

A brief history and overview of

The Uniform Intermodal Interchange & Facilities Access Agreement



Developed by and for the Intermodal Industry

A program of the Intermodal Association of North America

THE UNIFORM INTERMODAL INTERCHANGE AND FACILITIES ACCESS AGREEMENT

PURPOSE

The ***Uniform Intermodal Interchange and Facilities Access Agreement***, or UIIA, is a standard bilateral industry contract between Intermodal motor carriers/drayage companies and ocean, rail carriers and/or leasing companies (Equipment Providers). The UIIA was developed as a means of achieving a degree of uniformity in the equipment interchange process. The Agreement clarifies that a Motor Carrier accessing an intermodal facility for the purpose of picking up or dropping of intermodal equipment, assumes the liability for his or her activity at the time they enter the facility. Participation in the Agreement is voluntary and carrier specific. In the event that a dispute arises between a Motor Carrier and Equipment Provider, either party can suspend or terminate the business relationship under this Agreement without jeopardizing the right to do business with other Participants.

The UIIA covers liability issues related to the interchange of Intermodal equipment (i.e. containers, chassis, etc.) between the two parties. It drastically reduces the paperwork burden for all parties by eliminating the need to execute individual, proprietary interchange contracts between Motor Carriers and each Equipment Provider. It also reduces the number of insurance filings that the Motor Carrier must provide to show proof of various coverages. Only one certificate is submitted to the UIIA from the Motor Carrier's insurance agent and this information is then disseminated to the individual Equipment Providers.

HISTORY

The Agreement had its origins in the defunct Equipment Interchange Association (EIA), a former American Trucking Associations affiliate which administered the liability regime for the exchange of trailers among trucking companies in the 1960s and 1970s.

At that time two separate Agreements existed – one for use by ocean carriers and Motor Carriers and one for use by Rail Carriers and Motor Carriers. The Uniform Equipment Interchange Agreements date from the late 1970's when a group of industry activists sought to fill a critical need in establishing liability in the transfer of intermodal equipment between owner/providers and users.

Efforts were undertaken in 1993, under the leadership of the IANA President, to assess the value and validity of the Agreement in the rapidly evolving intermodal industry. A Task Force was appointed by the President to look at both the language of the interchange contract as well as IANA's systems capabilities to meet the needs of participants.

As part of this review process, Task Force members conducted meetings across the country with both participating and non-participating railroads and ocean carriers to assess the current value of the Agreement and its future validity. Current participants were asked how the Agreement could be improved to meet their evolving requirements. Non-participants were queried about the barriers to their involvement in the hopes that the Task Force could address them.

The revised Agreement was approved with a February 1, 1996 effective date.

CURRENT NUMBER OF PARTICIPANTS (as of 01/11/17)
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37 Ocean Carriers
 8 Railroads
 8 Leasing Companies/Chassis Pools/Non-Traditional EPs
 7,476 Motor Carriers

PROGRAM ADMINISTRATION

The Uniform Intermodal Interchange and Facilities Access Agreement (UIIA) is administered by the Intermodal Interchange Executive Committee (IIEC) and is a program of the Intermodal Association of North America (IANA). The UIIA operates on the basis of a Business Review Letter (BRL) provided by the U.S. Department of Justice.

The President of the IANA serves as Chairman of the IIEC, which is a standing committee of the Association. The nine voting members of the panel are selected by the Chairman in consultation with industry executives. The IIEC is comprised of three rail, three ocean and three Motor Carrier representatives.

Under the Agreement's administrative rules, participants may request an interpretation of existing rules and petition for modifications to the Agreement. The IIEC meets periodically to consider pending requests for interpretation and/or modification to the terms of the Agreement.

Administrative functions performed under the Agreement:

- Promotion of the Agreement to all modes of transportation;
- Collection and maintenance of executed Preambles to the Agreement, completed and signed by an authorized representative of the participating company;
- Collection and maintenance of insurance filings for all Motor Carriers and draymen participating in the Agreement.
- Collection and maintenance of additional insured information.
- Collection and maintenance of a comprehensive, corporate file for each Participant, including those companies that have discontinued participation;
- Maintenance of a customized computer system. Features of UIIA program include:
 - a) Automated Seven Day expiration/renewal notifications to ensure timeliness and accuracy of policy data.
 - b) Automated Cancellation and Reinstatement notifications are provided to Motor Carriers upon receipt of information that either cancels or reinstates their account.
 - c) Each Motor Carrier record is cross-referenced against Equipment Providers' requirements to determine whether the Motor Carrier is valid to conduct business with that Equipment Provider.
 - d) Both Motor Carriers and Equipment Providers have access to real-time motor carrier status information 24 hours a day, 7 days a week with the UIIA Web Validator, via the internet.

INFORMATION, COLLECTION AND DISSEMINATION PROCESSES

- Data file updates transmitted directly to your system via FTP, email, or through a value added network (VAN) provider.
- The Web Report Generator, via the internet, which provides real-time information regarding a motor carrier's status. Detailed reporting features are also available on the Web Report Generator which allow Equipment Providers to obtain reports in various formats to meet their individual needs.
- Customized programming available upon request (at additional cost)
- The UIIA staff will make the initial contact to your Motor Carriers informing them that you are now a Party to the UIIA and encourage their participation. You simply provide us with your list of Motor Carriers in an Excel file, or you can opt to open your company's participation up to all Motor Carriers currently participating in the UIIA. If providing our office with a list, any Motor Carriers found not to be a current UIIA participant will be provided with information on the program as well as your Addendum. Those Motor Carriers already party to the UIIA are provided your Addendum for their files and are informed of what information is needed in order to meet your requirements under the UIIA. This would include informing the Motor Carrier of your specific insurance requirements, which may be contained in your addendum.
- Additional notifications/advisories to Motor Carriers pertaining to daily operations of the Equipment Provider can be faxed and/or mailed at an additional cost.

ADDENDA TO THE AGREEMENT

Equipment Providers may include addenda to the Uniform Agreement that outlines commercial terms, conditions such as: free time, use charges, any specific insurance requirements not already required under the Agreement, and other terms set forth in the "Addenda Template". These terms are provided as information only and the UIIA is precluded from involvement in these commercial business areas.

IANA publishes these individually established Addenda, with the permission of the participating Equipment Provider, within the UIIA application to Motor Carrier participants to the Agreement. Motor Carriers are notified through an official notification procedure when an Addendum is amended or revised by a specific Equipment Provider.

Any questions you may have regarding the UIIA or IANA's administration of this program should be addressed to:

UIIA
 11785 Beltsville Drive, Suite 1100
 Calverton, Maryland 20705-4048
 Phone: (301) 474-8700 or toll-free (877) 438-8442
 Fax: (301) 982-3414 or (301)982-5478
 website: www.uiia.org

UIIA ADDENDUM TEMPLATE

Listed below is the universe of economic issues that the Intermodal Interchange Executive Committee has approved for inclusion in each participating Provider's Addendum to the Uniform Intermodal Interchange and Facilities Access Agreement (UIIA).

Providers who subscribe to this Agreement will utilize this template in creating their individual Addenda. They are not required, nor are they expected, to utilize every component listed below in creating their proprietary Addendum. For example, certain of the Addendum template provisions are more germane to rail-truck Interchange than water carrier-truck Interchange, and vice-versa.

The Parties may not use this Addendum to obviate or undermine the intent of the Agreement. For example, the Agreement contemplates certain reimbursements for the cost of repairs. The Parties may agree to limit the potential cost of those repairs, but such limitations may not be so restrictive that they would virtually eliminate responsibility for reimbursement.

It will be impermissible for Provider Agreement subscribers unilaterally to add other provisions to their individual Addendum to this Agreement. Requests for addition(s) to the universe of economic issues that can be utilized in an Addendum to this Agreement shall be submitted to the Intermodal Interchange Executive Committee for consideration as set forth in Part II, Implementation, Review, Interpretation and Modification Procedures.

I. Notification and Free Time

- A. Free Time Commences
- B. Amount of Free Time
 - 1. Load/Empty
 - 2. Load/Load
 - 3. Empty/Load
- C. Weekends – interruption of expiry of free time
- D. Holidays – interruption of expiry of free time
- E. Unroadworthy Equipment – suspension of expiry of free time
- F. Interchange to Inland Carrier – equivalent of termination

II. Origin Storage

- A. Free Time Commences
- B. Amount of Free Time
- C. Charges Per 24-hour Period
- D. Chassis Use/Rental Charges**

III. Destination Storage

- A. Free Time Commences
- B. Amount of Free Time
- C. Charges Per 24-hour Period
- D. Chassis Use/Rental Charges**

IV. Per Diem and Trailer Detention

- A. Type of Equipment
 - 1. Free Time Allowance
 - 2. Per Diem
 - a) Day 1 – _____
 - b) Day _____ – _____
 - c) Day _____ – _____

V. Method of Invoice Dispute Resolution**VI. Other Charges**

- A. Empty to Empty
- B. Crossover
- C. Failure to File Crossover Interchange
- D. Hazardous/Municipal Waste
- E. OTHER

VII. Damages to Equipment

- A. Method of Determining Cost
- B. Other

VIII. Repairs to Equipment

- A. Tires
- B. Other

IX. Lost, Stolen or Destroyed Equipment

- A. Suspension of Per Diem
- B. Disposition of Destroyed Equipment

X. Insurance

- A. Amounts of Additional Required Coverage by Class
- B. Limitations on Rating Level of Insurer
- C. Self-Insurance and Minimum Permissible Deductibles