



TWDW-100 TARIFF

ITEM 830 - FAILURE TO MAKE TIMELY PAYMENT

1. 2 Day Transportation must receive full payment of freight charges within the terms as defined in Tariff Item 800.
2. If Carrier does not receive payment within 45 days of the original invoice due date, the payor will be charged an assessment of liquidated damages in an amount equal to 25% of the unpaid receivable.
3. Carrier reserves the right to employ the use of 3rd party collection firms. Where 3rd party collection firms are required to obtain payment, payor will be responsible for any and all fees incurred as a result of the collection effort. Additionally, all discounts and/or rate quotes on open invoices will be canceled and full class rates will be applied.
4. The filing of a cargo or other claim against Carrier will not relieve a payor from the responsibility for payment of freight charges.
5. The failure to enforce the terms and conditions of this tariff item on one or more occasions shall not be deemed a waiver of their applicability or enforceability in future transportation transactions.

Provisions of this rule do not change in any way the carrier's obligation to collect nor the freight charge payor's obligation to pay applicable charges within the contractual or legislated terms allowed in compliance with D.O.T. 49 CFR Part 377 and the credit period stated in Tariff Item 800. This rule establishes a condition precedent for the application of the special pricing provisions described in Paragraph 1 above.