Bill of Lading including the Pro Number assigned to the shipment.
5. Allowances/Incentives or any Other Pricing Provisions contained in any tariff or contract schedule shall not apply on shipments when Speed Service on Demand is requested and utilized by customer.

ITEM 510 **DEFAULT CHARGES**

Customers shall be charged off the ODFL 559 current series of base rates less a 20% discount, subject to a minimum charge of \$250.00 per shipment. Depending on the shipment characteristics and the delivery and service requirements, the ODFL Speed Service may quote charges that differ from this default pricing (such pricing must be authorized in writing by both parties prior to movement).

Carrier shall charge detention for deliveries exceeding one hour free time at a rate of \$24.00 per fifteen minutes.

ITEM 520 **CANCELLATION OF FREIGHT CHARGES FOR SERVICE FAILURE**

If customer communicates to ODFL within 30 days of delivery of failure to perform at time specified and requests a refund or, customer may apply within 30 days of delivery for cancellation of freight charges if freight bill is unpaid. ODFL will investigate the claim and refund paid charges or cancel unpaid freight bills if failure was not due to conditions outlined in ITEM 175 - FORCE MAJEURE.

ITEM 540 **CANCELLATION OF PICKUP**

When ODFL has been requested to provide Speed Service on Demand and the shipment/request is subsequently cancelled, the following will apply.

1. Once the OD EXPEDITED COORDINATOR has received confirmation and acceptance of price and service from the authorized Payor, ODFL will immediately make arrangements for servicing the request. ODFL will grant a grace period of 15 minutes from receipt of acceptance for cancellation of the service without charge or penalty.
2. After the expiration of the 15-minute grace period and Payor requests cancellation of the service, ODFL shall charge \$150.00 to the Payor to offset any and all out-of-pockets expense charged by third parties to ODFL or incurred for servicing the requested shipment.

ITEM 564 **FAILURE TO MAKE TIMELY PAYMENT OF CHARGES**

Failure to make payment of charges for services performed hereunder within a period of **42** calendar days from the invoice days will result in penalties and charges provided in **Item 564** and **Item 576** of ODFL Rules Tariff 100 series.