

TARIFF ODFL 100 – O

Effective 3/2/2020

ITEM 564 – FAILURE TO MAKE TIMELY PAYMENT OF CHARGES

1. Carrier must receive full payment of freight charges within forty-two (42) days from the original invoice due date to avoid payor being charged an assessment of liquidated damages in an amount equal to 35% of the unpaid receivable.
2. In the event that credit is revoked as described in Item 434, Section 4, all outstanding balances are immediately due to Carrier, and liquidated damages will be assessed starting forty-two (42) days from the original invoice date of each shipment.
3. The filing of a cargo or other claim against Carrier will not relieve a payor from the responsibility for payment of freight charges.
4. Only the Executive Committee at ODFL has the authority to change the provisions of this item and such changes must be in writing.
5. Failure to enforce the terms and conditions of this Tariff on one or more occasions shall not be deemed a waiver of their applicability or enforceability in future transportation transactions between the payor and ODFL.
6. Unless expressly waived by written agreement, all payment for freight charges made by the shipper or consignee to a freight forwarder, broker or any other party shall not be deemed as payment received by the Carrier. Any payment for freight charges not made directly to the Carrier is sole risk of the payor and may adversely affect credit reporting and cause the assessment of liquidated damages in accordance with Item 564 stated herein.

Provisions of this rule do not change in any way Carrier's obligation to collect nor the payor's obligation to pay applicable charges within the contractual or legislated terms allowed in compliance with D.O.T. 49 CFR Part 377 and the credit period stated in Item 434. This rule establishes a condition precedent for the application of the special pricing provisions described in Section 1 above.