THE HIGHWAY TRAFFIC ACT
(C.C.S.M. c. H60)

Bills of Lading and Rules of Carriage Regulation, amendment

Regulation 126/2001
Registered July 31, 2001

Manitoba Regulation 182/91 amended
1 The Bills of Lading and Rules of Carriage Regulation, Manitoba Regulation 182/91, is amended by this regulation.

2 Section 2 is replaced with the following:

Application of regulation
2(1) This regulation does not apply to

(a) inter-municipal liveries; or

(b) the carriage of used household goods under the Used Households Goods Regulation.

2(2) This regulation, except section 5.1, does not apply to passenger and express buses.

3 The following is added after section 5:

Carrier's limitation of liability
5.1(1) In this section, "shipment" means a consignment of up to five packages, unless otherwise provided in a motor carrier's tariff,

(a) received by the carrier at one shipping point at one time;

(b) addressed to one consignee at one location; and

(c) for which the carrier issues one bill of lading, bus bill, express receipt, waybill or shipping document.
5.1(2) Unless a higher value is declared by the consignor at the time of shipment, the liability of a motor carrier for loss or damage to a shipment of goods during transportation is the lesser of

(a) the value of the goods damaged or lost; and

(b) $50.

5.1(3) A motor carrier is not be required to accept liability in excess of $1,000. for loss or damage to a shipment of goods.

5.1(4) When the actual value of the loss or damage to goods in a shipment exceeds its declared value of the shipment or the motor carrier's limit of liability under subsection (3), the carrier shall adjust a claim for partial loss or damage on the basis of the following formula:

\[
\frac{Pl}{Av} \times L
\]

In this formula,

\( Pl \) is the value of partial loss;

\( Av \) is the actual value of the shipment; and

\( L \) is the larger of

(a) the declared value of the shipment, and

(b) the limit of liability under subsection (3).

Coming into force

This regulation comes into force on August 1, 2001.

July 26, 2001 THE MOTOR TRANSPORT BOARD:

Rupert Forde
Chairperson

Pat Williamson
Secretary

The Queen's Printer
for the Province of Manitoba