

§ 101-41.303 Conversion of commercial bills of lading to GBL's.**§ 101-41.303-1 Necessity for conversion.**

GBL procedures shall be followed to preclude a commercial bill of lading or a commercial express receipt from being used on shipments for the United States, except as provided by law or by this subpart 101-41.3 or by a specific exception to this subpart. Payment of the transportation charges generally will not be made by the Government on such commercial documents alone. However, when a commercial bill of lading or commercial express receipt is unavoidably used on a shipment of property for the account of the United States under circumstances not authorized herein, the words "TO BE CONVERTED TO A U.S. GOVERNMENT BILL OF LADING" must be conspicuously inscribed on the original and all copies of the commercial document.

§ 101-41.303-2 Conversion of commercial bills of lading.

(a) A commercial bill of lading or a commercial express receipt may be converted to a GBL by either of the following procedures:

(1) When the origin carrier requires the original commercial document, the shipper shall surrender it to the initial carrier's agent for his certification as follows:

INITIAL CARRIER'S AGENT, BY SIGNATURE BELOW, CERTIFIES THAT HE RECEIVED THE ORIGINAL OF THIS DOCUMENT

The certification shall be written on the original and all copies of the commercial bill of lading or commercial express receipt, and a memorandum copy thereof shall be returned to the shipper for forwarding to the authorizing agency. The authorizing agency receiving the properly certified memorandum copy of the commercial bill of lading or commercial express receipt shall issue or cause to be issued a GBL, forward the GBL promptly to the origin carrier for transmittal to the billing carrier, and retain the memorandum copy of the commercial document. The billing carrier, having received both the original commercial document and the GBL from the origin carrier, shall execute the "Certificate of Carrier Billing" on the GBL, cross-reference both original docu-

ments, securely attach them together, and use the documents to support its billing.

(2) When the origin carrier does not require the original commercial document, the shipper shall obtain the signature of the origin carrier's agent on the original and all copies and immediately forward the original to the agency that authorized the shipment. The authorizing agency shall issue or cause to be issued a GBL for the shipment involved. The original commercial document and the issued GBL, properly cross-referenced and securely attached together, shall then be forwarded to the origin carrier for transmittal to the billing carrier for execution of the "Certificate of Carrier Billing" and preparation of the SF 1113.

(b) The signature of the initial carrier's agent shall not be required on GBL's converted from commercial documents when it appears on the commercial documents attached thereto.

[42 FR 36672, July 15, 1977, as amended at 50 FR 30708, July 29, 1985]

§ 101-41.303-3 Lost commercial bills of lading.

(a) When the original commercial bill of lading or commercial express receipt has been lost or destroyed and therefore is not available to the billing carrier, the shipper or origin carrier possessing an authentic copy of the commercial document may have it converted to a GBL by the agency that authorized the shipment.

(b) The issuing office shall, before releasing the copy of the commercial document from which conversion is made, reproduce two additional copies of the authentic copy of the commercial document: One to be retained for its records and the other to be forwarded to the agency's paying office.

(c) The issuing office shall forward the copy of the commercial document and the issued GBL, each properly cross-referenced and securely attached together, to the origin carrier for transmittal to the billing carrier which shall execute the carrier's certificate and use the two documents as support for its bill for the charges.

(d) Each agency and department shall develop procedures and controls to preclude more than one GBL being issued for the same shipment and to preclude

duplicate payment of the transportation charges involved.

§ 101-41.303-4 Lost original commercial bills of lading subsequently recovered.

When the original commercial bill of lading or commercial express receipt is recovered after conversion of an authentic copy of the commercial document to a GBL, the original commercial document shall be forwarded to the paying office of the agency concerned, with an appropriate reference to the previous conversion. If the transportation charges on the GBL converted from the copy of the commercial document have already been paid, the recovered original commercial bill of lading or commercial express receipt shall be marked "VOID"; annotated with the disbursing office (D.O.) symbol number, the D.O. voucher number (or the GSA certificate of settlement number), and payment date; and transmitted to the General Services Administration (BWAA/C), Washington, DC 20405.

(31 U.S.C. 952, 31 U.S.C. 3726 and 40 U.S.C. 486(c))

[46 FR 42664, Aug. 24, 1981, as amended at 48 FR 27726, June 17, 1983]

§ 101-41.304 Exception to the use of GBL's.

§ 101-41.304-1 Local storage, drayage, and haulage.

GBL's shall not be used when local storage, drayage, and hauling services are procured by contract. They may be used, however, when such services are provided for in established tariffs, schedules, or tenders.

[42 FR 36672, July 15, 1977; 42 FR 41129, Aug. 15, 1977]

§ 101-41.304-2 Limited authority to use commercial forms and procedures.

(a) *Discretionary authority to approve use of commercial forms and procedures.* Subject to the limitations in paragraph (b) of this section, the head of an agency or his designee may elect to use commercial bills of lading or commercial express receipts and commercial procedures, rather than the regular GBL and related procedures to procure freight or express transportation services for certain small shipments. This

discretionary authority is directed generally toward those situations involving shipments of a recurring nature where it is cumbersome and impractical to issue GBL's. In implementing this small shipment procedure, agencies shall adhere to the restrictions on the use of foreign-flag carriers as set forth in § 101-41.302-4(b).

(b) *Limitations on use of commercial forms and procedures.* The use of commercial forms and procedures for small shipments is subject to the limitations and instructions set forth in paragraphs (b)(1) through (b)(4) of this section.

(1) Upon determination that commercial forms and procedures are to be used, the agency shall establish administrative regulations and procedures clearly defining the particular shipping circumstances and conditions for their use. Notice of adoption and of any subsequent cancellation of the small shipment procedure prescribed in this § 101-41.304-2 shall be sent to the General Services Administration (BWCP), Washington, DC 20405.

(2) The use of commercial forms and procedures for small shipments, as prescribed in § 101-41.304-2, shall be optional on the part of carriers and forwarders. However, a letter of agreement signifying acceptance of the arrangements must be executed and filed with the participating agency by the carrier or forwarder. That letter shall include the following provision:

The shipments covered by this agreement are subject to the terms and conditions (except as to billing carrier and prepayment) set forth in Standard Form 1103, U.S. Government Bill of Lading, and any other applicable contract or agreement of the carrier for the transportation of shipments for the United States on U.S. Government bills of lading.

The letter of agreement also shall include, where applicable, the carrier's concurrence in the use of cash for payment of transportation charges for these shipments as set forth in paragraph (d)(3) of this section.

(3) The commercial forms and procedures authorized in § 101-41.304-2 are to be applied only to the following types of shipments:

(i) Shipments for which the transportation charges ordinarily do not exceed