



October 24, 2025

Don Onwiler  
Executive Director  
National Conference on Weights and Measures  
9011 S 83rd Street  
Lincoln, NE 68516  
don.onwiler@ncwm.com

Bryan A. Swaim  
Vice President – Pricing,  
Treasurer and Controller  
bswaim@abf.com  
p: 479.494.6648

RE: Uniform Shipping Law Proposal – OTH 24.1

Dear Mr. Onwiler,

I am writing on behalf of ABF Freight System, Inc (“ABF Freight”) regarding the Uniform Shipping Law, OTH 24.1, drafted by the New Hampshire Division of Weights and Measures, which is currently under review by the Laws and Regulations Committee of the National Conference on Weights and Measures (“NCWM”). ABF Freight is a less-than-truckload (“LTL”) motor carrier that transports freight throughout the United States, Canada and Mexico. When sorting and consolidating freight at its hubs and terminals, ABF Freight’s Shipment Research Validation Department inspects, weighs, and measures the tendered freight to ensure that it is accurately described on legally-required bills of lading. Because OTH 24.1 would allow states in which we operate to replace our forms and internal procedures with state-mandated forms and procedures, its adoption has the potential to substantially disrupt our operations without offering meaningful benefit to the shipping public.

Over the years, ABF Freight has received many bills of lading from shippers that lacked complete descriptions of the commodities tendered for transport: freight all kinds (FAK), generic descriptions, and no description have been common. Weights and dimensions were not always provided, or when they were provided tended to be rough estimates. In short, shippers didn’t and often still don’t provide the information legally required by 49 U.S.C. §80113 or the information required by the bill of lading forms and associated rules, terms and conditions that we and our shippers typically use (National Motor Freight Classification -- NMFC Items 250100-250160). Without this information, ABF Freight cannot properly classify the freight or accurately price our transportation services.



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Direct contacts with shippers often did not remedy the problem, because they don't have personnel tasked with collecting the required information or tools needed to collect it. Instead, our shippers tend to rely upon us to provide the legally compliant descriptions, weight and dimensions. To do this efficiently and accurately, in 1988, ABF Freight established its W&R program (currently known as our SRV Program). ABF Freight operates NTEP-approved forklift scales in all of our facilities that are tested annually as regulated and weekly independently to ensure accuracy. We also employ 31 inspectors who not only check this equipment for accuracy but have rigorous training that allows them to provide complete commodity descriptions when needed. Finally, our forms are integrated with other programs in our system that fully document the changes made during the reinspection process. The inspection process includes measurements of the handling units, photos of the shipment and any documents accompanying the shipments and a detailed report is completed to document our findings.

The SRV (W&R) program has many benefits for ABF Freight. It allows us to most efficiently use available trailer space, ensures compliance with weight checked during roadside inspections, and helps us handle and stow freight in a way that minimizes loss and damage. In sum, ABF Freight's established SRV (W&R) program aids our business in many positive ways, benefits that are reflected in better services and pricing that is correct for the freight shipped. There is no evidence whatsoever that ABF Freight uses this program as a vehicle to increase profits through fraudulent changes to shipper-provided bills of lading. That's just not something we do: nor has New Hampshire shown that it's a widespread problem in the competitive LTL trucking industry. Shippers faced with fraudulent repricing would simply take their business elsewhere.



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The SRV Department of ABF Freight has a management staff that handles disputes and interdepartmental audits of inspections. To keep our customer base and maintain our reputation in the industry, billing disputes based upon changes made due to SRV (W&R) corrections are most often resolved internally. However, when needed, we get input from NMFTA's interpretations department.

On the rare occasions when these processes don't work, and it is rare, shippers can bring their billing disputes to the Surface Transportation Board or to court.

For all these reasons, we believe that NCWM should table OTH 24.1. The law would potentially impose a substantial burden on the interstate operations of many carriers like ABF Freight, without any showing that the mandated forms and procedures would benefit shippers in any way. Thank you for your consideration of our views.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Bryan A. Swaim".

Bryan A. Swaim

Vice President Pricing, Treasurer and Controller, ABF Freight

Cc: Gene Robertson, NCWM Chairman  
gene@mdac.ms.gov