



# International Warehouse Logistics Association

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November 10, 2003

National Conference of Commissioners  
on Uniform State Laws  
Attn: William H. Henning  
211 E. Ontario St.  
Chicago, IL 60611

REC'D NOV 14 2003

Dear Mr. Henning:

## **Re: Revision of Article 7 of the Uniform Commercial Code**

The International Warehouse Logistics Association (IWLA) is a trade association for companies engaged in public and contract warehousing and third-party logistics services. The Association's 550 member companies operate in more than 2,000 locations in the United States, representing approximately 400 million square feet of warehouse space. The Association represents most of the public and contract warehouses in the industry today.

IWLA urges the adoption of the revised Article 7 of the U.C.C. by all of the states.

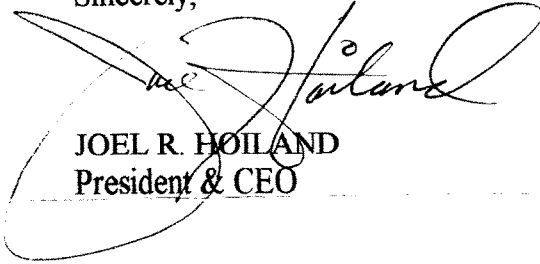
During the past decade, and particularly with the advances in the internet, the warehouse industry has seen a seminal shift in the way that business is transacted. Paperless transactions are replacing the printed warehouse receipt. Thus it is imperative that Article 7, which governs warehouse/depositor relationships, should recognize these changes. It is in this area that the revision of Article 7 will produce a great benefit to the industry. It is the major reason that IWLA supports the revision.

Also, the existing Article 7 contains a number of areas that have created uncertainty. The revision deals with these issues. Examples are claiming the warehouse lien in an agreement rather than only in a warehouse receipt as presently required; clarifying the status of the lien in relation to other lien interests; laying to rest the problem of courts interjecting mandatory requirements for a valid warehouse receipt; permitting a limitation of liability provision that accords with current industry practices; and similar appropriate revisions. These revisions are a benefit to the industry and should be adopted.

In sum, IWLA urges the enactment of the revised Article 7 as a positive benefit to the warehouse industry.

One important qualification must be made to IWLA's endorsement. There are states that have modified the existing provisions of Article 7 at the behest of the warehouse industry in that state. We want to make it clear that those modifications should be incorporated into the enactment of the revised Article 7.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Hoiland", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

JOEL R. HOILAND  
President & CEO