



# VERMONT RAIL SYSTEM

## FREIGHT TARIFF VRS 6004-A

(Cancels VRS 6004)

**GENERAL CAR DEMURRAGE AND  
STORAGE  
RULES AND CHARGES APPLYING  
AT ALL POINTS  
ON THE  
VERMONT RAIL SYSTEM**

## DEMURRAGE AND STORAGE TARIFF

This tariff is applicable on intrastate, interstate and international traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.

**ISSUED: Dec 5, 2022**

**EFFECTIVE: January 1, 2023**

**ISSUED BY:**

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**FT VRS 6004-A**

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**FT VRS 6004-A**

**CANCELATION NOTICE**

**ITEM 1**

**CANCELATION**

Freight Tariff VRS 6004 cancels Freight Tariff VTR 6000; and, any and all corresponding or conflicting provisions contained in Freight Tariff NYOG 8000-series in their entirety, Effective June 1, 2018.

Provisions formerly shown in Freight Tariff VTR 6000; and, any and all corresponding or conflicting provisions contained in Freight Tariff NYOG 8000-series not brought forward in Freight Tariff VRS 6004-A are hereby canceled.

**LIST OF PARTICIPATING CARRIERS**

**ITEM 2**

**PARTICIPATING CARRIERS**

Vermont Rail System (VRS) includes the following railroads:

<b>ROAD MARK:</b>	<b>NAME OF CARRIER:</b>
CLP.....	Clarendon & Pittsford Railroad Co*
GMRC .....	Green Mountain Railroad Corp*
NEGS.....	New England Southern Railroad
NYOG .....	New York & Ogdensburg Railway Co Inc
VTR .....	Vermont Railway Inc*
WACR .....	Washington County Railroad Co*

\* VTR will compute and collect all demurrage charges on behalf of the above noted carriers.

For explanation of abbreviations and reference marks, see last page of this tariff.

**FT VRS 6004-A**

**RULES AND OTHER GOVERNING PROVISIONS  
RULES AND REGULATIONS - GENERAL**

**ITEM 10**

**DESCRIPTION OF GOVERNING CLASSIFICATION**

The term "Uniform Freight Classification" when used herein means Uniform Freight Classification 6000 - Series

**ITEM 15**

**STATION LISTS AND CONDITIONS**

This publication is governed by the Official Railroad Station List, OPSL 6000 - Series, issued by Railinc, Agent.

**ITEM 20**

**CAPACITIES AND DIMENSIONS OF CARS**

For marked capacities, lengths, dimensions, and cubical capacities of freight cars, consult Official Railway Equipment Register, R.E.R. Publishing Corp., Agent.

**ITEM 25**

**HAZARDOUS FREIGHT**

Shipments of hazardous freight shown under this tariff are subject to regulations of the U.S. DOT as shown in Bureau of Explosives, BOE 6000 - Series.

**ITEM 30**

**REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, CIRCULARS, ETC.**

Where reference is made in this tariff to tariffs, items, notes, rules, circulars, etc., such references are continuous and include supplements to and successive issues of such tariffs, and reissues of such items, notes, rules, circulars, etc.

**ITEM 35**

**CONSECUTIVE NUMBERS**

Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or an hyphen, they will be understood to include both of the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.

**ITEM 40**

**SINGULAR AND PLURAL**

Words used in this tariff in the singular, where the context so permits, will be deemed to include the plural and vice versa. The definitions of words in the singular in the Glossary apply to such words when used in the plural where the context so permits and vice versa.

For explanation of abbreviations and reference marks, see last page of this tariff.

**RULES AND OTHER GOVERNING PROVISIONS  
RULES AND REGULATIONS - GENERAL**

**ITEM 45**

**METHOD OF CANCELING ITEMS**

As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A. For example: Item 100-A cancels Item 100, and Item 200-B cancels Item 200-A in a prior supplement, which in turn cancelled Item 200.

**ITEM 50**

**METHOD OF DENOTING REISSUED MATTER IN SUPPLEMENTS**

Except in instances of carrier convenience, matter brought forward without change from one supplement to another will not be designated as "Reissued" by a reference mark. To determine its original effective date, consult the supplement in which the reissued matter first became effective.

For explanation of abbreviations and reference marks, see last page of this tariff.

**SECTION 1  
DEMURRAGE RULES AND CHARGES**

**ITEM 100**

**APPLICATION**

This tariff applies on all carload traffic at all points on the carriers listed in Item 1.

**ITEM 105**

**CARS SUBJECT TO DEMURRAGE RULES AND CHARGES**

Railroad, railroad-controlled, and private cars held for or by consignors or consignees for any purpose, are subject to the demurrage rules and charges described in this tariff.

Exception: Demurrage rules and charges contained herein will not apply to loaded or empty private cars held on private tracks.

Note 1: Private cars held on public delivery tracks are subject to demurrage rules and charges contained herein.

Note 2: Reasons cars may be held include but are not limited to: loading or unloading, payment of freight services charges, or waiting for proper forwarding instructions or customs documentation.

**ITEM 110**

**RESPONSIBLE PARTIES**

Consignors or consignees for whom cars are held in constructive placement or that hold cars actually placed on their private track, or on a designated public delivery track, for the loading or unloading of lading beyond the free time set forth in Item 140 of this tariff shall be responsible for demurrage charges assessed on cars set forth in Item 155. Any other authorized party that requests a car held for any reason, shall be responsible for the demurrage charges (See Note).

Note: Per Federal Regulation, customers, including warehouses or transloaders, physically receiving cars on their private tracks, or for their account on public delivery tracks, are liable for demurrage charges assessed on said cars as set forth herein (cf. 49 C.F.R. 1333.3). This liability holds regardless of any notations placed on forwarding instructions by consignors.

**ITEM 115**

**CONSTRUCTIVE PLACEMENT**

Cars that cannot be placed for loading or unloading account conditions attributable to customers will be constructively placed at the time the carrier becomes aware of said conditions. A lack of track capacity to hold all arriving cars is a condition attributable to customers. Cars for closed-gate customers will be constructively placed at the time of their arrival in the serving yard.

For explanation of abbreviations and reference marks, see last page of this tariff.

**SECTION 1  
DEMURRAGE RULES AND CHARGES**

**ITEM 120**

**NOTIFICATION TO CUSTOMERS**

1. At constructive placement, an electronic notice will be furnished containing the car number(s) and the station at which the car(s) are held.
2. Delivery of a car upon the private tracks of customers will constitute notice of actual placement.
3. Upon written request, an electronic notice containing the car number(s) and the station of actual placement will be furnished for cars actually placed on a public delivery track.

Note: When a customer utilizes an electronic or mechanical device, including fax machines, phone systems, or email to accept messages, notification left on such device will be considered as having been received.

**ITEM 125**

**NOTIFICATION TO CARRIERS**

1. Carriers will accept via EDI or ShipperConnect™ the following as effective notices:
  - (a) Forwarding instructions,
  - (b) Empty car releases, or
  - (c) Switch requests.
2. Carriers will not accept notices from third-parties without prior written permission being granted to the customer and the third party. Charges will continue to accrue to the customer even when cars are released to a third-party, until acceptable notification is received by the carrier from the third-party.
3. Faxed or email notices will not be accepted by the carriers except in cases of prolonged failure of EDI or Internet communication or unusual circumstances. Charges for manual processing described in FT VRS 7000 may apply to written notices.

Note: All notices to carriers are effective upon receipt by said carrier.

**ITEM 130**

**ALLOWANCES PERMISSIBLE FOR DEMURRAGE RELIEF**

For relief, a claim must be presented to the invoicing carrier, in writing, within 15 days of from the date on the demurrage invoice, stating fully the reasons for which relief is claimed.

1. If through carrier error demurrage charges are assessed, demurrage will be adjusted to the amount that would have accrued but for such error.
2. When because of labor strikes, earthquakes, floods or unusually severe weather, the operations of the customer are disrupted, the demurrage charges may, at the carriers' sole discretion, be adjusted, provided the duration of disruption exceeds 5 days.

Note: The date and time records of the carriers will govern unless the customer provides credible evidence of carriers error. The carriers will benefit from a presumption of accuracy for any transaction in which an effective notice pursuant to Item 125 was not furnished to the carrier.

For explanation of abbreviations and reference marks, see last page of this tariff.

**SECTION 1  
DEMURRAGE RULES AND CHARGES**

**ITEM 135**

**HOLIDAYS**

Wherever reference is made in this tariff to "holidays," it shall mean only the days listed below:

- New Year's Day - January 1\*
- Memorial Day - Last Monday of May
- U.S. Independence Day - July 4\*
- Labor Day - First Monday of September
- Thanksgiving Day - Fourth Thursday of November
- Thanksgiving Friday - Fourth Friday of November
- Christmas Day - December 25\*
- New Year's Eve - December 31\*

\*When this date occurs on a Saturday, the previous Friday will be observed as the holiday. When this date occurs on a Sunday, the following Monday will be observed as the holiday.

**ITEM 140**

**FREE TIME**

Free time will be allowed as follows:

1. Two days from the first midnight following actual or constructive placement.
2. Holidays as listed in Item 135, provided that a chargeable day has not occurred prior to the holiday.
3. Saturday and Sundays, provided that a chargeable day has not occurred prior to the Saturday or Sunday.

**ITEM 150**

**CHARGEABLE DAYS**

1. Chargeable days are defined as days that follow the expiration of free time as described in Item 140.
2. Chargeable days will accrue until carriers receive an effective notice as described in Item 125.

For explanation of abbreviations and reference marks, see last page of this tariff.



**SECTION 1  
DEMURRAGE RULES AND CHARGES**

**ITEM 155**

**DEMURRAGE CHARGES**

1. Demurrage invoices will be presented to customers monthly for all cars released during a calendar month.
2. Demurrage charges will be computed by multiplying the daily per car charge listed in Para. 5 below by the number of days beyond free time (See Item 140).
3. Customers having facilities at separate stations cannot combine accounts.
4. Upon written request, customers having two or more facilities at the same station may combine the accounts into one.
5. On cars subject to demurrage charges, after the expiration of free time, a charge of \$65.00 per car per chargeable day, or fraction thereof, will be assessed to the responsible party until the car is released.  
Exception 1: Heavy-duty flatcars or Schnabel cars of railroad ownership will be subject to demurrage charges of \$95.00 per car per day.  
Exception 2: Cars loaded with hazardous materials will be subject to a charge of \$125.00 per car per day.

**ITEM 160**

**PAYMENT AND CREDIT TERMS**

Rules pertaining to payments and the carrier's credit polices may be found in VRS Circular 2.

For explanation of abbreviations and reference marks, see last page of this tariff.

**SECTION 2  
STORAGE RULES AND CHARGES**

**ITEM 200**

**GENERAL CONDITIONS OF STORAGE**

Customer, at customer's sole expense, shall provide Carrier a certificate of insurance coverage certifying the existence of general liability insurance coverage not less than \$1,000,000. The carrier, at carrier's sole discretion, may require additional insurance coverage.

**ITEM 205**

**MATERIALS PROHIBITED FOR STORAGE**

Carriers will not store cars loaded with materials or substances classified by the U.S. DOT as explosive or toxic by inhalation nor will carriers store cars loaded with any type of munitions.

**ITEM 210**

**LOADED CAR STORAGE**

Carriers will not store loaded cars without a written agreement.

**ITEM 215**

**EMPTY PRIVATE CAR STORAGE**

Carriers will not store empty private cars without a written agreement.

**ITEM 220**

**EMPTY RAILROAD CAR STORAGE**

Carriers will not store empty railroad cars without a written agreement.

**ITEM 225**

**STORAGE HOLD CHARGES**

Private cars, loaded or empty, held on carriers' tracks at customer request, will be subject to the following storage hold charges per car per day, or fraction thereof, computed from the time car is first held until car is released from storage hold by an effective notice as described in Item 125.

Storage invoices will be presented to parties once a month for all cars stored during a calendar month.

(a) Empty cars.....\$30.00

(b) Loaded cars\*.....\$40.00

\*Does not include cars loaded with hazardous materials.

**ITEM 230**

**TRANSPORTATION TO AND FROM STORAGE/HOLD TRACKS**

Transportation charges to and from storage may be found in FT VRS 6051.

For explanation of abbreviations and reference marks, see last page of this tariff.

**SECTION 2  
STORAGE RULES AND CHARGES**

**ITEM 235**

**SHOP STORAGE**

When an entity requests GMRC to perform car repairs, including cleaning services, at the shop located in North Walpole, NH, the carrier will notify the responsible party when the cars are either repaired or GMRC is unable to perform further repairs. The entity requesting repairs will be considered the responsible party for shop storage charges unless otherwise agreed in writing by the carrier.

1. Shop free time will be allowed from the first midnight following notification as follows:
  - (a) Five days.
  - (b) Holidays as set forth in Item 135, Saturdays, and Sundays, provided that a chargeable day has not occurred prior to the holiday, Saturday, or Sunday.
2. If forwarding instructions are not received by the expiration of shop free time, the responsible party will be charged \$30.00 per car per day, or fraction thereof until instructions are received. If forwarding instructions are not received by the twenty-first midnight following notification, the responsible party will be charged for the subsequent days at \$60.00 per car per day, or fraction thereof until instructions are received.

Note 1: Carriers reserve the right to move cars in shop storage status to available tracks at stations other than North Walpole, NH. Responsible parties will not be relieved of shop storage charges due to carriers' movement of cars to other stations.

Note 2: Shop storage charges will also be assessed, at the rates and manner described above, to car owners that fail to provide disposition as required in the AAR Interchange Rules for cars needing extensive repairs or that are beyond the permissible age for the free interchange of cars.

For explanation of abbreviations and reference marks, see last page of this tariff.

**GLOSSARY**

**DEFINITION OF TERMS**

**ACCREDITED STANDARDS COMMITTEE** - A committee chartered by the American National Standards Institute that develops and maintains various electronic messaging standards.

**ACTUAL PLACEMENT** - Placement of a car for loading or unloading on private track or a public delivery track.

**CAR** - A railcar or a tank car.

**CAR NUMBER** - The alphanumeric code comprised of a reporting mark and subsequent numerals identifying a specific railcar.

**CARLOAD** - A quantity of freight required for application of a carload rate that has a single consignor and a single consignee and moves in regular train service along with other shipments. Carload shipments do not move in dedicated trains from a single origin to a single destination nor do carload quantities move in a single car containing multiple shipments with various consignors and consignees.

**CARRIER** - As used in this tariff, a rail carrier of the VRS listed in Item 1, except where expressly provided in connection with particular items.

**CLOSED GATE CUSTOMER** - A consignor or consignee that restricts service by a physical gate or other means to its private track and/or that orders the actual placement of cars into its facility by car number, commodity, specific track/spot, or by other similar instructions.

**CONSIGNEE** - The individual or entity to which a car is shipped. For demurrage computation, the term consignee includes the care of party so as to assign demurrage responsibility to the individual or entity physically in possession of the car. (cf. 49 C.F.R. 1333.3)

**CONSIGNOR** - The individual or entity shipping a car to a consignee. For demurrage computation, the term consignor includes the pick-up party so as to assign demurrage responsibility to the individual or entity physically in possession of the car. (cf. 49 C.F.R. 1333.3)

**CONSTRUCTIVE PLACEMENT** - When, due to a condition attributable to the consignor or consignee, as the case may be, a car cannot be actually placed for loading or unloading and is placed elsewhere, it is considered as being under constructive placement and subject to demurrage rules and charges, the same as if it were actually placed. (cf. 49 C.F.R. 1333.3)

**CUSTOMER** - As used in this tariff a consignor or a consignee, as the case may be, physically receiving the car.

**DEMURRAGE** - A charge that both compensates rail carriers for the expenses incurred when rail cars are detained beyond specified free time for loading or unloading and serves as a penalty for undue car detention to encourage the efficient use of rail cars in the rail network. (cf. 49 C.F.R. 1333.1)

**ELECTRONIC DATA INTERCHANGE** - The transfer of data in a supported message format established by the ASC X12 Transportation Subcommittee.

**FORWARDING INSTRUCTIONS** - A bill of lading in a form acceptable to the serving carrier.

**HEAVY-DUTY FLATCAR** - Cars assigned AAR mechanical designations FD, FM, or FW with a load capacity in excess of 200,000 lbs. or cars listed in (a) Tariff RIC 6740 - Series, Naming Use and Car Detention Charges on Special Type Heavy-Duty Flat Cars or (b) Tariff RER 6414 - Series, The Official Railway Equipment Register, Heavy Duty and Special Flat Car Section.

(Continued on next page)

For explanation of abbreviations and reference marks, see last page of this tariff.

**GLOSSARY**

**DEFINITION OF TERMS**

(Continued)

**LOADING** - The placement of lading and associated dunnage in or on a railcar. Loading also includes the application of load securement devices and closing doors, gates, or hatches. For demurrage computation, loading will also include adjustments to lading en route to meet safety or other requirements.

**OPEN GATE CUSTOMER** - A consignor or consignee that does not restricts service to its private track with a physical gate or particular rules and permits actual placement of cars without regard to car numbers or other similar instructions.

**PRIVATE CAR** - A car bearing marks other than railroad reporting marks and which is not a railroad-controlled car.

**PRIVATE TRACK** - Track not owned or operated by a carrier - i.e. track owned and/or operated by a customer for their own use in loading or unloading lading. Additionally, for demurrage computation, track owned by a carrier but leased to a customer for the loading or unloading of lading from cars is considered private track.

**PUBLIC DELIVERY TRACK** - A railroad track that is made available, under certain conditions, to the general public for the loading and unloading of lading from cars. (Also referred to as a team track.)

**RAILROAD** - A rail carrier regulated by the STB - including non-VRS railroads.

**RAILROAD CAR** - A car bearing reporting marks of a railroad as registered at Railinc.

**RAILROAD-CONTROLLED CAR** - A car not bearing railroad reporting marks as registered at Railinc but leased, or otherwise formally managed, by a railroad. Usually railroad-controlled equipment can be identified by the presence of a railroad reporting mark in the lessee field of the corresponding car record in UMLER™ at Railinc. All cars of TTX Co will be, for demurrage computation, considered railroad-controlled equipment.

**RAILROAD TRACK** - A track owned/leased by a carrier in Item 1 on which it conducts its own operations located within its own right-of-way and yards.

**RESPONSIBLE PARTY** - A consignor or a consignee who physically receives cars for the loading or unloading of lading or an authorized person or entity who requests holding a car for another reason.

**SCHNABEL CAR** - A specialized car designed to carry unusually heavy and oversized loads suspended between the two ends of the car.

**SERVING YARD** - The yard at which, in the course of a carrier's regularly scheduled service, a customer's cars are marshalled into trains for actual placement to their private track or the designated public delivery track.

**SHIPPERCONNECT™** - An Internet-based software suite provided by the carriers to customers allowing for the submission of forwarding instructions, switch requests, and empty car releases.

**TIME** - Time is expressed employing the 24-hour clock. (Example: 12:01 AM is expressed as 0001 hours.)

**UNLOADING** - The removal of lading, and associated dunnage, from a railcar. Unloading also includes stowing of load securement devices and closing doors, gates, or hatches.

For explanation of abbreviations and reference marks, see last page of this tariff.

FT VRS 6004-A

ABBREVIATIONS AND REFERENCE MARKS

ITEM 99999

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

ABBR / REF	EXPLANATION
AAR	- Association of American Railroads
ABBR <sup>(1)</sup>	- Abbreviation
ASC	- Accredited Standards Committee
BOE	- Bureau of Explosives
cf.	- <i>confer</i> (compare or consult)
CFR	- Code of Federal Regulations (U.S.)
CLP	- Clarendon & Pittsford Railroad Co
Co	- Company
Corp	- Corporation
DOT	- Department of Transportation (U.S.)
EDI	- Electronic Data Interchange
e.g.	- <i>exempli gratia</i> (for example)
etc.	- <i>et cetera</i> (and other things of a similar nature)
FT	- Freight Tariff
GMRC	- Green Mountain Railroad Corp
i.e.	- <i>id est</i> (that is)
Inc.	- Incorporated
lbs.	- Pounds
NEGS	- New England Southern Railroad
NYOG	- New York & Ogdensburg Railway Co Inc
Para.	- Paragraph
REF STB	- Reference
STCC TM	- Surface Transportation Board
TTX Co	- Standard Transportation Commodity Code
	- Trademark
UMLER™	- A railroad-owned car pooling firm formerly known as Trailer Train Co
U.S.	- Universal Machine Language Equipment Register
VTR	- United States of America
VRS	- Vermont Railway Inc
	- Vermont Rail System (an affiliation encompassing the rail carriers listed in
WACR	Item 1, this tariff)
*	- Washington County Railroad Co
	- cf. annotation at the end of instant item for further explanation or comment
[A]	- Addition
[D]	- Canceled
[I]	- Increase
[R]	- Reduction
[NC]	- Brought Forward without change

(Underscored portion denotes change.)

<sup>(1)</sup>The two-character state, province, territory, district, or department abbreviations used in this tariff are those adopted in VRS Geography Circular 3.