



# OCEAN SHIPPING REFORM ACT (OSRA) IN A NUTSHELL

## Overview of the changes and consequences

Shippers are accountable

30 days to issue invoice and initiate dispute

Invoice must follow strict data requirements

### Demurrage and Detention Billing Requirements

A Rule by the Federal Maritime Commission on 02/26/2024

**PUBLISHED DOCUMENT** Start Printed Page 14330

**AGENCY:**  
Federal Maritime Commission.

**ACTION:**  
Final rule.

**SUMMARY:**  
In accordance with the Ocean Shipping Reform Act of 2022, the Federal Maritime Commission (the Commission or FMC) is issuing regulations governing demurrage and detention billing requirements. This final rule requires common carriers and marine terminal operators to include specific minimum information on demurrage and detention invoices, outlines certain detention and demurrage billing practices, such as determination of which parties may appropriately be billed for demurrage or detention charges, and sets timeframes for issuing invoices, disputing charges with the billing party, and resolving such disputes. It adopts with changes the notice of proposed rulemaking published on October 14, 2022. Substantive changes allow consignees to be billed and clarify the timeframe for non-vessel-operating common carriers passing through demurrage and detention charges to issue their own invoices. Non-substantive changes improve clarity and remove drafting errors.

**DATES:**  
This final rule is effective on May 28, 2024, except for instruction 2 adding § 541.6, and instruction 3 adding § 541.99, which are delayed. The Commission will publish a document in the **Federal Register** announcing the effective date of these amendments.

**DOCUMENT DETAILS**

**Printed version:**  
[PDF](#)

**Publication Date:**  
02/26/2024

**Agency:**  
[Federal Maritime Commission](#)

**Dates:**  
This final rule is effective on May 28, 2024, except for instruction 2 adding Sec. 541.6, and instruction 3 adding Sec. 541.99, which are delayed. The Commission will publish a document in the Federal Register announcing the effective date of these amendments.

**Effective Date:**  
05/28/2024

**Document Type:**  
Rule

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46 CFR 541

**Agency/Docket Number:**  
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**RIN:**  
[3072-AC90](#)

**Document Number:**  
2024-02926

## INVOICE AUDITING

# How to audit your **import** & **export** invoices

Under OSRA, dispute requirements must be public. The key data points for imports and exports are determining the **real container availability** and the **first receiving date** with evidence.

### Invoice Validation Checks

- Contract rates
- Free Time start and end dates
- Invoice timeline
- Container available date (**imports**)
- Earliest Return Date (**exports**)

### Market conditions

- Ports Gate schedules and changes
- Strikes and congestion
- Closed or Dual receiving (**empty returns**)
- Chassis availabilities (**imports & exports**)
- Earliest return date and changes (**exports**)
- Port Cut Off date and changes (**exports**)

### Container specific restrictions

- Closed areas & Holds (**imports**)
- Unable to locate (**imports**)
- Pickup appointment availabilities (**pickups**)
- Return appointment availabilities (**returns**)
- Export appointment availabilities (**exports**)



## INVOICE ISSUANCE & AUDIT SOLUTIONS

# Different solutions are available to get the data, documentation & processes

- Direct Access to the Data Source (Application Programming Interface)

- Request help from trucking companies

- Technology Providers and Processes for scale

Available Terminals (5/14)	SSA PCT	YTI	Fenix
↻ Last refresh	1:16 PM	1:15 PM	1:10 PM
<b>TODAY</b> Tuesday May 14 SHIFT 1	no empty appt available ✓ ▲ WCCP/POP/OWN	✗	no empty appt available ✓
<b>FIRST</b> Tuesday May 14 SHIFT 2	23:00 - 02:00 ✓ ▲ WCCP/POP/OWN	✗	no empty appt available ✓
Wednesday May 15 SHIFT 1	no empty appt available ✓ ▲ WCCP/POP/OWN	✗	no empty appt available ✓
Wednesday May 15 SHIFT 2	no empty appt available ✓ ▲ WCCP/POP/OWN	✗	no empty appt available ✓
Thursday May 16 SHIFT 1	no empty appt available ✓ ▲ WCCP/POP/OWN	✗	no empty appt available ✓