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

**Bills of Lading and Rules of Carriage Regulation, amendment**

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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:

$$(Pl / Av) \times L$$

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**

**4** This regulation comes into force on August 1, 2001.

July 26, 2001

THE MOTOR TRANSPORT BOARD:

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