

Ohio Revised Code

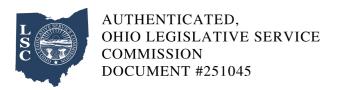
Section 1307.403 Obligation of bailee to deliver; excuse - UCC 7-403.

Effective: June 29, 2011

Legislation: House Bill 9 - 129th General Assembly

Obligation of bailee to deliver; excuse [UCC 7-403]

- (A) A bailee shall deliver the goods to a person entitled under a document of title if the person complies with divisions (B) and (C) of this section, unless and to the extent that the bailee establishes any of the following:
- (1) delivery of the goods to a person whose receipt was rightful as against the claimant;
- (2) damage to or delay, loss, or destruction of the goods for which the bailee is not liable;
- (3) previous sale or other disposition of the goods in lawful enforcement of a lien or on a warehouse's lawful termination of storage;
- (4) the exercise by a seller of its right to stop delivery pursuant to section 1302.79 of the Revised Code or by a lessor of its right to stop delivery pursuant to section 1310.72 of the Revised Code;
- (5) a diversion, reconsignment, or other disposition pursuant to the provisions of section 1307.303 of the Revised Code;
- (6) release, satisfaction, or any other personal defense against the claimant; or
- (7) any other lawful excuse.
- (B) A person claiming goods covered by a document of title shall satisfy the bailee's lien if the bailee so requests or if the bailee is prohibited by law from delivering the goods until the charges are paid.
- (C) Unless the person claiming the goods is a person against which the document of title does not



confer a right under division (A) of section 1307.503 of the Revised Code:

- (1) The person claiming under a document shall surrender possession or control of any outstanding negotiable document covering the goods for cancellation or indication of partial deliveries; and
- (2) The bailee shall cancel the document or conspicuously indicate in the document the partial delivery or the bailee is liable to any person to which the document is duly negotiated.