

GENERAL ORDER 155-B
(Supersedes General Order 155-A)

**PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

**RULES GOVERNING ISSUANCE OF DOCUMENTATION AND COLLECTION
OF CHARGES BY HIGHWAY CARRIERS**

Adopted April 6, 1994. Effective May 6, 1994.
(Decision 94-04-041 in R.93-06-032)

RULE 1—APPLICATION AND SCOPE

- A. This General Order is issued to provide rules to govern issuance of shipping related documents and collection of charges by highway carriers as defined in Public Utilities Code (Code) Section 3511.
- B. When the provisions of this General Order are in conflict with the Commission's Rules and Procedure, the provisions of this General Order shall apply. If the provisions of a Minimum Rate Tariff or General Orders 147, 149, 150, or 151 Series conflict with this General Order, the Minimum Rate Tariff or General Orders 147, 149, 150, or 151 Series shall apply.

RULE 2—DEFINITIONS

- a. "Commission" means the Public Utilities Commission of the State of California.
- b. "Debtor" means person obligated to pay for freight charges, whether consignor, consignee, or other party.
- c. "Hazardous Materials" means articles described in the Hazardous Materials Tariff ATA 111 series of the American Trucking Associations, Inc., Agent.
- d. "Highway Common Carrier" means every highway common carrier as defined in Code Section 213.
- e. "Highway Contract Carrier" means every highway contract carrier as defined in Code Section 3517.
- f. "Rate Exempt Transportation" means transportation of commodities or transportation within the geographic areas described in the most recent Commission publication, including any revisions, entitled "Commodities and Geographic Areas Exempt from Rate Regulation." Also included is transportation exempted for specific carriers by Commission decision.
- g. "Shipment" means a single consignment of one or more pieces from one consignor at one time from one origin address in one lot, moving to one consignee at one address, except as otherwise provided in the carrier's tariff.
- h. "Vehicle Unit Rates" means rates based upon agreement between the carrier and the shipper for specifically identified units

of equipment engaged for specifically identified periods of time (e.g., hourly, daily, weekly, monthly, or yearly basis).

RULE 3—DEPARTURES

Departure from the provisions of this General Order may be granted upon formal application to the Commission and after the Commission finds that such departure is reasonable and necessary. Previously authorized departures from the Commission's documentation requirements are continued in effect.

RULE 4—REQUIREMENTS FOR ISSUANCE OF DOCUMENTS

4.1 Issuance of Bill of Lading

Highway Common Carriers shall issue a Bill of Lading at the time prior to the receipt or pick-up of the shipment. The Bill of Lading document and its use shall conform to the provisions of the National Motor Freight Classification, filed with the Commission by the National Motor Freight Classification, insofar as such provisions pertain to issuance of bills of lading. Issuance and use of the Bill of Lading shall conform to the California Uniform Commercial Code, Div. 7.

4.2 Issuance of Receipt/Shipping Order

Highway Contract Carriers shall issue an appropriate receipt to each consignor, at the time of or prior to pick-up, for each shipment to be transported. This receipt may be combined with a shipping order.

RULE 5—ISSUANCE OF FREIGHT BILL AND RELATED DOCUMENTS

5.1 Issuance of Freight Bill

Each carrier shall issue to the debtor a freight bill document for each shipment or transaction. The freight bill document may be in individual or manifest form and, as a minimum, shall show the following information:

- a. Name of carrier, its current address (including ZIP code), telephone number (including area code), and Cal-T number.
- b. Date of freight bill and freight bill number.
- c. Date(s) of shipment or transaction.
- d. Name of consignor, name of consignee, and name of debtor.
- e. Point of origin and point of destination.
- f. Weight of the shipment or other factor or unit of measurement upon which rate and charges are based.
- g. Description of shipment or transaction in sufficient terms to permit an accurate determination of the correct rate and charge or, in the case of rate-exempt transportation, to permit an accurate determination that the shipment or transaction is exempt from rate regulation.

- h. Rate and charge assessed.
- i. If discounts are filed, a statement that discounts may be applicable and the carrier's phone number and address to obtain further information.
- j. Other information as may be necessary to make an accurate determination of the applicable rate and charge.

5.2 Issuance of Accessorial Service Document

When a carrier provides a service not included in the transportation rates, the carrier shall issue an accessorial service document to the party who ordered the service and shall show the following information:

- a. Type of accessorial service involved.
- b. Time for which equipment was ordered, if any, and time of actual or constructive placement.
- c. Address where accessorial service is performed.
- d. Time loading or unloading begun and completed.
- e. Free time allowable.

5.3 Additional Requirements For Issuance of Documents In Connection With Transportation Subject To Vehicle Unit Rates.

When transportation is performed pursuant to an agreement based on vehicle unit rates, the carrier shall provide the following information in its billing to the debtor, when applicable:

- a. Type and period of transaction (e.g., hourly, daily, weekly, monthly, yearly).
- b. Name and address of carrier and shipper.
- c. Identification (by license number or Vehicle Identification Number) and type of equipment.
- d. Effective date of transaction.
- e. Base vehicle unit rate.
- f. Number of hours and rate per hour.
- g. Miles operated and rate per mile.
- h. Number of premium pay hours and rate per hour.
- i. Number of excess hours and rate per hour.
- j. Number of helper hours and rate per hour.
- k. Dates service performed on Saturday, Sunday, or holidays and rates for same.
- l. Rate for temperature control service.
- m. Explanation of any additional charges (forklifts, etc.).

RULE 6—COLLECTION OF CHARGES

- A. This rule applies to transportation subject to General Order 147 Series. However, it shall apply to special contracts as defined in General Order 147 Series only when special contracts do not specify credit terms.
- B. Transportation and accessorial charges shall be collected by the carrier from the debtor prior to relinquishing possession of the property, unless the carrier has taken sufficient precautions to insure payment. Upon taking such precautions the carrier may extend credit as provided in this rule.
 1. Freight bills for all transportation and accessorial charges, including vehicle unit rate freight bills, shall be presented to the debtor within 15 calendar days from the first 12 o'clock midnight following delivery of the freight. Vehicle unit rates for periods in excess of one month shall be billed within 15 days from the end of each month, corresponding to the date service commenced.
 2. Carriers may extend credit to the debtor for a period of seven days, excluding Sundays and legal holidays. The credit period will begin from the first 12 o'clock midnight following presentation of the freight bill.
 3. The United States mail may be used for billing and collection. The postmark will be used to record the date.

RULE 7—OTHER REQUIREMENTS

7.1 Retention of Records

Each carrier maintaining an office or place of business within the State of California shall keep therein all documentation, including any bills of lading, freight bills, accessorial service documents, weighmaster's certificates, or any other written instructions, requests, agreements or documents which support the rates and charges assessed in connection with each shipment or transaction for at least three years from the date transportation was performed. Carriers which do not maintain an office or place of business within the State of California shall keep all documentation as described above for at least three years from the date transportation was performed, and shall make such documentation available to the Commission at its request in conformance with Code Section 3701.

7.2 Hazardous Materials Transportation

- a. Before transportation of any hazardous materials, substances or wastes, a carrier shall insure that it has complied with documentation requirements of all governmental agencies charged with protection of the public or the environment in connection with transportation of these materials, sub-

stances, or wastes. A carrier shall note on its freight bill any circuitous routing or separation of commodities required by these.

- b. Before accepting any hazardous material for transportation, a carrier shall review shipper-prepared documents for compliance with Title 40, Part 262.20, and Title 49, Parts 171.8, 172.200–172.205, Code of Federal Regulations, including any amendments or reissues. This requirement shall not be construed as relieving a shipper of any responsibility for issuance or accuracy of these documents. The carrier shall retain one copy of each document in accordance with Rule 7.1, above.

**RULE 8—THE USE OF NON-PAPER ALTERNATIVES BY HIGHWAY
COMMON AND HIGHWAY CONTRACT CARRIERS**

- 8.1 The following provisions are applicable only to highway common and highway contract carriers as defined in PU Code Sections 213 and 3517 respectively. By offering or using a non-paper alternative pursuant to this rule, each carrier so doing acknowledges that the Commission's grant of authority to use a non-paper alternative does not constitute a waiver of, or limitation on, the Commission's and/or its staff's rights and powers with respect to access to information, documents, papers, records, etc.
- 8.2 Highway Common Carriers must use paper for documents specified in General Order 155-A, unless they publish in their tariffs whether and under what circumstances they will offer shippers the option to use a non-paper alternative. Similarly, Highway Contract Carriers who are required to file their contracts with the Commission must specify in their contracts if the agreed upon service entails the use of a non-paper alternative.
- 8.3 No common carrier shall require the use of a non-paper alternative as a condition of service.
- 8.4 Highway Common Carriers which offer service involving non-paper alternatives must do so to all shippers on a non-discriminatory basis.
- 8.5 A paper hard copy shall be available to all relevant parties upon request.
- 8.6 Non-paper alternatives must meet the following criteria:
 1. Information is retrievable.
 2. Information is readily available to all relevant parties. Information can be "read" and is as available as a written paper hard copy.

3. Information content completely complies with the current regulations.
4. Authenticity of stored data can be assured by appropriate means.
5. Information can be traced to the degree necessary to meet current regulations. This includes a methodology to confirm shipment, pickup, and delivery.

Approved and dated April 6, 1994, to become effective May 6, 1994, at San Francisco, California.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

By NEAL SHULMAN
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