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

**Motor Transport Board Exemption of Public Service Vehicles and  
Commercial Trucks Order**

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Regulation 79/89  
Registered March 29, 1989

**Exemption**

**1(1)** For the purpose of subsections 288(1) and 318(7) of *The Highway Traffic Act* the transport board hereby exempts persons operating a public service vehicle from the necessity of holding a certificate and filing a liability insurance policy or bond with the board and vehicles from the application of section 318, when the vehicle is used exclusively for the transport of one or more of the following:

- (a) grain, bait, machinery, spraying appliances or other articles to be used in grasshopper poisoning or noxious weed control, in conjunction with a municipal or government control program;
- (b) grain cleaners;
- (c) dead animals, animal and fish offal or poultry feathers to a rendering plant;
- (d) livestock to and from agricultural exhibitions or fairs;
- (e) farmers' grain to market, or to a mill for gristing and flour, chop or feed in return from such mill;
- (f) sugar beets;
- (g) seed grain, grass seed, sunflower seed or vegetable seed to farmers;
- (h) hay and straw;
- (i) fruits or vegetables in their primary movement to processing plants;
- (j) livestock from farms to a shipping point or auction mart where both pick up and delivery are made within a 24 kilometre radius of the address for which the vehicle is registered;

All persons making use of this consolidation are reminded that it has no legislative sanction. Amendments have been inserted into the base regulation for convenience of reference only. The original regulation should be consulted for purposes of interpreting and applying the law. Only amending regulations which have come into force are consolidated. This regulation consolidates the following amendments: 79/89, 250/89, 4/90, 107/91, 16/92, 117/92, 149/93, 117/94, 84/97, 146/97, 189/2002.

- (k) pregnant mares' urine;
- (l) general merchandise on highways in the Province that are not connected to the Manitoba Highway System and which highways are not designated as or capable of being operated as all-weather permanent roads;
- (m) motor vehicles to a maximum of three motor vehicles transported at any one time, if any one or more of the following conditions apply in respect of the motor vehicles transported:
  - (i) the motor vehicle is disabled by mechanical malfunction or accident,
  - (ii) the motor vehicle is in the lawful possession of a person who is not authorized by law to operate it,
  - (iii) the motor vehicle is transported under the direction of a peace officer or a person effecting a lawful seizure of the motor vehicle, or
  - (iv) the motor vehicle is a replacement for a vehicle referred to in clause (i), (ii) or (iii);
- (n) tools and equipment owned and used by repair men or companies in connection with the repairing of tram ways, electric lines, signal or telecommunication installations, pipe lines, boilers, boring machinery, farm implements, threshing machinery, grain elevators and manufacturing plants;
- (o) well drilling machinery and equipment owned and used for the purpose of drilling water wells by the owner of the vehicle;
- (p) petroleum products from local agencies to consumers only, and within a radius of 24 kilometres from the place of business of the owner of the vehicle;
- (q) a permanently mounted feed mill to farmers' premises for use on such premises;
- (r) a fisherman's own fish by the fisherman where the carrying capacity of the vehicle does not exceed 450 kilograms;
- (s) general merchandise within a 24 kilometre radius of the city, town or village from which the freight is shipped, if the transport is a single isolated trip and not on a regular route;
- (s.1) general merchandise and passengers and their property, entirely within the boundary of a city, town, or village;
- (s.2) general merchandise, between the City of Winnipeg and the R.M. of Headingley;

- (s.3) general merchandise within a 24 kilometre radius of a city, town or village located north of the 53rd parallel;
- (t) primary forest products, particularly rough lumber, logs, pulpwood, cordwood, poles, ties, shavings and Christmas trees from the forest to market with no processing to take place during such movement;
- (u) non-metallic minerals in bulk, excluding fuels (14);
- (v) general merchandise on a single isolated trip authorized by a letter permit issued by the transport board which is carried on the person of the driver of the vehicle during the trip;
- (w) natural or manufactured ice (2097);
- (x) sod (0191960);
- (y) sewage, sludge, waste oil, liquid waste of all kinds;
- (z) material used for cleaning and chlorinating wells or any other material transported in the course of septic tank and related services;
- (aa) mail pursuant to contracts with Canada Post;
- (bb) daily newspapers;
- (cc) machinery and equipment to be used for the purpose of excavating farm water dugouts by the owner of the vehicle;
- (dd) woodchips and hog fuel;
- (ee) passengers and their property, between the City of Winnipeg and points outside Winnipeg if,
  - (i) the person operating the vehicle holds a valid taxicab business licence from the Taxicab Board with respect to the vehicle,
  - (ii) the vehicle is registered as an inter-municipal livery, and
  - (iii) the transportation would be authorized under the taxicab business licence if performed within the City of Winnipeg;
- (ff) passengers and their property, for transportation under the auspices of a transportation for seniors program organized by a Community Resource Council, if the person operating the vehicle:
  - (i) does not receive compensation or a gratuity in respect of his or her driving services,

(ii) does not receive compensation or a gratuity in respect of the use and operation of the vehicle, except for indemnification for out-of-pocket expenses, such indemnity not to exceed twenty per cent (20%) of the rate prescribed by the transport board for intermunicipal livery services, plus actual expenses for parking, and

(iii) meets standards established by the Community Resource Council arranging the transportation.

M.R. 250/89; 4/90; 107/91; 16/92; 117/92; 149/93; 117/94; 84/97; 146/97; 189/2002

**Definition**

**1(2)** In this section "**mail**" means mail as defined in the *Canada Post Corporation Act*.

M.R. 84/97

**Revocation of exemption**

**2** The transport board may for cause, revoke or suspend any exemption provided in this order in respect of any person.

**Repeal**

**3** Manitoba Regulation 211/86 is repealed.

**Coming into force**

**4** This regulation shall come into force one week after the date of publication in *The Manitoba Gazette*.

March 28, 1989

THE MOTOR TRANSPORT BOARD:

D. Norquay  
Chairman

L. Olijnek  
Secretary