

§375.18, if the carrier is required to complete part B of that form.

(4) A written description of the customer complaint and inquiry handling procedures established and maintained by the carrier. Included in this description shall be a telephone number which the shipper may use to communicate with the carrier, accompanied by a clear and concise statement concerning who shall pay for such calls.

(b) *General Requirements:* (1) The text and format of the publication shall not be changed without the written approval of the Director, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration.

(2) The Director, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, shall, within 30 days following the effective date of a decision of the Federal Motor Carrier Safety Administration changing any rule or regulation published at 49 CFR part 375, cause to be published in the FEDERAL REGISTER a notice of amendment to Publication OCE-100 reflecting such change or changes.

(3) The dimensions of the publication shall be optional. *Provided, however,* The product of multiplying the length by the width shall be not less than 36 square inches.

(4) The color and design of the front and back cover of the publication shall be optional. *Provided,* the only words printed or appearing on the front cover shall be “*Your Rights and Responsibilities When You Move.*”

[46 FR 16218, Mar. 11, 1981; 46 FR 22594, Apr. 20, 1981, as amended at 59 FR 2305, Jan. 14, 1994; 59 FR 34392, July 5, 1994; 62 FR 49940, 49941, Sept. 24, 1997]

§ 375.3 Estimates of charges.

(a) *Binding estimates.* Motor common carriers engaged in the transportation of household goods as defined in §375.1(b)(1) may provide in their tariffs for the preparation and furnishing to shippers of binding estimates of the costs which the shippers will be required to pay for the services included in the estimates. Binding estimates must be furnished in writing to the shipper or other person responsible for payment of the freight charges and a copy of each such estimate must be retained by the carrier as an addendum

to the bill of lading. All such estimates shall have clearly indicated on its face that the estimate is binding on the carrier and that the charges shown are the charges which will be assessed for the services identified in the estimate. Binding estimates must clearly describe the shipment and all services to be provided.

(b) *Non-binding estimates.* Motor common carriers engaged in the transportation of household goods as defined in §375.1(b)(1) may provide estimates of the approximate costs which will be assessed for the transportation of such shipments. Non-binding estimates shall be reasonably accurate. Estimates of approximate costs shall not be binding on the carriers providing such estimates. The final charges on shipments moved on non-binding estimates shall be those appearing in the carriers' tariffs applicable to the transportation. Non-binding estimates must be furnished without charge and in writing to the shipper or other person responsible for payment of the freight charges and a copy of each such estimate must be retained by the carrier as an addendum to the bill of lading. All such estimates shall have clearly indicated on the face thereof that the estimate is not binding on the carrier and that the charges shown are the approximate charges which will be assessed for the services identified in the estimate. Non-binding estimates must clearly describe the shipment and all services to be provided.

(c) *Estimated charges required to be entered on the order for service and bill of lading.* Motor common carriers furnishing non-binding estimates shall enter the estimated charges on the order for service, if an order for service is required, and on the bill of lading.

(d) *Maximum charges required to be paid at time of delivery on collect on delivery shipments subject to non-binding estimates of approximate costs.* At time of delivery of a collect on delivery shipment, except when such shipment is delivered to a warehouse for storage at the request of the shipper, on which a non-binding estimate of the approximate costs has been furnished by the carrier under the provisions of paragraph (b), the shipper may request delivery of the shipment upon payment,

§ 375.4

49 CFR Ch. III (10-1-01 Edition)

in a form acceptable to the carrier, of an amount not exceeding 110 percent of the estimated charges. The carrier shall, upon request of the shipper, relinquish possession of the shipment upon payment of not more than 110 percent of the estimated charges and shall defer demand for the payment of the balance of any remaining charges for a period of 30 days following the date of delivery.

[46 FR 16218, Mar. 11, 1981. Redesignated at 61 FR 54707, Oct. 21, 1996; 62 FR 49941, Sept. 24, 1997]

§ 375.4 Final charges on shipments subject to minimum weight or volume provisions.

(a) Motor common carriers engaged in the transportation of household goods, as defined in § 375.1(b)(1), providing service for individual shippers on rates based on the transportation of a minimum weight or volume, must indicate on the order for service the minimum weight or volume-based rates, and the the minimum charges applicable to the shipment.

(b) Failure to comply with the requirements of paragraph (a) shall require, and the governing tariff shall contain, a rule providing that the final charges relating to such a shipment be computed based on the actual weight or volume of the shipment.

[46 FR 16218, Mar. 11, 1981. Redesignated at 61 FR 54707, Oct. 21, 1996; 62 FR 49941, Sept. 24, 1997]

§ 375.5 Order for service.

(a) *Order for service required.* Every motor common carrier shall, prior to the receipt of a shipment of household goods as defined in § 375.1(b)(1) to be moved for an individual shipper, prepare an order for service which contains the following minimum information:

(1) Name and address and FMCSA docket number of carrier who is responsible for performing the service.

(2) Shipper's name, address and, if available, telephone number.

(3) Name, address and telephone number of the delivering carrier's office or agent located at or nearest to the destination of the shipment.

(4) A telephone number at which the shipper/consignee may contact the carrier or its designated agent.

(5) Agreed pickup date and agreed delivery date, or the agreed period or periods of time within which pickup, delivery, or the entire move, will be accomplished. If the shipment is to be transported on a guaranteed service basis, the guaranteed dates or periods of time for pickup, transportation and delivery and any penalty or per diem requirements of the agreement shall be entered under this item.

(6) Complete description of any special or accessorial services ordered; and minimum weight or volume charges applicable to the shipment.

(7) Any identification or registration number assigned the shipment by the carrier.

(8) Amount of estimated non-binding charges; method of payment of total charges; and, maximum amount required to be paid at time of delivery to obtain possession of the shipment or, the amount of charges required to be paid based on a binding estimate and the terms of payment under that estimate.

(9) Whether the shipper requests notification of the charges prior to delivery and the telephone number or address at which such communications will be received.

(10) *Signatures required.* The order for service shall be signed by the shipper who is ordering the service, and by the carrier or its agent. A copy of the order for service shall be dated and furnished the shipper at the time it is executed.

(b) *Amendments to an order for service.* Prior to loading an order for service may be amended by agreement of both parties.

[46 FR 16219, Mar. 11, 1981; 46 FR 22594, Apr. 20, 1981, as amended at 62 FR 49941, Sept. 24, 1997]

§ 375.6 Receipt or bill of lading.

(a) *Issuance of a receipt or bill of lading.* Every motor common carrier engaged in the transportation of household goods as defined in § 375.1(b)(1) shall issue a receipt or bill of lading. The bill of lading shall contain the minimum information required by § 375.6(b) and the terms and conditions