

# IOWA NORTHERN RAILWAY

## IANR RULES BOOK 3001O (Changes)

(3001 CANCELS AND REPLACES FREIGHT TARIFF IANR 3000 in its entirety)

COVERING GENERAL RULES AND REGULATIONS  
GOVERNING THE TRANSPORTATION OF FREIGHT BY THE  
IOWA NORTHERN RAILWAY

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### **Item 130 – Turning Cars**

When orders are received from consignee to turn loaded cars around that have not been placarded to indicate from which side it must be unloaded and, as a result, is improperly set for unloading and requires additional service to turn the car around, such service will be performed where facilities are available at the rate of \$400.00 per car. When orders are received from consignor to turn empty car around, for their convenience, after it has been placed for loading, such service will be performed where facilities are available at the rate of \$400.00 per car.

### **Item 203 – Team Track Usage**

Existing team track service, including loading or unloading platforms and other structures, are available for use by shippers for non-hazardous commodities on a pro-rata shared usage basis, at the sole cost, risk, and expense of customers using the team track facilities. By using such facilities, customers agree to indemnify, defend and hold harmless IANR from all claims, costs, and expenses, and to assume all risk, responsibility and liability for death, personal injury, or property damage arising from, related to, or in any manner caused by, in whole or in part, the use of such team track facilities. IANR

will not permit hazardous or dangerous commodities to be loaded or unloaded at public delivery or team tracks without written confirmation approving such action. This policy includes all bulk shipments, or shipments in containers which exceed 110-gallon capacity of hazardous materials, substances or wastes. All team track users must sign a letter of acknowledgement stating they understand the terms of this item, and that they will comply with all of IANR's personal protective equipment policies, as well as obtain operating permits as required from the IANR Yard Manager. Further, team track users are responsible for the clean-up of all excess dunnage or scrap generated during the loading or unloading of their rail cars. Unless an alternate arrangement applies, a usage fee of \$350 per railcar will be assessed for team track usage. If the team track user fails to clean-up all such dunnage or scrap, IANR shall bill the party performing the unloading a penalty charge of \$200.00 per car, plus the actual cost incurred by IANR to remedy the situation.

### **Item 210-A – Demurrage**

Demurrage for all cars on IANR shall be governed in accordance with Freight Tariff RIC6004-series, and Freight Tariff RIC6007-series both published by the American Short Line and Regional Railroad Association, with the following TWO Exceptions provided herein. Cars which are placed for loading or unloading on tracks or at industries will be subject to the following demurrage charges:

- (2) days free
- (4) days \$100 per day
- (2) days \$120 per day
- Remaining days \$150 per day
- Saturday, Sunday and holiday time will be included when calculating demurrage

EXCEPTION: 36 Hours free time will be allowed for loading cars of corn or soybeans. After expiration of free time, a charge of \$25.00 per car, per day or fraction of a day, for the first two (2) chargeable days, and \$35.00 per car per day or fraction of a day thereafter including Saturday and Sunday.

EXCEPTION: Dimensional, dual pack or over standard weight cars will be billed at \$70 a day, no free days. If received as a switch from UP at Manly Terminal, Manly Iowa demurrage will start after 120 hours.

EXCEPTION: IANR does NOT participate in Item 35 of FT 6007-O Item 187 (Equalization of Mileage on Tank Cars of Private Ownership).

## **Item 210-B – Overloaded or Improperly Loaded Cars**

An overloaded car is defined as a rail car for which either the net weight (actual weight of freight including all other materials incidental to the movement of the goods) is in excess of the car's authorized load limit (defined as the stenciled "load limit" on the car), or the gross weight (combined weight of railcar and freight including all other material incidental to the movement of the goods) is in excess of the track weight limitations at any point along the route of movement. For this item, "shipper" is identified as loader of freight at origin.

### **Cars Found to Be Overloaded/Improperly Loaded:**

1. When a car is found to be overload at origin, enroute or at destination, it is the responsibility of the shipper at the origin to correct the load at the shipper's expense.
2. Demurrage charges, as provided in item 210-A of the current IANR tariff, will be computed from the first 7:00 AM following notification to correct load. If said demurrage is accumulated on another carrier and IANR subsequently billed, the shipper shall be responsible for payment.
3. When cars are discovered at origin, enroute, or at destination to be loaded in an improper manner shipper will be assessed a \$225.00 per car switching fee and in addition shipper shall pay the additional charges as outlined in paragraphs 5 and 6 of this item.
4. It is the responsibility of the shipper at the origin location to load cars in a safe, balanced and proper manner. In the event the shipper loads cars in an improper and/or dangerous manner and cars are subsequently involved in a derailment, and/or property damage, shipper will bear the responsibility and liability for all damages so incurred as well as the charges for all damages so incurred by Iowa Northern Railway Company (IANR).
5. When cars are discovered to be overweight, shipper will be assessed by IANR an overloaded charge of \$450.00 per car (See Note). Additionally, when a car is found to be in excess of .8% over either the GWOR or the registered gross car capacity, an additional overload penalty of \$6,000 per car will be assessed. Repeated overloading violations in excess of 1,000 pounds could result in equipment not being placed for loading until IANR is assured that the negligent loading practice has been corrected by the shipper.
6. Should any charges be levied against the IANR from an interline carrier due to cars being improperly loaded or overloaded, such charges will be passed on to and shall be the responsibility of the shipper.

Note: Weights of loaded cars will be determined either by scale weights at origin, or in the event no such origin scale weights are available, by scale weights at destination on a per car basis or average of weights as contained in the destination settlement amount.

## **Item 228 – IANR Furnished Equipment Used for Offline Movements**

IANR will assess a \$2,000 per car charge against shippers or carriers reloading or using IANR owned, leased, or controlled equipment via routes that exclude IANR from participation in the route and/or line haul revenue without prior written consent. This charge is in addition to any other charges which may be due from shipper.

### **Item 230 – Diversion or Reconsignment**

A diversion, reconsignment or cancelled bill of lading is any order received by IANR that requires any change in the original shipping document of a shipment involving:

1. The name of the Consignor and Consignee.
2. The destination stated on the bill of lading (including terminal yard if it is considered the destination).
3. The route.
4. A request to stop a car for the purpose of delivery or re-forwarding.

Orders for diversion, reconsignment or bill of lading will be only accepted from the Consignor, Consignee, Freight Payer, or their authorized representatives. Diversion, reconsignment and cancellation of bill of lading requests must be made directly to the IANR Agent or IANR Yard Manager, and will only be processed when received by IANR in writing, via fax, or via EDI.

Provisions of this tariff will apply only to cars that are in IANR's account as a line-haul carrier. IANR reserves the right to refuse the diversion request if charges accruing against the consignment are not guaranteed to the satisfaction of IANR. Further, diversions will NOT be permitted under the following conditions:

- a. After a car is interchanged to a participating carrier for line haul movement or switching to the consignee.
- b. After the car is placed at destination on IANR. Instructions affecting the movement of the car after placement will constitute a new movement, subject to switching or line-haul charges.
- c. Traffic moving under Confidential Contract unless permitted under the provisions of that Contract.
- d. On movements requiring IANR to perform an out-of-line haul move. These shipments will be executed as shipments terminating and originating at the diverted station, and be subject to all applicable freight charges.
- e. To a station or to a point of delivery against which an embargo is in force.
- f. To change the name of the freight payer.
- g. This Tariff will not supersede the provisions of any contract or tariff that prevents the car from being diverted.

IANR will make every effort to affect a diversion when a car is in its possession and written instructions are provided.

Diversion charges will only apply if the diversion is accomplished. However, IANR will NOT be responsible for:

1. Failure to effect diversion after a car has been interchanged to a connecting carrier.
2. Executing a diversion order on a specific day or at a specific time of day.
3. Additional charges incurred when a diversion cannot be accomplished.
4. Charges accruing on cars delivered to other carriers, other than the absorption of reciprocal switching charges.
5. Carrier charges assessed by Iowa Northern input errors pertaining to the diversion

A charge of \$306 per car or \$816 per bill of lading (if the entire bill of lading is uniformly changed) will apply on any diversion, reconsignment or cancelled bill of lading actually accomplished or reconsignment (See Notes 1-3).

NOTE 1. If the request involves only pay status (prepaid to collect or vice-versa) the charge will be \$85.00.

NOTE 2. All charges exclude the cost of additional switching, demurrage, line haul or other applicable charges accrued as a result of the request. Charges are in addition to the applicable price publications. Requests to cancel a previous diversion order effecting destination or route will be accepted when provided by authorized parties, provided the car has not reached the billed destination or been

Interchanged to another carrier participating in the line haul movement. Cancellations will be subject to a charge of \$85.00 per car or per bill of lading. Only one (1) change in destination or route will be permitted.

**Item 232 – Interchange Error Movements**

Cars loaded or empty, received by IANR in error or without forwarding instructions from the delivering carrier, will be returned to the delivering carrier or forwarded to the proper connecting carrier within the same switching district at a per car charge of \$485.00. This includes empty equipment in loaded unit trains. The charge will be assessed against the delivering carrier. In addition, a \$30.00 per day holding fee will be assessed against the delivering carrier for each day the cars is held awaiting forwarding instructions.

**Item 233 – Delay in Supplying Instructions**

Cars held awaiting disposition or forwarding instructions will be subject to an additional charge of \$25.00 per day or fraction thereof, (this charge will be assessed against the delivering carrier or anyone party to the bill of lading) following the first 12:01 am after notice is given to the delivering carrier or bill of lading party. When a car, empty or loaded, is received from a connecting line without necessary data for forwarding and must be classified to a hold track, a \$350.00 penalty charge may be assessed against each car. On a railroad owned car for which the IANR is responsible to the car owner for car hire charges and additional charge of \$25.00 per day will be assessed for each day or fraction thereof.

## EXPLANATION OF ABBREVIATIONS

### Abbreviation

### Explanation

IA	Iowa
IAIS	Iowa Interstate Railroad
IANR	Iowa Northern Railway
IC&E	Illinois Central & Eastern
DM&E	Dakota, Minnesota and Eastern
OPSL	Official List of Open and Prepay Stations
RPS	Railroad Publication Services
UFC	Uniform Freight Classification
CPKC	Canadian Pacific Kansas City Railroad
CPR	Canadian Pacific Railroad
CN	Canadian National Railroad
UP	Union Pacific Railroad
CIC	Cedar Rapids and Iowa City Railroad