

355.2-505 Seller's shipment under reservation.

- (1) Where the seller has identified goods to the contract by or before shipment:
 - (a) His procurement of a negotiable bill of lading to his own order or otherwise reserves in him a security interest in the goods. His procurement of the bill to the order of a financing agency or of the buyer indicates in addition only the seller's expectation of transferring that interest to the person named.
 - (b) A nonnegotiable bill of lading to himself or his nominee reserves possession of the goods as security but except in a case of conditional delivery (subsection (2) of KRS 355.2-507) a nonnegotiable bill of lading naming the buyer as consignee reserves no security interest even though the seller retains possession or control of the bill of lading.
- (2) When shipment by the seller with reservation of a security interest is in violation of the contract for sale it constitutes an improper contract for transportation within KRS 355.2-504 but impairs neither the rights given to the buyer by shipment and identification of the goods to the contract nor the seller's powers as a holder of a negotiable document.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 132, sec. 49, effective July 12, 2012. -- Created 1958 Ky. Acts ch. 77, sec. 2-505, effective July 1, 1960.