ITEM 390 – CAPACITY LOAD - OVERFLOW

(See NOTE(S))

1. The terms "LOADED TO CAPACITY" or "CAPACITY LOAD" refer to the extent to which a trailer or pup is loaded with freight, each term meaning:
   a. That quantity of freight which because of unusual shape or dimensions or because of necessity for segregation from other freight requires the entire capacity of the trailer or pup; or
   b. That quantity of freight which in a manner loaded so fills a trailer or pup that no additional article in that shipping form tendered identical in size to the largest article in the shipment can be loaded in or on the same trailer or pup, regardless of whether there is another article tendered for loading as part of the same shipment; or
   c. That quantity of freight that can be legally loaded in or on a trailer or pup because of the weight or size limitations of state, or other, regulatory bodies; or
   d. That quantity of freight which in the manner so loaded, utilizes a linear length of 20 feet or greater in the pup trailer, regardless of weight; or
   e. That quantity of freight 20,000 pounds or greater, regardless of linear footage or cubic capacity required.

2. MINIMUM CHARGE - PUPS
   The provisions of this item are minimum charges and may not be used to reduce otherwise applicable rates or charges. The minimum charge for each pup loaded to capacity as defined above will be as follows:
   a. SHIPMENTS MOVING WITHIN THE USA SUBJECT TO LTL CLASS RATES:
      The minimum charge will be calculated as follows:
      (Mileage to be determined from HGB 100 series)
      SHIPMENTS HANDLED DIRECT:
      Less than 900 miles................................................................. $2.25 per mile
      901 – 1300 miles................................................................. $2.10 per mile
      1301 or greater miles............................................................ $1.95 per mile
      in no case will the minimum charge for a capacity load be less than......... $945.00 per pup
      INTERLINE SHIPMENTS:
      On all shipments................................................................. $3.25 per mile
      in no case will the minimum charge for a capacity load be less than....... $1,365.00 per pup
   b. SHIPMENTS TO POINTS IN CANADA:
      The minimum charge will be.................................................... $2.40 per mile
      and miles will be calculated to and from the point of interchange with the Canadian carrier to final destination;
      in no case will the minimum charge for a capacity load be less than............ $1,050.00 per pup
   c. SHIPMENTS FROM POINTS IN CANADA:
      The minimum charge will be.................................................... $2.00 per mile
      and miles will be calculated to and from the point of interchange with the Canadian carrier to final destination;
      in no case will the minimum charge for a capacity load be less than............ $945.00 per pup

3. MINIMUM CHARGE - SET OF 2 PUPS OR VAN
   The minimum charge for a set of 2 pups or a van trailer loaded to capacity as defined above will be 200% of the charge for one pup loaded to capacity.

4. OVERFLOW
   When a shipment is tendered that cannot be loaded on a single trailer or pup, each portion of the shipment that fills a trailer or pup to capacity will be rated as a separate shipment, subject to the minimum charge in Paragraphs 2 or 3. That portion of a shipment remaining that does not fill a trailer or pup to capacity will be rated as a separate shipment.

NOTE A - The minimum charges in this item are not applicable on shipments subject to the following types of rates:
1. Flat charge per vehicle;
2. Rate per mile
NOTE B - When a shipment is subject to this item, ODFL 100 series, item 670-5, Transportation of Articles of Excessive Length shall not apply.