

inland depots, equipment pools, or inland terminals to discuss, negotiate, and agree upon matters, including rates, terms, conditions, procedures, and charges related to the use of inland depots, pools, and terminals, and the use, receipt, lease, storage, repair and interchange of equipment. Subject to the Shipping Act of 1984, as amended, two or more of the parties are authorized, but not required, to meet with the owners or operators of rail and motor carriers to discuss, negotiate, and agree upon matters, including rates, terms, conditions, procedures, and charges related to insurance, the use and establishment of inland depots, pools, and terminals, and the use, receipt, lease, storage, repair and interchange of equipment. Subject to any restrictions in the Shipping Act of 1984, as amended, the parties may also discuss, negotiate and agree upon joint contracts, joint purchase and joint lease of inland transport services, inland depot services, pools, equipment, terminals, and other facilities. The Parties are authorized to meet, discuss and agree among themselves on matters included in this paragraph; provided, however, that notwithstanding any other provision hereof, this Agreement does not authorize the parties to negotiate, agree upon, or jointly contract for freight rates or compensation to be paid by the parties to motor carriers and/or port truck drivers.

5.9 In furtherance of the authority contained in

Ocean Carrier Equipment  
Management Association  
FMC No. 202-011284-~~36~~64  
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Revised No. 6A  
Third Edition

Article 5, the parties are authorized to obtain, compile,  
maintain, and exchange among themselves, information related to  
any aspect of insurance, inland transport, inland depots, pools,  
terminals and/or equipment use. Such information may include  
records, statistics, studies, compilations, projections, costs,  
and

authorities permitted for such entities under D.C. law. When established, no stock shall be issued or dividends paid, and no part of the income of the corporation shall be distributed to the members, directors, officers or any party to this Agreement. All members of the Agreement will be members of the corporation.

5.13 The parties are authorized but not required to meet, discuss, share information and agree upon matters including, but not limited to, the establishment of rates, terms, conditions, procedures and charges related to the creation and operation of equipment pools at port and inland terminals and depots, and the contribution, use, receipt, lease, storage, repair, inspection, maintenance, interchange and tracking of pooled equipment. The parties may also form, own and operate corporations, limited liability companies, holding companies or other entities, formed either for profit or not for profit, to establish, own and/or operate equipment pools or pool-owning companies. Such pools may be operated directly by a company formed hereunder or through contracts with third party pool management entities. The parties and any two or more of the owner, operator, users and/or contributors of a pool established hereunder may also discuss and agree on the distribution or use of pool revenues in excess of costs, assessments to cover deficits in pool operations or other pool obligations; liability, indemnity and insurance requirements for users, contributors, pool vendors, and inland carriers; removal of

equipment deemed excess to pool requirements; and the lease of additional equipment to meet pool demands. The parties may also, themselves or with users of chassis pools, form a purchasing group within the association or form affiliated corporate or other entities to procure insurance covering liabilities arising out of or related to chassis and/or chassis pool operations.

5.14 The parties are authorized, but not required to meet, discuss, exchange information and data, and reach agreement amongst themselves or with third parties regarding the establishment of industry standards or guidelines relevant to the safety, maintenance, inspection, repair, or operating procedures of intermodal equipment.

ARTICLE 6: OFFICIALS OF THE AGREEMENT AND DELEGATIONS OF AUTHORITY

6.1 From time to time, the parties shall designate a chairman and vice chairman from among the