

# Freight Claims



Damage Freight Claim Tool



## How to file a Freight Claim on-line with CN

In Canada, per the Railway Traffic Liabilities Regulations, a Damage Notification must be filed within the 4 month period following the actual delivery day of the car to the customer. In the U.S., per the Carmack Amendment (USC11706) the customer has 9 months to file.

To file a claim on-line, you must be registered on the CN website.  
Our on-line tool allows you to file and review the status of your claim at anytime.

You will be required to attach all supporting documentation, such as:

- **The Statement of Claim (with claimed amounts itemized)**
- **The original Bill of Lading or a copy of the freight waybill**
- **The original invoice showing the value of the product**
- **A copy of the inspection report or the inspection reference with unit number, waybill number and date shipped (when available)**
- **Photographs pertaining to the condition of the goods at origin and destination**
- **Photographs of the packaging or securement within the equipment**
- **Doorway photographs**
- **Any additional supporting documentation**

To register to use the CN website's Damaged Freight Claims tool:

1. Go to <http://www.cn.ca/Register>
2. Click on YES to accept the terms and conditions

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Terms and Conditions | Privacy Policy



### 3. Complete the application

**Note:** Make sure to select “**Damaged Freight Claims Tool**”

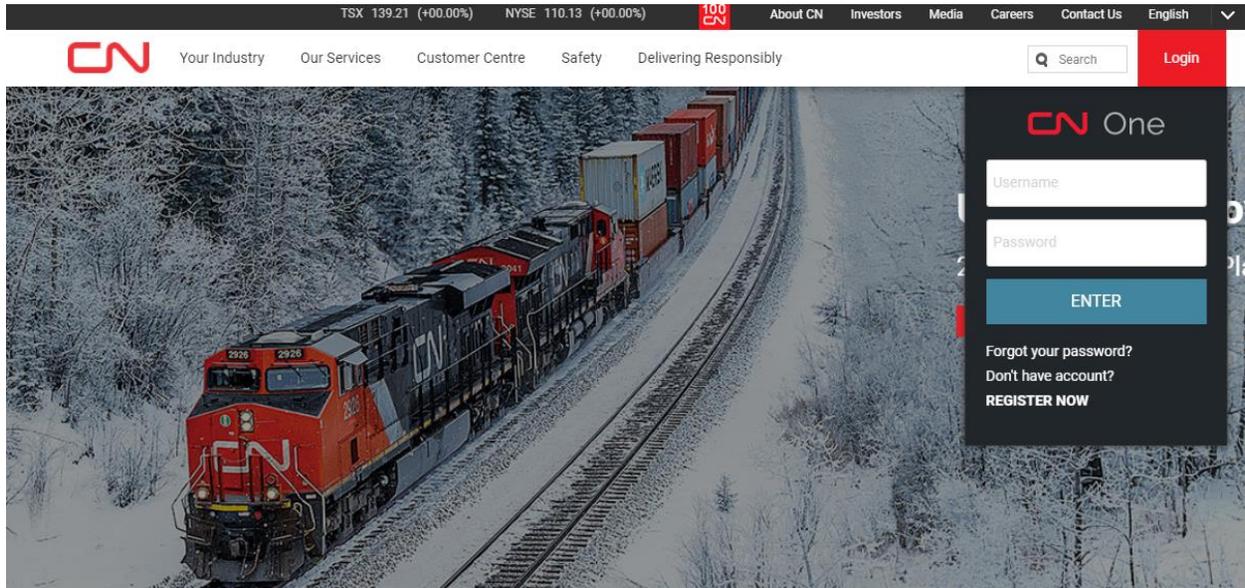
Your request will be sent to the appropriate group and within a few days you will receive an email from the eBusiness Team to confirm that your access has been granted.

Once you have obtained your access to use our Damaged Freight Claim tool, you can file your damage notification and/or claim. Below is a list of the documentation you will need for your claim.

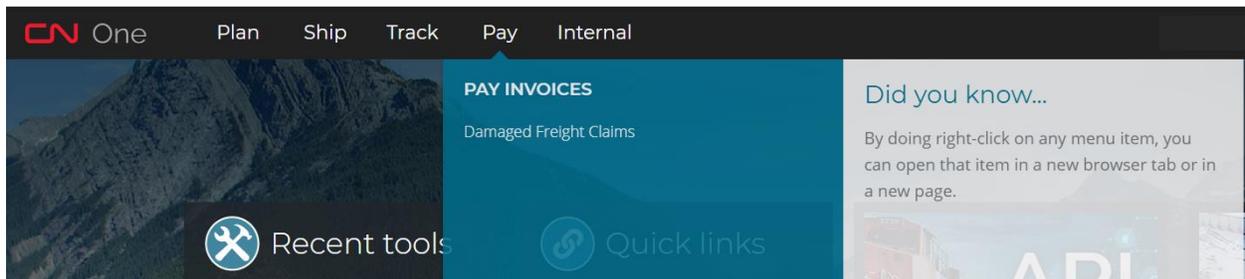
- Statement of type of damage, quantity of damage, reason for damage and value of damaged product and/or cost to repair damaged product
- Original bill of lading
- Original or certified copy of invoice to original customer
- Photo and any other related documentation not previously sent with a Damage Notification



4. Go to [www.cn.ca](http://www.cn.ca), select Login and enter your username and password.

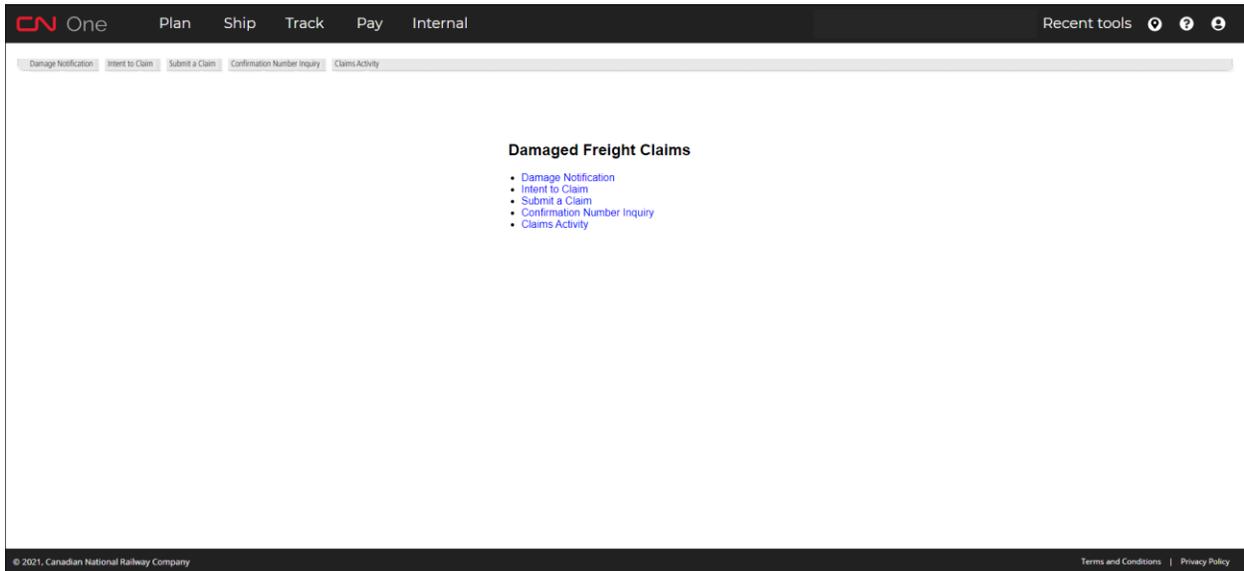


5. Once you login you will get the following page. Under the upper banner select **Pay**. Under **Pay Invoices** select **Damaged Freight Claims**. Once you have selected the tool, the tool will then appear under your Recent Tools.

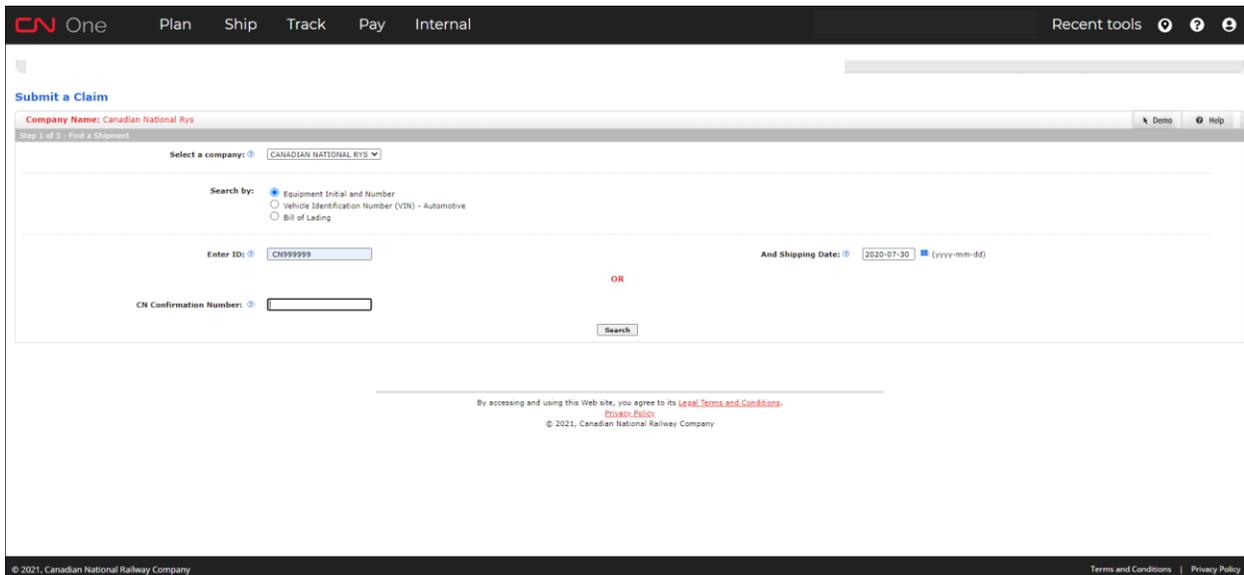




6. Select the option needed from the list.



7. You will need to search your shipment either with your Equipment Initial and Number, with the Vehicle Identification Number (VIN) or with your Bill of Lading.





- At this point, you will need to enter the claimed amount, the currency, the damaged parts being claimed (automotive) and attach all supporting documentation. At the end of the process a CN CONFIRMATION DAMAGE NOTIFICATION or CLAIM NUMBER will be provided to you. Make sure to select the correct **currency**.

### Automotive Screen

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### Merchandise Screen

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**(SUPPORTING DOCUMENTATION IS MANDATORY, WITHOUT IT YOUR CLAIM WILL BE CLOSED/DECLINED)**

- Submit the claim and record the claim number (confirmation number).



**VERY IMPORTANT** - If there is more than one carload involved in the damage incident, you must make a separate claim for each. You will need to submit 1 claim per carload.

To review the status of your claim, follow the above steps and choose the CLAIMS ACTIVITY tab. If the confirmation number does not show, you may have entered an Intent to Claim or Damage Notification instead.

Please do not hesitate to contact us at **1-800-667-8778** for any assistance.

## Timelines and Exceptions

### Canada

Railway Traffic Liability Regulations
<ul style="list-style-type: none"><li>• Impose liability for full value on originating carrier for all rail shipments.</li></ul>
<ul style="list-style-type: none"><li>• 4 months to give notice of claim<ul style="list-style-type: none"><li>• Lawsuit to start within limitation periods (2-6 yrs depending on province)</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Exceptions for damage caused by:<ul style="list-style-type: none"><li>• Shipper acts or omissions, force majeure, defects in goods.</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Extraordinary value goods excluded.</li></ul>

### U.S.

Carmack Amendment (USC 11706)
<ul style="list-style-type: none"><li>• Applies to all carriers in movement.</li></ul>
<ul style="list-style-type: none"><li>• 9 months to file (properly documented) claim, 2 years to sue.</li></ul>
<ul style="list-style-type: none"><li>• 30 days to acknowledge claim, 120 days to process or update status every 60 days thereafter (49 CFR PART 1005)</li></ul>
<ul style="list-style-type: none"><li>• Exceptions similar to Canadian regs but developed instead via case law.</li></ul>

**Both require written agreement to limit liability**