

## Chapter PSC 25

### C. O. D. SERVICE BY COMMON CARRIERS

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**PSC 25.01 Filing tariffs.** (1) All common motor carriers rendering C.O.D. service are required to file tariffs including the rules, regulations, and charges relating to C.O.D. service set forth in section PSC 25.03, unless the alternative provisions provided in section PSC 25.05 have been adopted and properly filed in tariff form in accordance with the provisions of that section.

(2) All common motor carriers, rendering C.O.D. service, are required to comply with the provisions of the rules, regulations, and charges contained in their tariffs properly filed under the provisions of sections PSC 25.01 and PSC 25.05.

**PSC 25.02 Special C.O.D. fund.** Every common motor carrier shall expeditiously deposit all moneys collected for others on C.O.D. shipments, except the charges for transportation service and for collecting and remitting money, in a separate special C.O.D. fund account in a bank in Wisconsin except where an out-of-state bank is permitted as stated below, which fund shall be used for no purpose except payment of money therein to the owners thereof. No money received on account of a C.O.D. shipment, except the charges for transportation service and for collecting and remitting money, shall be commingled with any other funds or used for any other purpose than as herein prescribed. The commission may in special cases and for good cause shown authorize the deposit of such fund in an out-of-state bank, subject to such conditions as it deems proper. Each carrier which handles C.O.D. shipments shall furnish to the commission a written continuing consent that the commission's authorized employes may inspect said account at the bank of deposit. Each carrier which handles C.O.D. shipments shall establish, keep currently posted, and make available to the commission and its authorized employes a C.O.D. register which shall contain the following information:

- (1) Number and date of freight bill.
- (2) Name and address of shipper or other person designated as payee.
- (3) Name and address of consignee.
- (4) Date shipment delivered.
- (5) Amount of C.O.D.

- (6) Date collected by delivering carrier.
- (7) Date remitted to payee.
- (8) Check number or other identification of remittance to payee.

**History:** 1-2-56. Am. Register, May, 1957, No. 17. Eff. 6-1-57.

**PSC 25.03 Provisions governing C.O.D. shipments.** (1) Shipments must be tendered on uniform straight bills of lading. The name and street and postoffice address of consignor and consignee must be shown on bill of lading and shipping order. There must also be shown on bill of lading and shipping order, in the space provided for this purpose, or by showing in the lower left hand corner of space provided for "Description of Articles, Special Marks and Exceptions," the following:

Collect on Delivery, \$\_\_\_\_\_ plus C.O.D. fee \$\_\_\_\_\_  
 Total \$\_\_\_\_\_, and remit to \_\_\_\_\_ at \_\_\_\_\_.

(2) Each package must be plainly marked, labeled, or tagged by consignor showing letters C.O.D., and the name and address of consignor and consignee.

(3) C.O.D. packages will not be accepted on the same bill of lading with packages other than C.O.D., and only packages covered by one C.O.D. bill may be tendered on one bill of lading.

(4) If consignor desires to forward invoice or collection papers, they must be securely attached to the shipping order copy of the bill of lading and the shipping order must show the following information: "Attached invoice (or invoices) to accompany shipment to destination."

(5) C.O.D. shipments will not be accepted or receipted for when billed to one firm or person, with instructions to collect charges from another firm or person.

(6) C.O.D. shipments will not be accepted with the privilege of examination or trial, or bearing instructions to make partial delivery.

(7) The amount of C.O.D. bills for C.O.D. shipments will be collected at the time such shipments are delivered to the consignee.

(8) Only cash, certified check, money order, or cashier's check will be accepted in payment of C.O.D. amount, and the charge for collecting and remitting the amount of bills for C.O.D. shipments will be collected from the consignee unless otherwise specified by consignor on bill of lading and shipping order.

(9) If consignor desires to pay the charge for collection and remittance, and so instructs in writing at time shipment is made, the charge will be deducted from the amount of C.O.D. collection and remittance made for the difference.

(10) When consignor, in writing or by endorsement on bill of lading and shipping order, authorizes the carrier to accept consignee's check made payable to the consignor on C.O.D. shipments, the carrier shall not be liable, except for the exercise of due care and diligence in securing and forwarding such check to the consignor, and the charge for collecting and remitting must not be included in the check or money order made payable to the consignor.

(11) Upon collection of a C.O.D. bill, remittance will be made to the consignor or party entitled to receive remittance as shown on the bill of lading within 10 days after collection from the consignee.

Register, May, 1957, No. 17.

(12) The charges for collecting and remitting the amount of each C.O.D. bill collected on shipments consigned C.O.D. as prescribed herein will be as follows:

<i>When the amount collected is</i>				<i>Charge for collecting &amp; remitting will be</i>
Not over	\$ 5.00			\$ .28
Over	5.00	not over	\$ 10.00	.31
"	10.00	" "	20.00	.33
"	20.00	" "	25.00	.35
"	25.00	" "	40.00	.41
"	40.00	" "	50.00	.44
"	50.00	" "	60.00	.55
"	60.00	" "	80.00	.57
"	80.00	" "	100.00	.59
"	100.00	" "	102.50	.75
"	102.50	" "	105.00	.77
"	105.00	" "	110.00	.80
"	110.00	" "	120.00	.83
"	120.00	" "	140.00	.85
"	140.00	" "	150.00	.88
"	150.00	" "	160.00	.94
"	160.00	" "	180.00	.96
"	180.00	" "	200.00	.98
"	200.00	" "	250.00	1.10
"	250.00	" "	300.00	1.27
"	300.00	" "	350.00	1.43
"	350.00	" "	400.00	1.60
"	400.00	" "	450.00	1.76
"	450.00	" "	500.00	1.93
"	500.00	" "	550.00	2.09
"	550.00	" "	600.00	2.26
"	600.00	" "	650.00	2.42
"	650.00	" "	700.00	2.59
"	700.00	" "	750.00	2.75
"	750.00	" "	800.00	2.92
"	800.00	" "	850.00	3.08
"	850.00	" "	900.00	3.25
"	900.00	" "	950.00	3.41
"	950.00	" "	1,000.00	3.58
"	1,000.00 at rate of \$3.58 per \$1,000.00.			

**PSC 25.05 Alternative tariff publication.** Wisconsin intrastate common motor carriers of property may adopt, in lieu of the provisions of section PSC 25.03, the rules, regulations, and charges applicable to C.O.D. shipments published in the currently effective publication of National Motor Freight Classification, supplements thereto, or reissues thereof, and make same effective by proper tariff publication with the commission, in lieu of the rules, regulations, and charges included in section PSC 25.03. Such adoption by tariff publication shall not in any way relieve the carrier from compliance with the requirements of section PSC 25.02.