



October 31, 2019

Federal Maritime Commission

Rachel Dickon

Commission Secretary

[secretary@fmc.gov](mailto:secretary@fmc.gov)

**Re: SUPPORT: Interpretive Rule on Detention and Demurrage under the Shipping Act**

Honorable Commissioners:

Thank you for allowing trucking companies like International Motor Freight the time to objectively identify issues currently hindering the US import and export community.

Many, if not all, of the issues that we discussed as a company are centered on efficient cargo delivery, and a proper means of delivering it in a timely manner. I felt it would be best to present them in bullet point form for an easy way to follow. Again, thank you very much for your time and consideration.

1. A time standard, either regionally or nationally, should be set for the pickup, and return, of ocean borne containers
2. This standard should be measured by a neutral third party
3. Once the standard is set, when marine terminal operators cannot meet such levels of service, extensions of free time should automatically be granted, and waivers of per diem also issued.
4. The definition of cargo availability needs to be set. In New York each terminal handles availability differently when it comes to accessibility. If a container is inaccessible for any terminal reason, the free time should be updated automatically.
5. If the terminals cannot service an area of their yard, the trucking community, the steamship lines, and beneficial cargo owners should be notified in unison, and free time extensions granted.
6. All empty equipment should be returned to the marine terminal it was picked up from in order to increase truck efficiency and reduce the number of chassis splits.
7. We would not necessarily be against a grey empty depot for the return of empty containers when there is no double move available at the ocean terminals, provided it is fully staffed and working efficiently with the same hours as the marine terminals.
8. We certainly understand every importer operates differently; some needing their freight on the first day of free time, and others who hold pick up until the last day. We hope our requests and comments would not hinder our customers' means of doing business but only make it fairer for all parties to do business the way they would like to.



## INTERNATIONAL MOTOR FREIGHT

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9. Finally, the rates we are charged for per diem and demurrage need to be looked at. Every year, per diem charges increase, regardless of the economic climate, for the same container that sits out year after year. Both charges should not be for profit, specifically, per diem. If hundreds of containers sit in empty depots with no export cargo, then why are truckers charged high per diem rates, when in fact, the dray community is saving the steamship lines daily depot charges?

Thank you very much for your time,

Christopher Grato

International Motor Freight Inc.