

BOOK REVIEW

The Compleat Bookshelf

“Transportation, Logistics and the Law”
by William J. Augello

In the early 1970’s when a new attorney reported to the Interstate Commerce Commission’s Office of Proceedings, they were presented with a copy of John Guandolo’s *Transportation Law Treatise* (3rd Edition). At the time this tome represented the definitive statement on transportation law and economic regulation of surface transportation carriers. As deregulation occurred, starting with the 3R Act in 1976 and progressing through the ICC Termination Act of 1995, much of John Guandolo’s excellent book became obsolete. No author has risen to fill that void, at least arguably not until now

Our Library

At our firm we try to maintain a “complete” transportation law library. But today what constitutes a complete bookshelf, although it still includes a copy of John Guandolo’s book, now needs a diverse set of publications. Saul Sorkin’s excellent treatise “*Goods In Transit*” is a must. The venerable CCH published *Federal Carrier Cases* still rates a place on the bookshelf, but its loose leaf service is struggling to find a voice in the deregulated environment. I have not yet had the opportunity to review its new FMCSA Decision service. Bill Kenworth’s two edition set, “*Transportation Safety and Insurance Law*”, David N. Nissenberg’s “*The Law of Commercial Trucking*” (also a two volume set) and Colin Barrett’s “*Transportation Questions and Answers on Freight Loss and Damage*” are useful references. Our library still includes a copy of Miller’s “*Law Freight Loss and Damage Claims*” by Richard Sigmon (but we don’t quote it for fear of inducing uncontrolled fits of laughter). A useful book is William H. Towle’s “*Warehousing Law*”. A recent publication by Henry E. Seaton entitled “*Protecting Motor Carrier Interest in Contracts*” is a valuable tool for motor carriers and others in analyzing motor carrier contract issues. While the ATA is trying to set up a standard contract, memory serves that at least two shipper groups have tried to address a standard contract, as well. A broader publication, and one balancing Nissenberg’s plaintiff perspective, is “*Motor Carrier Liability*” written by Clay Porter and his colleagues at Dennis Corry and Porter (now published by CCH).

Beyond liability issues, a good general rail industry history and an excellent book for understanding the development of rail intermodalism is David DeBoer’s “*Piggyback and Containers*”. Also, I would be committing a serious breach of something if I did not mention Frank Wilner’s “*Now Comes the ICC Practitioner*”, which focuses on the ICC’s halcyon rail regulatory era (from an ICC headquarters point of view).

Predominately placed on our transportation law bookshelf is the 2 volume set by Bill Augello and George Pezold entitled “*Freight Claims in Plain English*”. In addition I keep in my office Bill Augello’s “*Transportation Insurance in Plain English*.”

Bill's "Transportation, Logistics and the Law"

Until now no book equaled the scope and usefulness of John Guandolo's "Transportation Law" for its day. However, Bill Augello recently published "Transportation, Logistics and the Law" which begins to fill that void. The book is published as a text book for use in teaching transportation law at the University of Arizona School of Law, and gives a broad overview outline of the entire transportation industry. The scope of the book begins with an overview of laws governing the carriage of goods to, from and within the United States through to include international law and treaties. This new book broadly gives as an overview of the transportation system existing in the United States today and explains how that system works, the laws governing that system, and the interconnection of that domestic system with the international transportation system. Bill's view of this distributed network, interconnected, transportation system is valuable in understanding today's complex transportation system.

While its usefulness for teaching law students in their first introduction to the transportation industry, this book is also broadly valuable in helping us all remember the various components of our national transportation system and how they came into being, as well as how they interrelate.

Young lawyers entering a transportation firm would have little opportunity to find an outline of how this all works if it weren't for a book such as "Transportation Logistics and the Law". It will prove a good starting point resource for many. One useful and admirable attribute is that the book is keyed to Bill's other publications – such as "Freight Claims in Plain English". This is helpful. One quibble is that it must be borne in mind that Bill is a long term and successful shipper advocate. He sees transportation issues through this lifetime career lens. He sometime presents issues without providing contrary points of view – such as carrier views. But this *is* a quibble, not an indictment, and it does not detract from the usefulness of the book.

The first 219 pages of this book provided a broad overview, useful knowledge outline, and it is a very serviceable survey of transport law from motor carriers, to full multi-modal. The appendices and other materialize provide a beginning point – and for some issue, the ending point – for research. Congratulations to Bill on a fine book. It goes on our shelf. as an essential part of our "complete library."