# FMI Outlines Drayage Documentation Priorities After Court Ruling

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Freight Management Inc. says container availability, terminal access, return conditions, shipment timelines and charge documentation should be preserved throughout the drayage process, not reconstructed after a dispute occurs.

Freight Management Inc. (FMI) has outlined five drayage documentation priorities for shippers and freight forwarders following a federal appeals court decision that upheld the Federal Maritime Commission?s determination that detention charges imposed during a three-day Port of Savannah closure were unreasonable.

The April 28, 2026, decision in Evergreen Shipping Agency (America) Corp. v. Federal Maritime Commission involved TCW, Inc. and $510 in disputed detention charges for May 23 through May 25, 2020. TCW had possession of an Evergreen container and chassis but could not return the equipment while the port was closed.

The U.S. Court of Appeals for the D.C. Circuit denied Evergreen?s petition for review after concluding that the FMC had adequate grounds for its determination. The ruling did not establish that every detention charge incurred during a closure is automatically unreasonable. Instead, the analysis centered on what actually occurred during the disputed period, including whether the equipment could be retrieved and returned and whether the carrier incurred costs from the delay.

The company says the operational takeaway is that shippers and freight forwarders should be able to establish what happened, when it happened and what the parties could reasonably do while a container was moving.

?A detention dispute should not force the shipper, forwarder, broker and carrier to dig through weeks of emails and try to rebuild the shipment from memory,? said Bob Mayo, president and CEO of Freight Management Inc. ?The availability date, last free day, terminal conditions, appointments, return instructions, exceptions and supporting records should already be connected to the move. Good documentation does not make legitimate charges disappear. It makes it easier to understand what happened and what supports the final invoice.?

FMI?s first documentation priority is maintaining accurate container availability and free-time milestones. Actual availability can differ from estimated arrival, so the operating record should preserve availability dates, last free day, holds, early return dates when applicable and changes to those milestones.

A second priority is preserving terminal-access and empty-return conditions. Terminal closure notices, gate hours, return instructions, appointment availability, changes in return locations and records showing when a return could or could not be completed can establish the circumstances surrounding a delay. In the Savannah dispute, the court considered the fact that the port gates were closed to deliveries during the disputed period.

The third priority is maintaining a timestamped operational timeline. Pickup and delivery appointments, equipment release, attempted returns, holds, changed instructions, carrier notices and actions taken in response to an exception should form a chronology of the move rather than exist as disconnected messages. FMI has previously addressed the role of documentation in multi-container drayage, where separate container movements can generate different timelines, exceptions, records and charges.

FMI?s fourth priority is retaining records that corroborate that timeline. Terminal notices, carrier and customer communications, appointment confirmations, portal records, equipment-return instructions, bills of lading, proofs of delivery and exception notes can provide context when questions arise later.

The fifth priority is reconciling the final invoice against the operational record already created. The company says container and bill-of-lading information, free-time dates, availability, charged dates, applicable rates and events occurring during those dates should be reviewed together rather than treating the invoice as a separate administrative process.

FMI says monitoring and documentation should operate as part of the same transportation-management process, with shipment milestones, exception records, supporting documents and accessorial information kept together as conditions change.

?The useful record is the one being built while the shipment is happening,? Mayo said. ?Finding out afterward that a container missed a window is one piece of information. Knowing what was available, what the terminal allowed, what changed and what the team did about it gives everyone a much clearer picture.?

The company recommends that shippers and freight forwarders understand what milestones their drayage provider retains, how terminal restrictions and exceptions are recorded, where supporting documentation is stored and whether accessorial charges can be explained using the operating record behind the shipment.

FMI?s Drayage Decision Checklist provides a pre-booking process for reviewing actual container availability, last free day, equipment requirements and potential accessorial exposure before capacity is committed.

Freight Management Inc. is a U.S.-based, non-asset freight brokerage and logistics provider with more than 40 years of transportation experience.

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**Freight Management Inc.**

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