

ARTICLE 5. – LOSS AND DAMAGE

R2-20 SETTLEMENT OF HOUSEHOLD GOODS CLAIMS

G.S. 62-203 specifically sets forth the carrier's liability for damaged property in transit. The carrier issuing a bill of lading for transportation of household goods in intrastate commerce and the motor carriers voluntarily participating in this rule pursuant to G.S. 62-152.2 shall be liable to the lawful holder thereof for any loss, damage or injury to such property caused by it or by any carrier participating in the haul and transporting it on a through bill of lading, and such carrier delivering said property so received and transported shall be liable to the lawful holder of said bill of lading or to any party entitled to recover thereon for such loss, damage or injury, notwithstanding any contract or agreement to the contrary; that is to say, that once the validity of a claim is established by the originating and/or delivering carrier, settlement of said valid claim shall be promptly made to the claimant. In the case of a claim where more than one carrier participated in the haul, either the originating or delivering carrier after establishing the validity of said claim shall make prompt settlement to the party in interest filing said claim, and the proration of any settlement thereof shall be a matter between the participating carriers and not between the shipper or receiver and each of said participating carriers. **THIS RULE DOES NOT APPLY TO MOTOR CARRIERS OF PASSENGERS.**

(NCUC Docket No. T-100, Sub 32, 8/23/95; NCUC Docket No. T-100, Sub 49, 01/09/04.)