

## Surface Transportation Board, DOT

## § 1312.1

shall be in large print and posted in a conspicuous place. In addition, the carrier shall, upon request, make its tariffs available at that location as soon as possible but not later than within 20 days, or provide the sought information orally if satisfactory to the requestor.

(e) Any publication referred to in a tariff must be maintained with that tariff.

(f) If any tariff maintained pursuant to paragraph (b) of this section has not been used for a substantial length of time, the availability of that tariff, including its reissues, may be discontinued at that office until such time as it is again requested. It shall then be made available within 20 days.

### § 1310.6 Furnishing copies of tariff publications.

(a) Copies of tariffs, specific tariff provisions or tariff subscriptions shall be provided upon request to any interested person.

(b) Except for providing to shippers the full text of tariff terms incorporated by reference into the bill of lading or other document embodying the contract of carriage for the transportation of household goods, as described in § 1310.4(a)(1), carriers may assess charges for furnishing copies of tariff publications to interested persons. If a charge is made, the charge must be reasonable, and identical for the same publications and delivery service.

## PART 1312—REGULATIONS FOR THE PUBLICATION, POSTING AND FILING OF TARIFFS FOR THE TRANSPORTATION OF PROPERTY BY OR WITH A WATER CARRIER IN NON-CONTIGUOUS DOMESTIC TRADE

Sec.

1312.1 Scope; definitions.

1312.2 Requirement to publish and file a tariff.

1312.3 Tariff contents and standards; Essential criteria.

1312.4 Filing of tariffs.

1312.5 Amendments to tariffs.

1312.6 Advance notice required.

1312.7 STB tariff designation.

1312.8 Identification of tariff publication.

1312.9 Statement of tariff application and other title page requirements.

1312.10 Notification of tariff changes and nature of changes.

1312.11 Special notification for ordered matter.

1312.12 Posting requirements.

1312.13 Furnishing copies of tariff publications.

1312.14 Powers of attorney and concurrences.

1312.15 Change of carrier or agent.

1312.16 Substitution of service.

AUTHORITY: 49 U.S.C. 721(a), 13702(a), 13702(b) and 13702(d).

SOURCE: 62 FR 19058, Apr. 18, 1997, unless otherwise noted.

### § 1312.1 Scope; definitions.

(a) *Applicability.* The provisions of this part address the requirements in 49 U.S.C. 13702 that carriers subject to the Board's jurisdiction under 49 U.S.C. Chapter 135 and providing transportation or service for the movement of property (except bulk cargo, forest products, recycled metal scrap, waste paper, and paper waste) by or with a water carrier in noncontiguous domestic trade shall publish and file with the Board tariffs containing the rates for such transportation.

(b) *Exceptions.* The provisions of this part do not apply to:

(1) Any transportation or service provided by a carrier pursuant to 49 U.S.C. 14101(b); or

(2) The transportation of any cargo or type of cargo or service which was not subject to regulation by, or under the jurisdiction of, either the Federal Maritime Commission (FMC) or the Interstate Commerce Commission under Federal law in effect on November 1, 1995.

(c) *Definitions.* For the purposes of this part:

*Act* means part B of subtitle IV of title 49 of the United States Code.

*Agent* means a person, association or corporation authorized to publish and file rates and provisions on behalf of one or more carriers in tariffs published in the agent's name.

*Agent's tariff* means a tariff filed in the name of an agent.

*Board* means the Surface Transportation Board.

*Bound tariff* means a tariff consisting of two or more sheets bound at the left edge in pamphlet or book form or a single-sheet tariff.