

1991, chapter 55

AN ACT TO AMEND THE ACT RESPECTING TRUCK TRANSPORTATION AND THE HIGHWAY SAFETY CODE

Bill 167

Introduced by Mr Sam L. Elkas, Minister of Transport

Introduced 22 October 1991

Passage in principle 29 October 1991

Passage 5 December 1991

Assented to 12 December 1991

Coming into force: 12 December 1991

Acts amended:

Act respecting truck transportation (R.S.Q., chapter C-5.1)

Highway Safety Code (R.S.Q., chapter C-24.2)





CHAPTER 55

An Act to amend the Act respecting truck transportation and the Highway Safety Code

[Assented to 12 December 1991]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-5.1,
s. 1, am.

1. Section 1 of the Act respecting truck transportation (R.S.Q., chapter C-5.1) is amended by adding, at the end of the first paragraph, the following words: “and the leasing of a truck used to carry goods where the driver is directly or indirectly provided to the lessee by the lessor or by a person related to the lessor within the meaning of Part I of the Taxation Act (R.S.Q., chapter I-3)”.

c. C-5.1,
s. 29, am.

2. Section 29 of the said Act is amended by adding, after paragraph 3, the following paragraph:

“(4) pay to the Commission, for the periods prescribed by regulation, such annual operating duties as are fixed by regulation.”

c. C-5.1,
s. 31,
replaced
Notification

3. Section 31 of the said Act is replaced by the following section:

“**31.** The Société de l’assurance automobile du Québec shall notify the Commission of every cancellation of the registration of a road vehicle used by a licensee under his trucking licence and of every prohibition to drive or election not to drive such a vehicle.”

c. C-5.1,
s. 62, am.

4. Section 62 of the said Act is amended by adding the following paragraph:

Revocation
or suspen-
sion

“The revocation or suspension of a licence may be decided by one member.”

c. C-5.1,
s. 64, am.

5. Section 64 of the said Act is amended by striking out the words “and every revocation or suspension of a licence” in the first and second lines.

c. C-5.1,
s. 77, am.

6. Section 77 of the said Act is amended

(1) by striking out the words “within 30 days after the date on which the decision of the Commission has taken effect,” in the second and third lines;

(2) by adding, at the end, the following paragraph:

Service and
filing of
motion

“The motion must be served on the adverse party and be filed in the clerk’s office within 30 days after the date on which the decision of the Commission has taken effect; it must be presented as soon as possible to a judge of the Court of Appeal.”

c. C-5.1,
s. 80, am.

7. Section 80 of the said Act is amended by inserting, after paragraph 8, the following paragraph:

“(8.1) prescribe the annual operating duties payable by every holder of a trucking licence for the periods it determines and, where applicable, determine the terms and conditions of payment;”.

c. C-24.2,
s. 21, am.

8. Section 21 of the Highway Safety Code (R.S.Q., chapter C-24.2), amended by section 9 of chapter 83 of the statutes of 1990 and by section 165 of chapter 32 of the statutes of 1991, is again amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) have the prior authorization of the Commission des transports du Québec, in the cases provided for in sections 35 and 40.2 of the Transport Act (R.S.Q., chapter T-12) or in section 31 of the Act respecting transportation by taxi.”

c. C-24.2,
s. 189, am.

9. Section 189 of the said Code, amended by section 78 of chapter 83 of the statutes of 1990, is again amended by replacing paragraph 1 by the following paragraph:

“(1) the Commission des transports du Québec, pursuant to section 35 or 40 of the Transport Act or section 27 or 31 of the Act respecting transportation by taxi, orders it to withdraw the registration plate and registration certificate of the vehicle;”.

Coming into
force

10. This Act comes into force on 12 December 1991.