

## TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on HUMAN RESOURCES presents the following as its Third Report.

### Meetings

Your Committee met on October 1, 2013 at 6:00 p.m. in Room 255 of the Legislative Building.

### Matters under Consideration

- **Bill (No. 5)** – The New Home Warranty Act/Loi sur la garantie des maisons neuves
- **Bill (No. 6)** – The Highway Traffic Amendment Act (Flexible Short-Term Regulation of Vehicle Weights and Dimensions)/Loi modifiant le Code de la route (réglementation provisoire des poids et des dimensions des véhicules)
- **Bill (No. 11)** – The Proceedings Against the Crown Amendment Act/Loi modifiant la Loi sur les procédures contre la Couronne
- **Bill (No. 17)** – The Consumer Protection Amendment and Business Practices Amendment Act (Motor Vehicle Advertising and Information Disclosure and Other Amendments)/Loi modifiant la Loi sur la protection du consommateur et la Loi sur les pratiques commerciales (publicité et communication de renseignements visant les véhicules automobiles et autres modifications)
- **Bill (No. 27)** – The Highway Traffic Amendment Act (Charter Bus Service)/Loi modifiant le Code de la route (services d'autobus nolisés)
- **Bill (No. 29)** – The Land Surveyors and Related Amendments Act/Loi sur les arpenteurs-géomètres et modifications connexes
- **Bill (No. 35)** – The Consumer Protection Amendment Act (Compliance and Enforcement Measures)/Loi modifiant la Loi sur la protection du consommateur (observation et exécution)
- **Bill (No. 41)** – The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles)/Loi modifiant le Code de la route (sécurité accrue liée aux véhicules automobiles lourds)
- **Bill (No. 42)** – The Highway Traffic Amendment Act (Enhancing Passenger Safety)/Loi modifiant le Code de la route (sécurité accrue des passagers)
- **Bill (No. 46)** – The Statutes Correction and Minor Amendments Act, 2013/Loi corrective de 2013

### Committee Membership

- Hon. Mr. ASHTON
- Hon. Mr. BJORNSON
- Ms. BLADY
- Mr. CULLEN
- Mr. EICHLER
- Mr. GRAYDON
- Mr. HELWER
- Hon. Ms. IRVIN-ROSS
- Hon. Mr. RONDEAU
- Hon. Mr. SWAN
- Ms. WIGHT

Your Committee elected Ms WIGHT as the Chairperson.

Your Committee elected Ms. BLADY as the Vice-Chairperson.

### Public Presentations

Your Committee heard the following two presentations on **Bill (No. 5)** – The New Home Warranty Act/Loi sur la garantie des maisons neuves:

Mayor Chris Goertzen  
Mike Moore

Association of Manitoba Municipalities  
Manitoba Homebuilders Association

Your Committee heard the following eight presentations on **Bill (No. 27)** – The Highway Traffic Amendment Act (Charter Bus Service)/Loi modifiant le Code de la route (services d'autobus nolisés):

Niel Henry	Prairie Coach Charter Services Ltd.
Gordon Hrechka	Brandon Bus Lines Limited
Shari Decter Hirst	City of Brandon
John Fehr	Beaver Bus Lines
Winston Gordon	Private Citizen
Hernan Silva	Free Enterprise Bus Lines
Peter Hamel	Grey Hound Canada
Walt Morris	Winnipeg Exclusive Bus Tours

Your Committee heard the following three presentations on **Bill (No. 29)** – The Land Surveyors and Related Amendments Act/Loi sur les arpenteurs-géomètres et modifications connexes:

Andre Van De Walle	The Association of Manitoba Land Surveyors
Les McLaughlin	Private Citizen
Rick Sherby	Private Citizen

Your Committee heard the following presentation on **Bill (No. 41)** – The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles)/Loi modifiant le Code de la route (sécurité accrue liée aux véhicules automobiles lourds):

Ken Neufeld	Manitoba Trucking Association
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### Written Submissions

Your Committee received the following written submission on **Bill (No. 6)** – The Highway Traffic Amendment Act (Flexible Short-Term Regulation of Vehicle Weights and Dimensions)/Loi modifiant le Code de la route (réglementation provisoire des poids et des dimensions des véhicules):

Doug Dobrowolski	Association of Manitoba Municipalities
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Your Committee received the following five written submissions on **Bill (No. 27)** – The Highway Traffic Amendment Act (Charter Bus Service)/Loi modifiant le Code de la route (services d'autobus nolisés):

Doug Dobrowolski	Association of Manitoba Municipalities
Don and Vel McAdam	Kelsey Bus Lines Ltd.
Carolynn Cancade and Nate Andrews	Brandon Chamber of Commerce
Kim MacDonald	Private Citizen
Chris Henry	Intermountain Leasing Bus Charters

Your Committee received the following written submission on **Bill (No. 35)** – The Consumer Protection Amendment Act (Compliance and Enforcement Measures)/Loi modifiant la Loi sur la protection du consommateur (observation et exécution):

Ben Kolisnyk	Canadian Federation of Independent Business
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### Bills Considered and Reported

- **Bill (No. 5)** – The New Home Warranty Act/Loi sur la garantie des maisons neuves

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 6)** – The Highway Traffic Amendment Act (Flexible Short-Term Regulation of Vehicle Weights and Dimensions)/Loi modifiant le Code de la route (réglementation provisoire des poids et des dimensions des véhicules)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 11)** – The Proceedings Against the Crown Amendment Act/Loi modifiant la Loi sur les procédures contre la Couronne

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 17)** – The Consumer Protection Amendment and Business Practices Amendment Act (Motor Vehicle Advertising and Information Disclosure and Other Amendments)/Loi modifiant la Loi sur la protection du consommateur et la Loi sur les pratiques commerciales (publicité et communication de renseignements visant les véhicules automobiles et autres modifications)

Your Committee agreed to report this Bill, with the following amendment:

*THAT Clause 2 of the Bill be amended by striking out the proposed section 236.*

- **Bill (No. 27)** – The Highway Traffic Amendment Act (Charter Bus Service)/Loi modifiant le Code de la route (services d'autobus nolisés)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 29)** – The Land Surveyors and Related Amendments Act/Loi sur les arpenteurs-géomètres et modifications connexes

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 35)** – The Consumer Protection Amendment Act (Compliance and Enforcement Measures)/Loi modifiant la Loi sur la protection du consommateur (observation et exécution)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 41)** – The Highway Traffic Amendment Act (Enhanced Safety Regulation of Heavy Motor Vehicles)/Loi modifiant le Code de la route (sécurité accrue liée aux véhicules automobiles lourds)

Your Committee agreed to report this Bill, with the following amendments:

*THAT Clause 2 of the Bill be amended*

*(a) by replacing the proposed definition "commercial truck" in clause (a) with the following:*

**"commercial truck"** means a truck that is not a public service vehicle, but does not include

(a) a truck, regardless of registered gross weight, that is used solely for personal transportation,

(b) a farm truck,

(c) a limited-use commercial truck, or

(d) a truck or class of trucks that is excluded from this definition by regulation; (« véhicule commercial »)

*(b) in clause (b),*

*(i) by adding the following definitions:*

**"limited-use commercial truck"** means a truck

(a) that

(i) is operated within 35 km of the place of business of the truck's registered owner if the place of business is outside Winnipeg,

(ii) is operated in or within 20 km of Winnipeg if the place of business of the truck's registered owner is in Winnipeg,

(iii) is used for transporting gravel, sand or other material for use in highway construction or maintenance, or

(iv) is designated as a limited-use commercial truck by regulation, and

(b) that would be a commercial truck in the absence of this definition;  
(« véhicule commercial à usage restreint »)

**"limited-use public service vehicle"** means a truck

(a) that

(i) is used for transporting gravel, sand or other material for use in highway construction or maintenance, or

(ii) is designated as a limited-use public service vehicle by regulation, and

(b) that would be a public service vehicle in the absence of this definition;  
(« véhicule de transport public à usage restraint »)

*(ii) by replacing the proposed definition "regulated vehicle" with the following:*

**"regulated vehicle"** means a commercial truck, limited-use commercial truck, self-propelled public service vehicle, limited-use public service vehicle, school bus or other motor vehicle that meets either or both of the following criteria:

(a) its registered gross weight is 4,500 kg or more,

(b) its seating capacity is 11 or more persons, including the driver,

but does not include a motor vehicle or class of motor vehicles that is excluded from this definition by regulation; (« véhicule réglementé »)

*(c) by adding "and" at the end of clause (c) and adding the following after clause (c):*

*(d) in the definition "public service vehicle", by adding "limited-use public service vehicles," after "does not include".*

*THAT Clause 27 of the Bill be amended by adding the following after clause (d):*

*(e) by adding the following after clause (ttt.1):*

(ttt.2) excluding

(i) trucks or classes of trucks from the definition "commercial truck" in subsection 1(1), or

(ii) motor vehicles or classes of motor vehicles from the definition "regulated vehicle" in that subsection;

(ttt.3) designating trucks or classes of trucks

(i) as limited-use commercial trucks for the purpose of the definition "limited-use commercial truck" in subsection 1(1), or

(ii) as limited-use public service vehicles for the purpose of the definition "limited-use public service vehicle" in that subsection;

- **Bill (No. 42)** – The Highway Traffic Amendment Act (Enhancing Passenger Safety)/Loi modifiant le Code de la route (sécurité accrue des passagers)

Your Committee agreed to report this Bill without amendment.

- **Bill (No. 46)** – The Statutes Correction and Minor Amendments Act, 2013/Loi corrective de 2013

Your Committee agreed to report this Bill without amendment.

Submitted by,

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Ms. Melanie WIGHT, Chairperson  
October 1, 2013