



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 108

An Act to amend the Highway Safety Code and other legislative provisions

Introduction

**Introduced by
Mr Sam L. Elkas
Minister of Transport**

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EXPLANATORY NOTES

The object of this bill is to widen the field of application of the Highway Safety Code to extend the scope of certain provisions beyond the bounds of public highways and include in the Code the control over highway transportation of persons and goods.

Highway control is the subject of a new Title VIII.2 and of provisions of concordance which establish in particular the purpose of controls on highways and in undertakings, the agreements, including agreements on financing, which may be concluded between the Minister of Transport and any department or body designated by the Government, as well as the status and powers of highway controllers.

In addition, the bill raises fines for certain offences among the most likely to endanger the safety of road users.

The bill also contains several amendments designed to accelerate and simplify the registration process and the issuing of driver's licences.

Measures aimed at reducing the high rate of accidents among inexperienced drivers are also introduced; they will thus be issued probationary licences. Holders of learner's licences and probationary licences will be subject to specific rules concerning the presence of alcohol in their blood and to suspension of their licence on accumulating demerit points.

The Code is also amended to allow, in certain cases, persons to obtain or keep a driver's licence provided they do not represent a risk for public safety.

The bill, by the addition of Title IX.1 introduces rules governing the rebuilding of seriously damaged vehicles, prescribing the keeping of rebuilding records and imposing a mandatory technical appraisal to guarantee the safe mechanical state of a rebuilt vehicle and ensure that it is not a stolen vehicle.

In addition, the bill introduces new rules relating to outsized vehicles, especially concerning sanctions and controls to do with special traffic permits, regulations on escorts and the passage of outsized vehicles over certain bridges and viaducts.

Greater provision is made for parking for handicapped persons and various provisions relating to the definition of certain vehicles, commercial standards for vehicle equipment, highway carriers, the exchange of driver's licences of non-residents who settle in Québec, rules relating to signs and signals and to traffic and various procedural rules are also included.

This bill contains provisions allowing certain regulatory powers of the Government to be adjusted, in particular with respect to registration, licences and the fixing of the related insurance contribution including the adjusting of the insurance contribution levied on a driver's licence which will reflect the risk the driver represents on the road.

Lastly, amendments of concordance are made to various Acts.

ACTS AMENDED BY THIS BILL:

- Automobile Insurance Act (R.S.Q., chapter A-25)
- Cities and Towns Act (R.S.Q., chapter C-19)
- Highway Safety Code (R.S.Q., chapter C-24.2)
- Municipal Code of Québec (R.S.Q., chapter C-27.1)
- Act respecting the Société de l'assurance automobile du Québec (R.S.Q., chapter R-4)
- Act respecting transportation by taxi (R.S.Q., chapter T-11.1)
- Act to amend the Highway Safety Code and other legislation (1987, chapter 94)

Bill 108

An Act to amend the Highway Safety Code and other legislative provisions

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Highway Safety Code (R.S.Q., chapter C-24.2), amended by section 1 of chapter 94 of the statutes of 1987, is replaced by the following section:

“1. The Highway Safety Code (R.S.Q., chapter C-24.2) governs the use of vehicles and pedestrian traffic on public highways.

It establishes the rules relating to highway safety, to the registration of road vehicles, to licences and permits which are under the administration of the Société de l'assurance automobile du Québec, and to the control of highway transportation of persons and goods.”

2. Section 4 of the said Code is amended

(1) by adding the words “or equipped with devices to secure wheelchairs against movement” at the end of the definition of the term “bus”;

(2) by inserting the words “and, where such is the case, one or more cycle lanes” after the words “public vehicular traffic” in the fourth line of the definition of the term “public highway”;

(3) by striking out the words “and a net mass not in excess of 60 kg” in the first and second lines of the definition of the term “moped”;

(4) by replacing the word “motor” in the second line of the definition of the term “combination of road vehicles” by the words “motorized road”;

(5) by replacing the definition of the term “minibus” by the following definition:

““minibus” means a motor vehicle having two axles with single wheels and equipped with not more than five rows of seats for the transportation of more than nine occupants at a time, or equipped with devices to secure wheelchairs against movement;”;

(6) by inserting the words “with a single front wheel attached directly to a handlebar, having a seat which, without a load, is at least 650 mm above ground level and” after the word “wheels” in the first line of the definition of the term “motorcycle”;

(7) by replacing the definition of the term “taxi” by the following definition:

““taxi” means a motor vehicle operated under a permit issued in compliance with the Act respecting transportation by taxi (R.S.Q., chapter T-11.1);”;

(8) by striking out the words “, other than a minibus,” in the first line of the definition of the term “passenger vehicle”.

3. Section 9 of the said Code is replaced by the following section:

“**9.** The Société, with the approval of the Minister of Transport, may, on such conditions as it shall establish, appoint persons authorized to collect on its behalf the sums provided for in either of sections 21 or 31.1 and to effect any transaction it shall indicate relating to registration, and fix the amount and mode of their remuneration.”

4. Section 10 of the said Code is replaced by the following sections:

“**10.** Registration is effected by entering in the register kept by the Société for that purpose such information concerning the road vehicle and its owner as is prescribed by regulation.

Registration shall subsist for as long as the road vehicle and its owner remain the same.

“**10.1** The Société shall issue, on the conditions and in the cases provided for by regulation, one or more of the following documents: a registration certificate, a registration plate including, if needed, a validation sticker or an identification sticker.

The registration certificate, the registration plate and the stickers are valid for the period determined by regulation and the person in whose name registration is effected must renew them upon expiry.

“10.2 Notwithstanding sections 10 and 10.1, registration of certain classes of road vehicles that are prescribed by regulation may be effected by entering in the register of the Société the information prescribed by regulation with regard to those classes of vehicles and to the persons meeting the conditions prescribed by regulation for obtaining such registration.

The Société shall issue one or more registration certificates and removable registration plates.

Every vehicle of a class contemplated in the first paragraph is deemed to be registered in accordance with section 6 when a removable registration plate is affixed to it.

The provisions of this Code which apply to the owner of a road vehicle shall also apply to every person obtaining registration under this section.

Sections 39, 39.1, 188, 189 and 196 to 202 shall apply with any necessary changes, except that the Société shall cancel the registration obtained by any person under this section instead of prohibiting the putting back into operation of a road vehicle.”

5. Section 11 of the said Code is amended by replacing the second paragraph by the following paragraph:

“The Société may in addition, in such cases and on such conditions as are prescribed by regulation, issue an identification sticker

(1) to a handicapped person who is not the owner of a road vehicle but who satisfies every other requirement of the first paragraph;

(2) to a public establishment within the meaning of the Act respecting health services and social services (R.S.Q., chapter S-5) which owns a motor vehicle equipped with devices to secure wheelchairs against movement.”

6. Section 13 of the said Code is repealed.

7. Section 14 of the said Code is amended by striking out paragraph 2.

8. The heading of Chapter III of Title I of the said Code is amended by striking out the words "AND RENEWAL".

9. Section 21 of the said Code is amended

(1) by striking out the words "or renew" in the first line of the opening phrase;

(2) by striking out subparagraph 2 of the first paragraph;

(3) by replacing the words "the amount fixed under section 151" in the first and second lines of subparagraph 3 of the first paragraph by the words "the insurance contribution fixed pursuant to sections 151.1 and 151.2";

(4) by striking out the second paragraph.

10. Section 25 of the said Code is repealed.

11. Section 26 of the said Code is replaced by the following section:

"26. The Société must refuse to register a road vehicle whenever the person applying for registration is unable to establish that he is the owner or joint owner of that vehicle or that the vehicle is the property of the partnership of which he is a member."

12. Section 27 of the said Code is amended by replacing the first paragraph by the following paragraph:

"27. The person in whose name registration of a road vehicle has been effected by the Société must sign the registration certificate upon receiving it."

13. Section 28 of the said Code is replaced by the following section:

"28. The person in whose name the registration of a road vehicle is effected by the Société must inform the latter, upon making payment of the amounts required to be paid under section 31.1, of any change concerning the information prescribed by regulation, and forming the registration or which appears on the registration certificate, the registration plate or the stickers.

That person must also, for as long as the registration is in effect, notify the Société of any such changes within 30 days after the change."

14. The said Code is amended by inserting, after section 31, the following section:

“31.1 The owner of any registered road vehicle, unless exempted by regulation, must, at the intervals prescribed by regulation, pay the Société the duties and fee fixed by regulation and the insurance contribution fixed under section 151.1 of the Automobile Insurance Act, during the periods determined by regulation. From the day fixed by regulation, which follows the last day of each period, the owner must, in case of default, pay in addition any additional fee fixed by regulation.”

15. Section 34 of the said Code is replaced by the following section:

“34. No plate or sticker that may be confused with a registration plate or validation sticker issued by the Société or by any other competent administrative authority may be attached to a road vehicle or affixed to a plate, except in the case of a plate or sticker required under another law in force in Québec or of a plate attached in compliance with standards and conditions established under paragraph 19 of section 618.”

16. Section 37 of the said Code is replaced by the following section:

“37. The person in whose name registration of a road vehicle has been effected by the Société must request the latter to replace any registration certificate, registration plate or sticker which is illegible, damaged or which contains inaccurate information.”

17. Section 38 of the said Code is amended by replacing the words “or stolen,” in the second line by the words “, stolen or that it contains inaccurate information,”.

18. Section 39 of the said Code is amended by replacing the first paragraph by the following paragraph:

“39. Every person contemplated in section 10.2 or the owner of a road vehicle regarding which a decision of the Société has been rendered under any of sections 10.2, 188, 189, or 196 to 202 must, at the request of the Société, return that vehicle’s registration certificate and plate or the detachable registration plate to the Société on the date of coming into force of the decision or on any later date fixed by the Société.”

19. The said Code is amended by inserting, after section 39, the following section:

“39.1 No person may put back into operation any road vehicle in respect of which a decision of the Société rendered under any of sections 188, 189, or 196 to 202 is in force.”

20. Section 47 of the said Code is repealed.

21. Section 54 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“54. Every person who drives a road vehicle and every owner who allows his vehicle to be driven carrying a registration plate of a class other than the class corresponding to that vehicle, or which is being used for a purpose other than the purpose indicated in its registration, or carrying a registration plate issued for another road vehicle, is guilty of an offence and is liable to a fine of \$200 to \$300.”

22. Section 56 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by inserting the words “or a sticker” after the word “plate” in the first line.

23. Section 57 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“57. Every person who contravenes section 34, or who attaches to a road vehicle a registration plate issued for another road vehicle or affixes to a plate a validation sticker issued for another road vehicle is guilty of an offence and is liable to a fine of \$200 to \$300.”

24. Section 59 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“59. Every person who knowingly gives false or misleading information in applying for the registration of a road vehicle, in respect of a change referred to in section 28 or who contravenes section 39.1 is guilty of an offence and is liable to a fine of \$300 to \$600.”

25. Section 60 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by inserting the words “or a sticker” after the word “plate” in the first line.

26. Section 61 of the said Code is amended by inserting the words “probationary licences,” after the words “learner’s licences,” in the second line.

27. The said Code is amended by inserting the words “, PROBATIONARY LICENCES” after the words “LEARNER’S LICENCES” in the heading to Chapter II of Title II.

28. The said Code is amended by inserting, after section 65, the following section:

“65.1 To obtain a probationary licence to drive a motor vehicle other than a moped, a person must have passed the appropriate driving course for that vehicle, approved by the Société.”

29. Section 66 of the said Code is replaced by the following section:

“66. Prior to obtaining, for the first time, a licence to drive a motor vehicle other than a moped, a person must have been the holder of a probationary licence for the period of validity determined by regulation.”

30. Section 67 of the said Code is amended by inserting the words “, unless exempted by regulation,” after the word “person” in the first line of the first paragraph.

31. Section 69 of the said Code is amended by replacing the first paragraph by the following paragraph:

“69. To obtain or renew a licence a person must satisfy the conditions and comply with the formalities established by regulation. He must also, to obtain a licence, except in the cases prescribed by regulation, pay the Société the duties and fee fixed by regulation as well as the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act.”

32. Section 69.1 of the said Code is replaced by the following section:

“69.1 The Société may, with the approval of the Minister of Transport, appoint, on the conditions it establishes, persons it shall authorize to collect on its behalf the amounts prescribed in section 93.1 as well as to carry out any operation it indicates, and determine the amount and mode of remuneration of those persons.”

33. Section 71 of the said Code is amended by inserting the words “a probationary licence or” after the words “holder of” in the first line.

34. Section 72 of the said Code is amended by inserting the words “a probationary licence or” after the words “holder of” in the first line.

35. Section 80.1 of the said Code is replaced by the following section:

“80.1 A person whose licence has been cancelled or whose right to obtain a licence has been suspended pursuant to section 187.1 must, to obtain a licence, comply with the conditions and formalities established by regulation.

No licence may be issued to that person from the date of cancellation of his licence or suspension of his right to obtain a licence until the lapse of

(1) a period of three months if the person, during the two years preceding that cancellation or suspension, incurred no other cancellation or suspension;

(2) a period of six months if the person, during the two years preceding that cancellation or suspension, incurred only one cancellation or suspension;

(3) a period of one year if the person had, during the two years preceding that cancellation or suspension, incurred more than one other cancellation or suspension.”

36. Section 81 of the said Code is amended by replacing the words “an application for registration or a licence or the renewal thereof” in the first and second lines of paragraph 5 by the words “the amounts prescribed in any of sections 21, 31.1, 69 and 93.1”.

37. Section 83 of the said Code is amended

(1) by replacing the word “absolutely” in the third line of paragraph 2 by the word “essentially”;

(2) by adding the words “, including a prohibition, cancellation or suspension incurred under a law of Canada, of another province or a territory of Canada or under a law of a State of the United States of America” at the end of paragraph 3;

(3) by replacing the word and figure “and 79” in the second line of paragraph 4 by the word and figures “, 79, 80.1 and 80.3”.

38. The said Code is amended by inserting, after section 83, the following section:

“33.1 Notwithstanding paragraph 2 of section 83, the Société may issue a licence, change its class or add another class to it if the applicant establishes to the satisfaction of the Société

(1) that he has developed compensatory abilities enabling him to drive a road vehicle corresponding to the class of the licence applied for without constituting a hazard to public safety; or

(2) that he can drive a road vehicle corresponding to the class of the licence applied for by complying with conditions related to his functional capability which enable him to drive the vehicle without constituting a hazard to public safety.”

39. Section 85 of the said Code is amended by adding, after paragraph 3, the following paragraph:

“(4) his right to obtain a licence or a class of licence issued by the Société has not been suspended”.

40. Section 90 of the said Code is amended by replacing the first paragraph by the following paragraph:

“90. Any person holding a valid driver’s licence, issued by another administrative authority in Canada or the United States, who settles in Québec, may, without undergoing an examination, exchange that licence for a driver’s licence issued by the Société, on payment of the duties and fee fixed by regulation and of the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act, as long as he is not under a prohibition to operate a motor vehicle, has not incurred a cancellation or suspension of his licence or class of licence or a suspension of his right to obtain a licence or class of licence that is in effect or imposed and yet to be in effect, including any under a law of Canada, of another province or a territory of Canada or under a law of a State of the United States.”

41. The said Code is amended by inserting, after section 90, the following section:

“90.1 The Société may, on payment of the duties and fee fixed by regulation and of the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act, issue a driver’s licence to the holder of a driver’s licence issued by another administrative authority in Canada or the United States which has been expired for less than three years, if that holder settles in Québec and is not under a prohibition to operate a motor vehicle, or has not incurred cancellation or suspension of his licence or class of licence or

suspension of his right to obtain a licence or class of licence that is in effect or imposed and yet to be in effect, including any under a law of Canada, of another province or a territory of Canada or under a law of a State of the United States.

However, the Société may require that the holder undergo an examination where the licence applied for is a licence giving authorization to drive a commercial vehicle, an emergency vehicle, a taxi, a bus or a minibus."

42. Section 91 of the said Code is replaced by the following section:

"91. The Société may issue a driver's licence to the holder of a valid driver's licence issued outside Canada or the United States who settles in Québec and meets the following requirements:

(1) he is not under a prohibition to operate a motor vehicle, or has not incurred cancellation or suspension of his licence or class of licence or a suspension of his right to obtain a licence or class of licence that is in effect or imposed but yet to be in effect under any law of his country of origin;

(2) he passes a proficiency examination;

(3) he pays the duties and fee prescribed by regulation and the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act."

43. Section 92 of the said Code is amended

(1) by replacing the words "the amount fixed under section 151" in the ninth and tenth lines of the opening phrase by the words "the insurance contribution fixed under sections 151 and 151.2";

(2) by replacing paragraph 3 by the following paragraph:

"(3) any employee of an international government organization recognized by the Gouvernement du Québec and any member of a representation of a State which is a recognized member of that organization other than service personnel members;"

(3) by striking out paragraph 4;

(4) by adding the words "other than service personnel members" at the end of paragraph 5;

(5) by replacing the word and figures “1 to 5” in the first line of paragraph 6 by the words and figures “1 to 3 and 5”.

44. The said Code is amended by inserting, after section 92, the following section:

“92.0.1 In the cases provided for in sections 90 to 92, the licence issued by the Société is a probationary licence if the applicant has held a valid driver’s licence for less than two years.”

45. The said Code is amended by inserting, after section 93, the following section:

“93.1 The holder of a probationary licence or a driver’s licence must, at the intervals prescribed by regulation, pay to the Société the duties and fee fixed by regulation and the insurance contribution fixed pursuant to section 151 of the Automobile Insurance Act, during the periods determined by regulation. From the day fixed by regulation, following the last day of each period, the holder must, in case of default, also pay any additional fee fixed by regulation.”

46. Section 94 of the said Code is amended

(1) by replacing the first paragraph by the following paragraphs:

“94. No person may, at the same time, be the holder of a learner’s licence and of a probationary licence of the same class issued by the Société;

No person may, at the same time, be the holder of a learner’s licence and of a driver’s licence of the same class issued by the Société.

No person may, at the same time, be the holder of a probationary licence and of a driver’s licence of the same class issued by the Société.”;

(2) by adding, after subparagraph 5 of the second paragraph, the following subparagraph:

“(6) no person may hold more than one learner’s licence, more than one probationary licence or more than one driver’s licence of the same class issued by the Société.”

47. Section 95 of the said Code is replaced by the following section:

“95. The holder of a licence must inform the Société, on making payment of amounts required to be paid under section 93.1, of any

change concerning the documents and information which must be provided on obtaining or renewing a licence.

He must also inform the Société of any such changes within 30 days after the change."

48. The said Code is amended by inserting, after section 98, the following section:

"98.1 No holder of a learner's licence or probationary licence may drive a road vehicle after having consumed alcohol in such a quantity that the concentration of alcohol in the person's blood exceeds zero milligram, without exceeding 80 milligrams, in 100 millilitres of blood."

49. Section 103 of the said Code is amended by replacing the words "must apply to" in the first line by the words "or of a licence containing inaccurate information shall request".

50. Section 104 of the said Code is amended by inserting the words "or that it contains false information," after the word "stolen" in the second line.

51. Section 107 of the said Code is amended by replacing the words "return his licence to the Régie without delay" in the second and third lines of the first paragraph by the words "return his licence to the Société on the date the suspension or cancellation takes effect or on any later date fixed by the Société".

52. Section 117 of the said Code is amended

(1) by replacing the word and figure "section 185" in the first line by the words and figures "section 185 or 191.2";

(2) by replacing the word "que" in the third line of the French text by the word "qui".

53. Section 121 of the said Code is amended

(1) by replacing paragraph 2 by the following paragraph:

"(2) at the time of application, the applicant's licence or his right to obtain one is under a suspension which is in effect or is imposed but has yet to take effect,";

(2) by replacing paragraph 3 by the following paragraph:

“(3) the sanction giving rise to an application for a restricted licence is not a driver’s licence cancellation imposed pursuant to section 185;”;

(3) by striking out paragraph 4;

(4) by adding, at the end of paragraph 7, the words “or a probationary licence”.

54. Section 124 of the said Code is amended by inserting the words “or if, between the date fixed for presenting his application and the date of issue of the restricted licence, the person’s right to obtain a licence is under a suspension which is in effect or imposed but has yet to take effect,” after the word “order,” in the third line.

55. Section 127 of the said Code is amended by replacing the words “or regional county municipality” in the third line of the second paragraph by the words “, in the territory of a regional county municipality, in the territory composed of the territories of the municipalities enclosed within the territory of the municipality of Baie James or in the territory composed of the territories of the municipalities constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence (1988, chapter 55)”.

56. Section 128 of the said Code is amended by replacing the words “or regional county municipality” in the fourth and fifth lines of the second paragraph by the words “, the territory of a regional county municipality, the territory composed of the territory of the municipalities enclosed within the territory of the municipality of Baie James or the territory composed of the territories of the municipalities constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence”.

57. Section 129 of the said Code is amended by replacing the words “No person may give instruction in driving passenger vehicles other than mopeds and receive payment therefor,” in the first and second lines by the words “No person may give instruction at a driving school for which a driving school licence has been issued,”.

58. Section 138 of the said Code is amended by striking out the words and figure “or section 95” in the second line.

59. Section 139 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the

word “section” in the first line by the words and figure “either of sections 95 or”.

60. Section 140 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by inserting the figure “, 98.1” after the figure “96” in the first line.

61. Section 141 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“141. Every person who contravenes section 92.1, 107 or 129 is guilty of an offence and is liable to a fine of \$300 to \$600.”

62. Section 142 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by inserting the words “or when notifying any change referred to in section 95” after the word “licence” in the second line.

63. The said Code is amended by inserting, after section 146.1, the following section:

“146.2 Every person who knowingly gives false or misleading information when applying for a driving school licence or an instructor’s licence is guilty of an offence and is liable to a fine of \$600 to \$2 000.”

64. Section 153 of the said Code is amended by striking out the words “or engage in the business of putting back on the market road vehicles assembled from parts or vehicles received” in the second, third and fourth lines.

65. Section 155 of the said Code is amended by adding the words “or a number referring thereto;” at the end of subparagraph 1 of the first paragraph.

66. The said Code is amended by inserting, after section 160, the following section:

“160.1 An association of dealers or recyclers may act as surety for its members, in the form, on the conditions and in the manner prescribed by regulation of the Government. Where such is the case, the association must deposit an amount with a trust company. This amount shall be fixed by the Société.”

67. Section 163 of the said Code is replaced by the following section:

“163. A person whose licence is suspended must, at the request of the Société, return his licence on the date the suspension becomes effective or on any later date fixed by the Société.

The Société may request that a peace officer confiscate the licence of any person refusing or omitting to comply with this requirement. Such a person must immediately remit his licence to the peace officer who requests him to do so and informs him of the reasons therefor.”

68. The said Code is amended by inserting, after section 164, the following section:

“164.1 Every person who gives false or misleading information when applying for a licence is guilty of an offence and is liable to a fine of \$600 to \$2 000.”

69. The said Code is amended by inserting, after the heading to Chapter I of Title IV, the following section:

“166.1 In addition to public highways, this Title applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed, and on private land where an accident has occurred.”

70. Section 180 of the said Code, amended by section 11 of chapter 19 of the statutes of 1990, is again amended

(1) by replacing the words “his licence is cancelled and the judge making the conviction shall order the licence confiscated and handed over to the Société” in the seventh, eighth and ninth lines of the first paragraph by the words “his learner’s licence, probationary licence or driver’s licence are cancelled and the judge pronouncing the conviction shall order that the licences be confiscated and returned to the Société”;

(2) by replacing the words “his right to obtain a licence” in the first line of the second paragraph by the words “a learner’s licence, a probationary licence or a driver’s licence his right to obtain such a licence”.

71. Section 185 of the said Code is amended by replacing the words “licence or, if the person is not a licence holder suspend his right to obtain a licence” in the third and fourth lines by the words “learner’s licence or driver’s licence or, if he is not the holder of a learner’s licence or driver’s licence, suspend his right to obtain such a licence”.

72. The heading of Division III of Chapter I of Title V of the said Code is replaced by the following heading:

“OTHER CANCELLATIONS”.

73. Section 186 of the said Code is repealed.

74. Section 187.1 of the said Code is replaced by the following section:

“**187.1** From the time the Société considers, within the meaning of section 112, that a person is convicted of an offence under section 94, it must cancel that person’s licences. In addition, if at any time after the date of the offence the person ceases to be the holder of a licence, the Société must suspend his right to obtain a licence.”

75. Section 187.2 of the said Code is amended by replacing the first paragraph by the following paragraph:

“**187.2** From the time the Société considers, within the meaning of section 112, that a person is convicted of an offence under section 519.11, the second paragraph of section 519.12 or under section 519.44 it must cancel the class of that person’s licence authorizing the driving of a motor vehicle referred to in Title VIII.1 or if the person does not hold such a class, suspend his right to obtain it.”

76. The said Code is amended by replacing the heading of Chapter II of Title V by the following heading:

“PROHIBITION ON PUTTING A ROAD VEHICLE BACK INTO OPERATION, SUSPENSION OF LICENCES”.

77. The said Code is amended by replacing the heading of Division I of Chapter II of Title V by the following heading:

“PROHIBITION ON PUTTING A ROAD VEHICLE BACK INTO OPERATION, SUSPENSION OF LEARNER’S LICENCES, PROBATIONARY LICENCES AND DRIVER’S LICENCES”.

78. Section 188 of the said Code is amended

(1) by replacing the opening phrase by the following:

“**188.** The Société may prohibit a road vehicle from being put back into operation in the following cases:”;

(2) by replacing paragraph 1 by the following paragraph:

“(1) false or inaccurate information was given when registration was applied for or when a change referred to in section 28 was notified;”;

(3) by striking out paragraph 3;

(4) by adding, at the end of paragraph 4, the words “or with a statement or certificate it requires of him pursuant to section 96 of the Automobile Insurance Act”;

(5) by replacing the words “the registration” in the first and second lines of paragraph 5 by the words “the amounts referred to in section 21 or in section 31.1 concerning any road vehicle belonging to him, the amounts referred to in section 69 or in section 93.1, the fees fixed under paragraphs 4.1 and 5 of section 624”.

79. Section 189 of the said Code is amended

(1) by replacing the opening phrase by the following:

“189. The Société must prohibit a road vehicle from being put back into operation in the following cases:”;

(2) by striking out paragraphs 3 and 4.

80. Section 190 of the said Code is amended

(1) by replacing the opening phrase by the following:

“190. The Société may suspend a learner’s licence and probationary licence or a driver’s licence or a class of any or several such licences where”;

(2) by replacing the words “the licence of the class” in the fifth line of paragraph 2 by the words “one of the licences or one of the classes of licence”;

(3) by replacing the words “the licence of the class” in the sixth line of paragraph 3 by the words “one of the licences or one of the classes of licence”;

(4) by replacing paragraph 5 by the following paragraph:

“(5) the licence holder gave false or inaccurate information when obtaining or renewing his licence or the class applied for or when notifying a change referred to in section 95;”;

(5) by replacing the words “to the licence” in paragraph 7 by the words “to the amounts referred to in section 21 or in section 31.1

concerning any road vehicle belonging to him, the amounts referred to in section 69.1 or in section 93.1 or with respect to the fees fixed under paragraphs 4.1 and 5 of section 624”.

81. Section 191 of the said Code is replaced by the following section:

“191. The Société must suspend a learner’s licence and probationary licence or a driver’s licence or a class of any or several such licences where, according to a medical or optometric report, the licence holder suffers from an illness or deficiency or is in a condition which, under the medical and optometric standards established by regulation, is essentially inconsistent with the driving of a road vehicle corresponding to one of those licences or one of the classes of licence that he holds.”

82. The said Code is amended by inserting, after section 191, the following sections:

“191.1 Notwithstanding section 191, the Société may decide not to suspend a licence or a class thereof or may lift such a suspension if the licence holder shows to the satisfaction of the Société

(1) that he has developed compensatory abilities enabling him to drive a road vehicle corresponding to the licence or the class of licence concerned without constituting a hazard to public safety; or

(2) that he can drive a road vehicle corresponding to the licence or the class of the licence concerned by complying with conditions related to his functional capability which enable him to drive the said vehicle without constituting a hazard to public safety.

“191.2 From the time the number of offences or demerit points entered in a person’s record equals or exceeds the limit prescribed by a regulation made under paragraph 9.3 of section 619, the Société must suspend, for a period of three months, his learner’s licence and probationary licence or, if the person is not the holder of a learner’s licence or probationary licence, his right to obtain such a licence.

“191.3 From the time the Société considers, within the meaning of section 112, that a person is convicted of an offence under section 98.1, the Société must suspend, for a period of three months, his learner’s licence and probationary licence or his driver’s licence or, if the person is not the holder of a learner’s licence, probationary licence or driver’s licence, his right to obtain such a licence.”

83. Section 192 of the said Code is amended

(1) by replacing the opening phrase by the following:

“192. From the time the Société considers, within the meaning of section 112, that a person is convicted of an offence under the first paragraph of section 105, the Société must suspend his learner’s licence and probationary licence or his driver’s licence or, if the person is not the holder of a learner’s licence, probationary licence or driver’s licence, his right to obtain such a licence”;

(2) by inserting the figures “191.2, 191.3,” after the figure “191,” in the third line of paragraph 2.

84. Section 193 of the said Code is amended by inserting the figures “191.2, 191.3,” after the figure “191,” in the second line of subparagraph 2 of the first paragraph.

85. Section 194 of the said Code, amended by section 214 of chapter 4 of the statutes of 1990, is again amended by replacing the words “licence or his right to obtain one” in the first and second lines of the first paragraph by the words “learner’s licence and probationary licence or his driver’s licence or, if the person is not the holder of a learner’s licence, probationary licence or driver’s licence, or his right to obtain such a licence”.

86. Section 195 of the said Code is replaced by the following section:

“195. Where the term of validity of a licence expires before the end of a period of suspension affecting that licence, the right to obtain a licence is then suspended for the unexpired portion of the period of suspension.”

87. The said Code is amended by inserting, after section 195, the following section:

“195.1 The Société must suspend a person’s restricted licence if, after the date on which it was issued, the person’s right to obtain a licence is under a suspension which is in effect or imposed but has yet to take effect. Such suspension shall remain in effect for as long as the suspension of the right to obtain a licence has not been lifted.”

88. Section 196 of the said Code is amended

(1) by replacing the words “licence or the right to obtain a licence of the owner and the driver of the vehicle, the registration of any road vehicle registered in the name of either as well as the right of either to obtain a registration” in the last four lines of the first paragraph,

by the words "learner's licence and probationary licence or the driver's licence of the owner and of the driver of the vehicle or, if they are not holders of a learner's licence, probationary licence or driver's licence, their right to obtain such a licence. In addition, it shall prohibit the putting back into operation of any road vehicle registered in the name of either person";

(2) by inserting the words "or the prohibition from putting a road vehicle back into operation must not be imposed or must be cancelled" after the word "cancelled" in the second line of the second paragraph;

(3) by replacing the third paragraph by the following paragraph:

"With respect to the driver and to the owner, a suspension under the first paragraph must not be imposed or must be cancelled or the prohibition from putting a road vehicle back into operation must not be imposed or must be cancelled where it is shown to the satisfaction of the Société that at the time of the accident, the driver was the owner of a road vehicle covered by a contract of liability insurance as required under the Automobile Insurance Act."

89. Section 197 of the said Code is amended

(1) by replacing the first paragraph by the following paragraph:

"197. The Société shall lift the suspension imposed on a person referred to in section 196 and the prohibition from putting back into operation any road vehicle registered in his name if he fulfils either of the following conditions:

(1) he furnishes a security to the Société in accordance with section 198 to satisfy any judgment that may arise from the accident;

(2) he furnishes to the Société any satisfactory proof of exoneration, acquittal or agreement to effect payment in regular instalments, in respect of any claim arising or that may arise from the accident, up to the amount applicable.";

(2) by replacing the words "it had lifted" in the third line of the second paragraph by the words "and prohibition it had lifted".

90. Section 200 of the said Code is amended by replacing the words "licence, and the registration of the road vehicle or the right to obtain them" in the second and third lines of the opening phrase by the words "learner's licence and probationary licence or the driver's licence or the right to obtain such licences and shall prohibit the putting back into operation of the road vehicle registered in the name".

91. Section 201 of the said Code is replaced by the following section:

“201. The Société shall lift the suspension imposed on any person referred to in section 200 and the prohibition from putting back into operation a road vehicle registered in his name in the following cases:

(1) for accidents having occurred between 1 October 1961 and 28 February 1978, where the person has satisfied the judgment up to an amount of \$35 000 in addition to interest and costs, after deducting up to \$200 for third party property damage;

(2) for accidents having occurred on or after 1 March 1978, where the person has satisfied the judgment up to the amount prescribed in section 87 of the Automobile Insurance Act;

(3) for accidents referred to in subparagraphs 1 and 2, where the person has reached an agreement with his creditor to the satisfaction of the Société, to effect payment in regular instalments.

In the case referred to in subparagraph 3, the Société, on receiving notice from the creditor that payment by the debtor has been interrupted, shall reinstate the suspension it had lifted following the agreement.”

92. Section 202 of the said Code is replaced by the following section:

“202. Where the Société has effected a payment in satisfaction of a judgment, it shall lift the suspension imposed upon any person referred to in section 200 and the prohibition from putting back into operation the road vehicle registered in such a person’s name in the following cases:

(1) if the person has reimbursed the Société for the total amount paid, with interest;

(2) if the person has reached an agreement with the Société for effecting payment in regular instalments.

In the case referred to in subparagraph 2, the Société shall reinstate the suspension and prohibition that it had lifted following the agreement if the person interrupts payment.”

93. Section 203 of the said Code is amended by inserting the words “, is found guilty of an offence referred to in section 146.2,

unless pardon has been obtained,” after the word “licence” in the third line.

94. Section 204 of the said Code is replaced by the following section:

“204. The Société must suspend a driving school licence or an instructor’s licence

(1) for three months if the holder is convicted of an offence under sections 146.2 to 150 after having been convicted, within the two years preceding the conviction, of an offence under those sections;

(2) for six months if the holder is convicted of an offence under sections 146.2 to 150 after having been convicted, within the two years preceding the conviction, of two other offences under those sections;

(3) for twelve months if the holder is convicted of an offence under sections 146.2 to 150 after having been convicted, within the two years preceding the conviction, of more than two other offences under those sections.

For the purposes of this section, no conviction for which a pardon was obtained shall be taken into account.”

95. Section 207 of the said Code is amended by adding, after paragraph 2, the following paragraph:

“(3) suspend the licence of a dealer or of a recycler convicted of an offence under section 164.1, unless a pardon was obtained.”

96. Section 208 of the said Code is replaced by the following section:

“208. The Société shall suspend a dealer’s licence or recycler’s licence or the right to obtain such a licence

(1) for three months if the holder or the person applying for such a licence is convicted of an offence under section 164.1 or section 166 for a contravention of any of sections 151, 153 and 158 after having been convicted, in the two years preceding the conviction, of an offence under section 164.1 or section 166 for contravening any of sections 151, 153 and 158;

(2) for six months if the holder or the person applying for such a licence is convicted of an offence under section 164.1 or section 166 for a contravention of any of sections 151, 153 and 158 after having been convicted, in the two years preceding the conviction, of two other

offences under section 164.1 or section 166 for contravening any of sections 151, 153 and 158;

(3) for twelve months if the holder or the person applying for such a licence is convicted of an offence under section 164.1 or section 166 for a contravention of any of sections 151, 153 and 158 after having been convicted, in the two years preceding the conviction, of more than two other offences under section 164.1 or section 166 for contravening any of sections 151, 153 and 158;

(4) for an additional period equal to the initial period of suspension of three, six or twelve months if the holder continues to operate his business after his licence is suspended under subparagraph 1, 2 or 3.

For the purposes of this section, no conviction for which a pardon was obtained shall be taken into account."

97. The said Code is amended by inserting, after section 210, the following section:

"210.1 The owner of a road vehicle must ensure that his vehicle is provided with an identification number in conformity with section 210."

98. The said Code is amended by inserting, after section 211, the following section:

"211.1 No person may sell or lease to or place at the disposal of any person, for consideration, or in any manner offer to sell or lease to or place at the disposal of any person, for consideration, a new road vehicle of a class subject to the Motor Vehicle Safety Act (R.S.C., 1985, chapter M-10) that does not bear the national safety mark within the meaning of that Act or a statement of compliance issued pursuant to that Act."

99. The said Code is amended by inserting, after the heading of Chapter II of Title VI, the following section:

"214.1 This section does not apply to a combination of road vehicles consisting of trailers or semi-trailers used for agricultural purposes and belonging to a farmer within the meaning of section 16, nor to farm machinery, when such vehicles are drawn by a farm tractor.

However, the vehicles must be provided with two red reflectors at the rear, one on each side of the vertical centreline and as far apart as practicable."

100. Section 215 of the said Code is amended

(1) by inserting, after subparagraph 3 of the first paragraph, the following subparagraph:

“(3.1) two red reflectors at the rear, at the same height, one on each side of the vertical centreline and as far apart as practicable;”;

(2) by replacing subparagraphs 7 and 8 of the first paragraph by the following subparagraphs:

“(7) one amber side marker lamp and one amber side reflector on each side, as far forward as practicable;

“(8) one red side marker lamp and one red side reflector on each side, as far to the rear as practicable;”;

(3) by replacing the second paragraph by the following paragraph:

“In the case of a combination of road vehicles, the lights prescribed in subparagraphs 3, 3.1, 4, 6 and 10 of the first paragraph must be mounted at the rear of the last vehicle.”;

(4) by replacing the third paragraph by the following paragraph:

“The lights referred to in subparagraph 2 of the first paragraph are not required on any vehicle exceeding 2.03 metres in width.”

101. The said Code is amended by inserting, after section 215, the following section:

“215.1 Any motor vehicle measuring 9.1 metres or more in length must carry an amber side marker lamp and an amber side reflector on each side, midway between the front and rear side marker lamps.”

102. Section 216 of the said Code is amended

(1) by replacing the words and figure “third paragraph of section 215” in the third and fourth lines of the opening phrase by the words and figure “first paragraph of section 214.1”;

(2) by striking out subparagraph 3 of the first paragraph;

(3) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) on the front, three amber identification lights, grouped in a horizontal row at the centre above the windshield, and spaced not less than 150 mm nor more than 300 mm apart;”.

103. The said Code is amended by inserting, after section 216, the following section:

“216.1 Subparagraph 8 of the first paragraph of section 215 and subparagraphs 2 and 5 of the first paragraph of section 216 do not apply to a motor vehicle designed to pull a semi-trailer and having no load space.”

104. Section 217 of the said Code is repealed.

105. Section 219 of the said Code is amended by striking out the words “but the red clearance lights are not prescribed in such a case as long as the tail-lights are placed not more than 150 mm from the right and left extremities of the vehicle” in the last three lines.

106. Section 220 of the said Code is replaced by the following section:

“220. In addition to the lights and reflectors prescribed in sections 215 and 216, every trailer or semi-trailer must carry one red side marker lamp on each side and as far to the rear as practicable.

It must also carry

(1) if it measures 1.8 metres or more in length, one amber side marker lamp on each side and as far forward as practicable;

(2) if it measures 9.1 metres or more in length, one amber side marker lamp and one amber side reflector midway between the front and rear side marker lamps.”

107. The said Code is amended by inserting, after section 220, the following section:

“220.1 The lights and reflectors prescribed by this chapter may be combined on the condition that they meet the requirements of this chapter.

However, a clearance light may not be combined with an identification light, nor a rear clearance light with a rear marker lamp.”

108. Section 223 of the said Code is replaced by the following section:

"223. All back-up lights on a road vehicle must remain extinguished when the vehicle is moving forward."

109. Section 225 of the said Code is amended by replacing the words "outside a city or town" in the first two lines by the words "on a public highway".

110. Section 239 of the said Code is amended

(1) by adding, at the end of the first paragraph, the words "of whatever colour";

(2) by adding, after the first paragraph, the following paragraph:

"No road vehicle contemplated in section 226 or in section 227 may carry flashing or rotating lights of another colour than the colour authorized for that vehicle in accordance with the section which applies to such a vehicle."

111. The said Code is amended by inserting, after section 240, the following section:

"240.1 Every towing vehicle must carry the necessary equipment for operating the lights prescribed under this chapter for the trailer or semi-trailer being towed."

112. Section 244 of the said Code is replaced by the following section:

"244. Every trailer or semi-trailer that is part of a combination of road vehicles and that has a mass, once loaded, of 1 300 kg or more or that has a mass, once loaded, over half that of the motor vehicle by which it is towed must be equipped with an independent braking system allowing application of a braking force on each weight-bearing wheel.

The towing vehicle must carry the necessary equipment for operating the braking system of any trailer or semi-trailer referred to in the first paragraph being towed.

This section does not apply to a combination of road vehicles consisting of trailers or semi-trailers used for agricultural purposes and belonging to a farmer within the meaning of section 16, nor to farm machinery, when such vehicles are drawn by a farm tractor."

113. Section 245 of the said Code is amended

(1) by striking out the words “, other than a trailer or semi-trailer referred to in section 244,” in the first and second lines;

(2) by adding, after the first paragraph, the following paragraph:

“The towing vehicle must carry the necessary equipment for attaching the chains, cables or the safety device of any trailer or semi-trailer being towed.”

114. Section 256 of the said Code is amended by adding, after the first paragraph, the following paragraph:

“In addition to public highways, this section applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

115. Section 277 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by striking out the words and figure “or section 256” in the second line.

116. Section 279 of the said Code is repealed.

117. Section 280 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“**280.** The owner of a road vehicle that does not meet the requirements of any of sections 221, 225, 236 and 258 is guilty of an offence and is liable to a fine of \$60 to \$100.”

118. Section 281 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following sections:

“**281.** Every person who installs or uses a white headlight in contravention of section 224 or who contravenes section 256 is guilty of an offence and is liable to a fine of \$100 to \$200.

“**281.1** Every person who drives a road vehicle whose windshield and windows are not clear of all substances which might hinder the driver’s ability to see is guilty of an offence and is liable to a fine of \$100 to \$200.”

119. Section 282 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“**282.** The owner of a vehicle that does not meet the requirements of any of sections 210.1, 214.1 to 220, 222, 223, 230, 231,

234, 235, 237, 240.1, 242, 243, 246, 254 and 261 to 264, the first paragraph of section 265, and section 268 is guilty of an offence and is liable to a fine of \$100 to \$200."

120. The said Code is amended by inserting, after section 283, the following section:

"283.1 Every person who contravenes any of sections 214, 248, 259, 260 and 266, the second paragraph of section 267 and section 271 is guilty of an offence and is liable to a fine of \$200 to \$300."

121. Section 284 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the word and figure "to 252" in the first line by the word and figure "or 251".

122. Section 285 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the words and figures "either of sections 244 and 245" in the second line by the words and figures "any of sections 239, 244, 245, 255 and 270".

123. Section 286 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the word "section" in the first line by the words "either of section 210 or".

124. The said Code is amended by inserting, after section 286, the following section:

"286.1 Every person who contravenes section 211.1 is guilty of an offence and is liable to a fine of \$600 to \$2 000."

125. The said Code is amended by inserting, after section 287, the following section:

"287.1 Every natural person who contravenes section 252 is guilty of an offence and is liable to a fine of \$300 to \$600.

Every legal person who contravenes section 252 is guilty of an offence and is liable to a fine of \$600 to \$2 000."

126. Section 288 of the said Code is amended by adding the following paragraph:

"In addition, for the purposes of this Title, a non-motorized scooter and an adult's tricycle are considered as bicycles."

127. Section 289 of the said Code is amended by inserting the words “erected on a public highway” after the word “signs” in the first line of the first paragraph.

128. Section 293 of the said Code is amended

(1) by replacing the words “for reasons of safety or in the public interest” in the second line of the first paragraph by the words “by means of appropriate signs or signals”;

(2) by striking out the second paragraph.

129. The said Code is amended by inserting, after section 293, the following section:

“293.1 The person responsible for the maintenance of a public highway may, by means of proper signs or signals, restrict or prohibit, for reasons of safety, the driving of vehicles, or of certain vehicles, on that highway.

In the case of a municipality, this power is subject to the authorization of the Minister of Transport, except in an emergency; the Minister may remove any sign or signal not previously authorized by him.

No person may drive a road vehicle in contravention of a sign or signal erected under this section unless the vehicle is being used for maintenance of that highway or for the installation and maintenance of public utilities thereon.”

130. Section 295 of the said Code is amended by inserting, after paragraph 4, the following paragraphs:

“(4.1) regulate bicycle traffic in a cycle lane;

“(4.2) prohibit, limit or otherwise regulate bicycle traffic in lanes used by road vehicles or in places used by pedestrians;”.

131. Section 296 of the said Code is replaced by the following section:

“296. The person responsible for the maintenance of a limited access highway may, by means of the proper signs or signals, regulate or prohibit the driving of certain classes of road vehicles on that highway.”.

132. Sections 297 and 298 of the said Code are repealed.

133. Section 299 of the said Code is amended by adding, at the end, the following paragraph:

“No person may travel at a rate of speed exceeding the limit indicated on any signs erected under this section.”

134. Section 303 of the said Code is amended by inserting the words “in conformity with the standards laid down by the Minister of Transport” after the word “signals” in the fourth line.

135. Section 314 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the words “third paragraph of section 293 or any of sections 310 to 312” in the first and second lines by the words “second paragraph of section 293”.

136. The said Code is amended by inserting, after section 314, the following section:

“314.1 Every driver of a road vehicle who contravenes any of sections 310 to 312 is guilty of an offence and is liable to a fine of \$100 to \$200.”

137. The said Code is amended by inserting, after section 316, the following section:

“316.1 The driver of a road vehicle who contravenes the third paragraph of section 293.1 is guilty of an offence and is liable to a fine of \$600 to \$2 000.

In the case of a passenger vehicle, however, the minimum fine is \$300.”

138. Section 317 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by adding, at the end, the following paragraph:

“However, the fine shall be of \$100 to \$200 in cases where signs or signals which do not meet the standards laid down by the Minister of Transport are erected.”

139. Section 319 of the said Code is amended by adding, at the end, the following paragraph:

“In addition, for the purposes of this Title, a non-motorized scooter and an adult’s tricycle shall be considered as bicycles.”

140. Section 325 of the said Code is amended by replacing the words “within a city or town or where the speed limit is less than 80 km/h” in the first and second lines of the first paragraph by the words “where the speed limit is less than 90 km/h”.

141. The said Code is amended by inserting, after section 326, the following section:

“326.1 The driver of a road vehicle shall not cross any of the following lines marking off lanes:

- (1) a solid single line;
- (2) a solid double line;
- (3) a double line consisting of a broken line and a solid line, the latter being adjacent to the lane in which the road vehicle is moving.

In addition to the exceptions provided for in sections 344 and 378, the first paragraph does not apply where the driver must leave the lane he is using because it is obstructed or closed to traffic, or in order to make a left turn towards another road or a private entry; the driver must however assure himself he can do so in safety.”

142. Section 327 of the said Code is amended by adding, after the first paragraph, the following paragraph:

“In addition to public highways, this section applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

143. Section 328 of the said Code is amended

- (1) by replacing the word “Without” in the first line by the words “Except on roads where the opposite is indicated by signs or signals and without”;
- (2) by replacing the word “autoroutes” in paragraph 1 by the words “limited access highways”;
- (3) by striking out the words “outside cities, towns or villages” in paragraphs 2 and 3;
- (4) by repealing paragraph 4.

144. Section 329 of the said Code is amended by adding the words “or under the second paragraph of section 628”, at the end of the third paragraph.

145. Section 336 of the said Code is amended by replacing the words “Outside a city, town or village” in the first line by the words “On a public highway where the maximum speed allowed is 90 km/h or more”.

146. Section 337 of the said Code is repealed.

147. Section 343 of the said Code is repealed.

148. Section 344 of the said Code is amended

(1) by replacing the figure “343” in the second line by the figure “326.1”;

(2) by striking out the words “if the lane is obstructed or closed to traffic,” in the second and third lines.

149. Section 364 of the said Code is amended by striking out the words “, whether flashing or not,” in the second line.

150. Section 378 of the said Code is amended by replacing the second paragraph by the following paragraph:

“In such a case, the driver is not bound to comply with the provisions of section 310, the first paragraph of section 326.1, or of sections 328, 342, 346, 347, 359, 360, 364, 365, 367, 368, 371, 381 to 384 and 386.”

151. The said Code is amended by inserting, after section 381, the following section:

“381.1 In addition to public highways, sections 380 and 381 apply on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

152. Section 384 of the said Code is replaced by the following section:

“384. No person may stop a road vehicle on a public highway where the maximum speed allowed is 90 km/h or more, unless in a case of necessity or when authorized to do so by signs or signals.”

153. Section 386 of the said Code is amended by replacing paragraph 7 by the following paragraph:

“(7) on a limited access highway, at an entrance to or exit from such a highway, on an access ramp or in a traffic lane reserved exclusively for certain vehicles;”.

154. Section 388 of the said Code is amended

(1) by inserting the words “or plates” after the word “stickers” in the third line of the opening phrase;

(2) by inserting, after paragraph 2, the following paragraph:

“(3) any form of identification sticker or plate for handicapped persons issued by another administrative authority in Canada or the United States.”;

(3) by adding, after the first paragraph, the following paragraph:

“In addition to public highways, this section applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

155. Section 391 of the said Code is amended by adding, at the end, the words “, on a private road open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

156. Section 392 of the said Code is amended by replacing the words “public highway” in the second line by the words “highway or on any land referred to in section 391”.

157. Section 394 of the said Code is amended by inserting the words “where public access is not authorized” after the word “land” in the second line.

158. Section 396 of the said Code is amended by striking out the words “nor to a person who holds a medical certificate exempting him from wearing a seat belt” in the second and third lines of the second paragraph.

159. Sections 398, 399 and 400 of the said Code are repealed.

160. Section 407 of the said Code is amended by replacing the words “Within a city or town”, in the first line of the first paragraph, by the words “On a public highway where the maximum speed allowed is less than 90 km/h”.

161. Section 421.1 of the said Code is replaced by the following section:

“421.1 No person may drive on a public highway a road vehicle carrying a registration plate of the category prescribed by regulation, issued for road vehicles used exclusively on private land or roads and not intended to be driven on public highways.

Notwithstanding the foregoing, the driver of such a vehicle, except a vehicle with metal caterpillar tracks, is authorized to cross a public highway, other than a limited access highway.”

162. Section 435 of the said Code is amended by adding, after the first paragraph, the following paragraph:

“In addition to public highways, this section applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

163. The said Code is amended by inserting, after section 437, the following section:

“437.1 No person may tow with a towing vehicle a trailer or semi-trailer unless the lights, braking systems or chains, and cables or other safety devices of the trailer or semi-trailer are attached to the towing vehicle and are in a good working order.”

164. Section 443 of the said Code, amended by section 62 of chapter 94 of the statutes of 1987, is again amended by adding, after the first paragraph, the following paragraph:

“In addition to public highways, this section applies on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.”

165. The said Code is amended by inserting, after section 453, the following section:

“453.1 No pedestrian may walk along a limited access highway or along any of its entrance or exit ways, except in a case of necessity. He may, however, cross such a highway at any intersection where traffic lights are installed.”

166. Section 462 of the said Code is amended by replacing the words “motor vehicle” in paragraph *a* of subparagraph 3 of the first paragraph by the words “road vehicle”.

167. Section 463 of the said Code is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“The special permit shall be issued on the conditions and subject to the formalities established by regulation and on payment of the duties prescribed by regulation, or, in the case of a permit issued under section 633, on the conditions and on payment of the fee prescribed by the Minister.”

168. The said Code is amended by inserting, after section 464, the following sections:

“464.1 No person other than the holder of an escort permit may provide escort service for an outsized vehicle required to travel under escort by the conditions attached to the special permit authorizing it to be driven.

“464.2 Every driver of a vehicle escorting an outsized vehicle in the circumstances described in section 464.1 must carry an escort permit with him.”

169. Section 466 of the said Code is amended by replacing the words “motor vehicle” in the second line of the first paragraph by the words “road vehicle”.

170. Section 467 of the said Code is amended by replacing the words “motor vehicle” in the first line of the first paragraph by the words “road vehicle”.

171. Section 468 of the said Code is amended by replacing the words “motor vehicle” in the first line of the first paragraph by the words “road vehicle”.

172. Section 470 of the said Code is amended by replacing the words “motor vehicle” in the second line by the words “road vehicle”.

173. Section 471 of the said Code is amended by replacing the words “authorize another person to drive” in the first line of the opening phrase by the words “allow to be driven”.

174. Section 473 of the said Code is replaced by the following sections:

"473. No owner or lessee of a road vehicle or of a combination of road vehicles and no carrier contemplated in Title VIII.1 who is responsible for such vehicles may, unless he obtains a special permit issued for that purpose, allow the vehicle or combination of road vehicles to be driven while carrying a load or provided with equipment

(1) in excess of the maximum width of the vehicle or combination of vehicles at its widest point or that of its mandatory accessories;

(2) exceeding the maximum length of the vehicle or combination of vehicles by more than 1 metre at the front or 2 metres at the rear.

The special permit shall be issued on the conditions and subject to the formalities established by regulation and on payment of the duties prescribed by regulation or, in the case of a permit issued under section 633, on the conditions and on payment of the fee prescribed by the Minister.

"473.1 No person may drive a vehicle or combination of vehicles referred to in section 473 unless he carries with him a special permit for that purpose.

"473.2 Within the scope of the powers conferred on him by virtue of sections 466, 468 and 472, a peace officer may demand the registration certificate and remove the registration plates of a vehicle. The driver is bound to comply without delay with these requirements.

The peace officer shall issue a receipt to the driver of the vehicle. He shall keep the confiscated documents if the situation may be corrected within a reasonable time, and shall in other cases hand them over to the Société.

The peace officer or the Société, as the case may be, must return the documents to the driver or to the owner of the vehicle as soon as the situation is corrected in accordance with the law."

175. Section 474 of the said Code is replaced by the following section:

"474. No person may drive a road vehicle or combination of road vehicles whose load or equipment extends beyond the rear of the road vehicle or combination of road vehicles by more than 1 metre at its farthest point unless a red flag or a reflector panel, and, at night, a red light visible from behind and from the sides for not less than 150 metres is installed at the farthest point. The flag or reflector panel and their installation must comply with any standards that may be prescribed by regulation."

176. Section 475 of the said Code is amended by adding, at the end, the following paragraph:

“The driver of the motor vehicle or combination of road vehicles must, at the peace officer’s request, surrender for inspection the documents prescribed by regulation concerning the vehicle’s load and those establishing his qualifications for the transportation of dangerous substances.”

177. Section 484 of the said Code is amended by adding, at the end, the following paragraph:

“No person may drive a road vehicle carrying a passenger under sixteen years of age who does not fulfil the obligations imposed on him by this section.”

178. Section 487 of the said Code is replaced by the following section:

“**487.** Subject to section 492, every person on a bicycle must ride on the extreme right-hand side of the roadway in the same direction as traffic, except where that space is obstructed or when he is about to make a left turn.”

179. The French text of section 490 of the said Code is amended by inserting the word “autres” after the word “des” in the third line.

180. The French text of section 491 of the said Code is amended by replacing the words “pistes ou bandes” in the first line of paragraph 1 by the word “voies”.

181. Section 492 of the said Code is amended by replacing the word “roadway” by the words “public highway”.

182. Sections 500 and 501 of the said Code are replaced by the following section:

“**500.** No person may obstruct traffic by means of an obstacle on a public highway or on a road being used as an alternate route for traffic diverted from a public highway even if the alternate route is situated on private property. Signs and signals referred to in the first paragraph of section 289 do not constitute an obstacle within the meaning of this section.

A peace officer is authorized to remove or cause to be removed any such obstacle at the owner’s expense.”

183. Section 505 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the figure “453” in the first line by the figure “453.1”.

184. Section 506 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the word and figure “to 337” in the second line of the first paragraph by the figure “, 336”.

185. Section 507 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“507. Every person who contravenes any of sections 321, 323, 330, 377 to 380, 403, 425, 437, 438, the first paragraph of section 441, any of sections 484, 494 to 496, 498 and the first paragraph of section 500, and every person other than a person riding on a bicycle who contravenes any of sections 361, 402, 406, 424 and 492.1 is guilty of an offence and is liable to a fine of \$60 to \$100.”

186. Section 508 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“508. Every person who contravenes any of sections 396, 401 and 484 is guilty of an offence and is liable to a fine of \$80 to \$100.”

187. Section 509 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“509. Every person who contravenes any of sections 320, 322, 326, 331, 365, 391, the first paragraph of section 407, any of sections 415, 416, 418, 421.1, 423, 473.1, 474, 483 and 502, and every person other than a person riding on a bicycle who contravenes any of sections 346, 349, 350, 359, 360, 362 to 364, 367 to 371, 404, 405, 408 to 411, 421, 478 and 479 is guilty of an offence and is liable to a fine of \$100 to \$200.”

188. Section 510 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“510. Every person who contravenes any of sections 326.1, 340 to 342, 344, 345, 347, 348, 389, 395, 413, 437.1, 455, 458 to 460, 471, the second paragraph of section 472, section 473, the second paragraph of section 475 and section 497 is guilty of an offence and is liable to a fine of \$200 to \$300.”

189. Section 512 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by replacing the

words and figures "either of sections 327 and 422" in the first line by the words and figures "any of sections 327, 422 and 464.2".

190. The said Code is amended by inserting, after section 512, the following section:

"512.1 Every person who contravenes section 333 is guilty of an offence and is liable to a fine of \$500 to \$1000."

191. Section 513 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended

(1) by inserting the words "of a road vehicle or" after the word "driver" in the first line of the first paragraph;

(2) by inserting the words and figure "or a condition fixed under section 633" after the figure "621" in the third line of the first paragraph;

(3) by inserting the words and figure "or a condition fixed under section 633" after the figure "621" in the second line of the second paragraph;

(4) by replacing the third paragraph by the following paragraphs:

"Every holder of an escort permit who contravenes a regulatory provision whose violation constitutes an offence under paragraph 20.3 of section 621 is guilty of an offence and is liable to a fine of \$600 to \$2 000.

In addition to a fine, in the case of a conviction for a second offence committed during the same period of validity of a special permit or an escort permit, the permit issued to that holder for the vehicle driven at the time of those offences as well as his right to obtain such a permit for another vehicle are suspended for three months and in the case of a third offence committed during any one period of validity of a special permit or an escort permit, any special permit and any escort permit issued to that holder, according to whether the offence comes under the second or the third paragraph, as well as the right to obtain such permits for other vehicles, are suspended for three months.

If a vehicle that is an outsized vehicle with respect to its axle load or total loaded mass is driven, in contravention of the first, second, or third paragraph, on a bridge or viaduct where sign or signal prohibits outsized vehicles, the fines prescribed in the first, second and third paragraphs shall be doubled."

192. The said Code is amended by inserting, after section 513, the following section:

“513.1 Every person who contravenes section 464.1 is guilty of an offence and is liable to a fine of \$600 to \$2 000.”

193. Section 516 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“516. Every person who contravenes the second paragraph of section 299, section 328 or the third paragraph of section 329 is guilty of an offence and is liable to a fine which shall be of \$15 plus,

(1) if the speed exceeds the speed limit by 1 to 20 km/h, \$10 for each 5 km/h by which the speed exceeds the speed limit;

(2) if the speed exceeds the speed limit by 21 to 30 km/h, \$15 for each 5 km/h by which the speed exceeds the speed limit;

(3) if the speed exceeds the speed limit by 31 to 45 km/h, \$20 for each 5 km/h by which the speed exceeds the speed limit;

(4) if the speed exceeds the speed limit by 46 to 60 km/h, \$25 for each 5 km/h by which the speed exceeds the speed limit;

(5) if the speed exceeds the speed limit by 61 km/h or more, \$30 for each 5 km/h by which the speed exceeds the speed limit.”

194. Section 517 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended

(1) by replacing the words “motor vehicle” in the third line of the first paragraph and in the first line of the second paragraph by the words “road vehicle”;

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

“If a vehicle that is an outsized vehicle with respect to its axle load or total loaded mass is driven on a bridge or viaduct where a sign or signal prohibits outsized vehicles, the fines prescribed in the first paragraph shall be doubled.”

195. Section 517.1 of the said Code is amended

(1) by replacing the words “motor vehicle” in the fourth line of the first paragraph and in the first line of the second paragraph by the words “road vehicle”;

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

“If a vehicle that is an outsized vehicle with respect to its axle load or total loaded mass is driven on a bridge or viaduct where a sign or signal prohibits outsized vehicles, the fines prescribed in the first paragraph shall be doubled.”

196. Section 518 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is replaced by the following section:

“518. The owner of a road vehicle travelling on a public highway whose net mass or number of axles, as the case may be, exceeds what was declared in the application for registration is guilty of an offence and is liable to a fine of \$300 to \$600 for the first offence and to a fine of \$600 to \$2 000 for any subsequent offence committed with the same vehicle during the twelve months following the date of conviction for the first offence.

Section 467 applies, adapted as required, with respect to the methods used to determine the net mass of a road vehicle and with respect to the probative force thereof.”

197. Section 519 of the said Code is amended by replacing the words “motor vehicle” in the first line by the words “road vehicle”.

198. Section 519.2 of the said Code is amended

(1) by replacing the definition of the word “carrier” by the following definition:

““carrier” means any person who is the owner of a motor vehicle to which this Title applies, or who leases such a vehicle for a period of less than one year, or any person who retains the services of the holder of a licence of the Commission des transports du Québec for truck transportation services provided under a subcontract or for the towing of trailers or semi-trailers;”;

(2) by striking out the second paragraph.

199. Section 519.10 of the said Code is amended by adding, at the end, the following paragraph:

“This section does not apply to hand luggage.”

200. Section 519.14.1 of the said Code is amended by replacing the words “in the performance of the duties conferred on him by” in the first and second lines by the words “in performing his duties under”.

201. Section 519.20 of the said Code is replaced by the following section:

“519.20 No carrier may authorize the operation of a bus in which baggage, freight or express is not distributed or secured in conformity with section 519.10.”

202. The said Code is amended by inserting, after section 519.22, the following section:

“519.22.1 Every carrier must ensure that the driver, where bound to do so by regulation, keeps on board the register of his hours of driving and hours of service and that he enters therein all the required information in accordance with the standards established by regulation.”

203. Sections 519.26 to 519.29 of the said Code are repealed.

204. Section 519.36 of the said Code is amended by striking out the words “and to the amount owing on the registration fee he should have paid” in the fourth and fifth lines of the second paragraph.

205. Section 519.52 of the said Code is amended by inserting the figure “519.22.1” after the figure “519.21,” in the fourth line.

206. The said Code is amended by inserting, after section 519.62, the following title:

“TITLE VIII.2

“CONTROL OF HIGHWAY TRANSPORTATION OF PERSONS AND GOODS

“CHAPTER I

“APPLICATION

“519.63 The Société has jurisdiction for exercising control over highway transportation of persons and goods. It shall exercise such jurisdiction in accordance with the provisions of this Title and the agreements referred to in section 519.64.

“519.64 In addition to the provisions of this Code and its regulations, the Société shall be responsible, in exercising its jurisdiction, under this Title, for the application of the Acts and regulations coming under the authority of such departments and

bodies as are designated by the Government to the extent and on the conditions determined by agreement between the Société and the departments and bodies.

“519.65 The Société may, with the approval of the Minister of Transport, enter into an agreement with any department or body designated by the Government for the application of the Act respecting truck transportation (R.S.Q., chapter C-5.1), the Act respecting explosives (R.S.Q., chapter E-22), the Retail Sales Tax Act (R.S.Q., chapter I-1), the Tobacco Tax Act (R.S.Q., chapter I-2), the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29), the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30), the Environment Quality Act (R.S.Q., chapter Q-2), the Act respecting occupational health and safety (R.S.Q., chapter S-2.1), the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13), the Fuel Tax Act (R.S.Q., chapter T-1), the Act respecting transportation by taxi (R.S.Q., chapter T-11.1), or the Transport Act (R.S.Q., chapter T-12).

“519.66 Every agreement entered into under this Title must include in particular

(1) the object contemplated and the mandate conferred on the Société with respect to the control of highway transportation;

(2) a list of the legislative and regulatory provisions and the administrative standards the application of which is wholly or partly under the responsibility of the Société;

(3) the conditions and administrative methods to be observed by the parties within the scope of the mandate conferred on the Société;

(4) the delegation to the Société of any powers which, at the time of the agreement, the department or body concerned has authority to exercise under the Acts and regulations which are the subject of the agreement;

(5) the rules governing the exchange of information between the parties.

“CHAPTER II

“CONTROL ON THE HIGHWAY AND WITHIN UNDERTAKING

“519.67 Every member of the personnel of the Société appointed as a highway controller and who has responsibility for highway control is, throughout Québec, a peace officer for the purposes of the enforcement of this Code and of the legislative and

regulatory provisions which are under the responsibility of the Société pursuant to an agreement entered into in accordance with this Title.

"519.68 The Société may, with the approval of the Minister of Transport, enter into an agreement with the Ministère de la Sécurité publique in order that the highway controllers referred to in section 519.67 be designated special constables for the enforcement in Québec of the Act respecting motor vehicle transport by extra-provincial undertakings (R.S.C. (1985), chapter 29, 3rd Supplement).

"519.69 Every member of the personnel of the Société appointed as a highway controller and who is responsible for control within an undertaking is an inspector for the application of Title VIII.1, of this Title and of the legislative and regulatory provisions which are under the responsibility of the Société pursuant to an agreement entered into in accordance with this Title.

A highway controller referred to in section 519.67 as well as any other peace officer may also carry out inspections in accordance with section 519.70.

"519.70 In the exercise of his duties, any person referred to in section 519.69 may, in particular,

(1) enter, at any reasonable time, the establishment of a carrier referred to in Title VIII.1 or any place where an undertaking is carried on or where goods contemplated by legislative or regulatory provisions which come under the responsibility of the Société under an agreement entered into in accordance with this Title are being kept;

(2) inspect, within such places, the premises or equipment where or in which the registers or records that must be kept pursuant to Title VIII.1 or legislative or regulatory provisions referred to in paragraph 1 are found;

(3) inspect any motor vehicle subject to the provisions of Title VIII.1 and legislative and regulatory provisions referred to in paragraph 1 and, for such purpose, order the immobilisation of the vehicle if necessary, enter it, examine the registers and records referred to in paragraph 2 and open or cause to be opened any container or recipient;

(4) require any information relating to the application of Title VIII.1 and legislative and regulatory provisions referred to in paragraph 1, require any document relating thereto and examine and make copies of books, registers, accounts, records and other documents which contain such information.

Any person having custody, possession or control of such books, registers, accounts, records and other documents must, on request, make them available to the person carrying out the inspection and facilitate their examination.

"519.71 Upon request, an inspector must identify himself and show a certificate of his capacity issued by the Société.

"519.72 No person may hinder a peace officer or an inspector in the performance of his duties, mislead him by concealment or false declarations, refuse to provide him with any information or document he is entitled to require or examine, or conceal or destroy any document or property relevant to an inspection.

"CHAPTER III

"PENAL PROVISIONS

"519.73 Any person who is guilty of an offence under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with this Title, is liable to the penalty provided for that offence under the Act or the regulation subject to the agreement.

"519.74 No person may drive or allow to be driven in Québec a motor vehicle, other than a passenger vehicle, whose fuel tank contains fuel acquired outside Québec, unless he is the holder of the certificate he is required to hold pursuant to the Fuel Tax Act.

"519.75 Any peace officer having reasonable grounds to believe that an offence under section 519.74 has been committed may demand the registration certificate and remove the registration plates of the vehicle containing the fuel. The driver must comply without delay with such demand.

The peace officer shall issue a receipt to the driver. He may keep the confiscated documents if the situation may be corrected within a reasonable time or, if not, he shall send them to the Société.

The peace officer or the Société, as the case may be, must return the documents to the driver or owner of the vehicle as soon as the certificate has been issued.

"519.76 Every person who contravenes the second paragraph of section 519.70 or either of sections 519.72 or 519.74 is guilty of an offence and is liable to a fine of \$600 to \$2 000."

207. Section 521 of the said Code is amended by inserting, after paragraph 10.1, the following paragraph:

“(10.2) damaged vehicles referred to in section 546.2 that have been rebuilt,”.

208. Section 532 of the said Code is amended by inserting the words “by him or by another person” after the word “repaired” in the fifth line of the first paragraph.

209. The said Code is amended by inserting, after section 538, the following section:

“538.1 No sticker that may be confused with an inspection sticker issued by the Société or by another administrative authority may be affixed to a road vehicle.”

210. Section 546 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended by inserting the figure “538.1” after the figure “538,” in the second line.

211. The said Code is amended by adding, after section 546, the following Title:

“TITLE IX.1

“REBUILDING OF DAMAGED VEHICLES

“546.1 The Société has exclusive jurisdiction for making technical appraisals of rebuilt road vehicles and for issuing certificates of technical compliance.

For these purposes, the Société may, on the conditions it establishes, appoint persons authorized to make technical appraisals of rebuilt road vehicles on its behalf, and authorize them to issue certificates of technical compliance in respect of such road vehicles.

“546.2 Any insurer who acquires a vehicle so seriously damaged that it cannot be rebuilt or must be rebuilt before being driven again shall, upon taking possession of it, notify the Société and indicate whether or not the vehicle may be rebuilt.

In addition to insurers, every government, government department, public body or private undertaking must transmit to the Société the information permitting such vehicles to be identified in the manner determined in the agreement.

“546.3 Any person who subsequently acquires the damaged road vehicle shall, before putting it back into operation, submit the vehicle and the record of its rebuilding for technical appraisal within the meaning of this Title, and furnish the Société with a certificate of technical inspection indicating that the vehicle meets the requirements of this Code and a certificate of technical conformity.

“546.4 Every person rebuilding a road vehicle referred to in section 546.2 shall maintain a record on the rebuilding of the vehicle. The record must contain the following documents and information:

(1) the name and address of the rebuilder, of the owner of the vehicle and of its insurer together with the file number of the claim;

(2) the identification of the vehicle;

(3) a list of the major components used, including the name of the supplier, the date of purchase and the identification number of the original vehicle;

(4) the insurer's estimate of repairs;

(5) the purchase invoice for the vehicle carcass and invoices for major components needed for the rebuilding;

(6) photographs showing the front, rear and sides of the vehicle taken before rebuilding and a photograph taken on a frame alignment bench;

(7) an attestation that such information and documents are true;

(8) any other document or information required by regulation.

When the rebuilding of the vehicle is completed, the person who rebuilt the vehicle must give the record of rebuilding to the owner of the vehicle.

“546.5 The person authorized to make technical appraisals for the Société shall issue a certificate of technical compliance when in his opinion a rebuilt road vehicle complies with the rebuilding standards recognized in the automobile industry especially with respect to frame alignment and solidity of assembly, and when he is satisfied, on the basis of an inspection of the vehicle and record of rebuilding, that the vehicle is the vehicle described in the record of rebuilding.

“546.6 No person may put a damaged road vehicle referred to in section 546.2 back into operation if the vehicle was identified by the Société as being impossible to rebuild.

“546.7 Every person who contravenes section 546.6 is guilty of an offence and is liable to a fine of \$300 to \$600.”

212. Section 550 of the said Code is amended

(1) by striking out the words “paragraph 3 of section 25, paragraph 3 of section 26,” in the first and second lines of the first paragraph;

(2) by replacing the words and figures “and 186, paragraphs 1, 2 and 3 of section 188, paragraph 3 of section 189, paragraphs 1, 2, 3 and 5 of section 190, or any of sections 191” in the fifth, sixth and seventh lines of the first paragraph by the words and figures “, 187.1, 187.2, paragraphs 1 and 2 of section 188, paragraph 2 of section 189, paragraphs 1, 2, 3 and 5 of section 190, any of sections 191, 191.2, 191.3, 192, 194, 195.1,”;

(3) by inserting the words “at the address he last notified” after the word “concerned” in the first line of the fourth paragraph.

213. Section 552 of the said Code is replaced by the following section:

“552. Where a person is in any of the situations described in paragraphs 2 and 3 of section 81 or paragraphs 2 and 3 of section 190, the Société may, before rendering a decision, request, by notice, the person to furnish, within 60 days from the date of the notice, a detailed report by a physician or optometrist, as the case may be, establishing to the satisfaction of the Société,

(1) in the cases described in paragraphs 2 and 3 of section 81, that he is fit to drive a road vehicle corresponding to the class of licence applied for without constituting a hazard to public safety;

(2) in the cases described in paragraphs 2 and 3 of section 190, that he is fit to drive a road vehicle corresponding to the class of licence held by him without constituting a hazard to public safety.

The report may be accompanied with other documents from a health establishment or from another health professional governed by the Professional Code (R.S.Q., chapter C-26) or, in the case of a professional driver, with a notice from the person’s employer.

On receipt of the detailed report or, if the person fails to furnish such a report, at the expiry of a sixty-day period, the Société shall render the decision it deems appropriate.”

214. Section 553 of the said Code is amended by replacing the first and second paragraphs by the following paragraphs:

“553. Every decision relating to a suspension, a cancellation, a prohibition from putting a road vehicle back into operation or to a cancellation of registration takes effect 15 days after the date of the mailing of that decision.

However, any decision rendered under paragraph 1 of section 207 takes effect immediately where

(1) it suspends a licence or class of such licence as a result of the failing of a proficiency examination;

(2) it suspends a driving school licence, an instructor’s licence or a dealer’s or recycler’s licence for giving false or misleading information on making the application.

Any decision rendered under section 191 which is served in conformity with the Code of Civil Procedure (R.S.Q., chapter C-25) shall take effect on the date of service.

In the event of an interruption of postal service, a decision delivered by another means takes effect on the date fixed by the Société.”

215. Section 560 of the said Code is amended

(1) by striking out the words and figures “paragraph 3 of section 25, paragraph 3 of section 26,” in the first and second lines of paragraph 1;

(2) by striking out the words and figures “section 186, paragraph 3 of section 188, paragraph 3 of section 189,” in the fourth and fifth lines of paragraph 1.

216. Section 578 of the said Code is amended by replacing the figure “210” in the third line by the figure “210.1”.

217. Section 587 of the said Code is replaced by the following section:

“587. The clerk of a court of justice or a person under his authority shall notify the Société of every conviction that entails, under this Code, the entry of demerit points, the suspension or cancellation of a licence or class thereof, the suspension of a driving

school licence or instructor's licence or of a dealer's or recycler's licence as well as any conviction for an offence under section 186, 187, 191 or 192 of the Automobile Insurance Act (R.S.Q., chapter A-25).

Every person referred to in the first paragraph shall also notify the Société of an order of prohibition to operate a motor vehicle made under subsection 1 or 2 of section 259 of the Criminal Code."

218. Section 592 of the said Code, amended by section 212 of chapter 4 of the statutes of 1990, is again amended

(1) by replacing the words "on the registration certificate" in the first and second lines of the first paragraph by the words "in the register of the Société kept pursuant to section 10";

(2) by replacing the words and figures "any of sections 470 and 471" in the sixth line of the second paragraph by the word and figure "section 470";

(3) by striking out the words and figures "either of sections 473 and 474," in the seventh line of the second paragraph.

219. The said Code is amended by inserting, after section 596, the following sections:

"596.1 Any person who advises, encourages or incites another person to do a thing that constitutes an offence under this Code or under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with Title VIII.2, or who accomplishes or omits to accomplish a thing which results in aiding another person to commit an offence is a party to that offence and is liable to the same penalty as that which is prescribed for the offender, whether or not the offender has been prosecuted or convicted.

"596.2 Where a legal person commits an offence under this Code or under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with Title VIII.2, every director, partner, officer, employee or agent of that person who prescribed or authorized the commission of the offence or who consented or acquiesced thereto or participated therein is deemed to be a party to that offence and is liable to the same penalty as that which is prescribed for the legal person, whether or not that legal person is prosecuted or convicted."

220. Section 607 of the said Code is amended by replacing the words "In the absence of any accident report" in the first line of the

third paragraph by the words "In the case of an accident report containing inaccurate or incomplete information, or in the absence of any report".

221. Section 609 of the said Code is amended by replacing the words ", permits or registration certificates issued under this Code" in the fifth and sixth lines by the words "or permits issued under this Code as well as the person in whose name a road vehicle is registered by the Société,".

222. Section 610 of the said Code is amended

(1) by replacing the words "the holder of a registration certificate may be transmitted by the Régie" in the first and second lines of the first paragraph by the words "the person in whose name registration of a road vehicle is effected by the Société may be transmitted by the Société";

(2) by replacing the second paragraph by the following paragraphs:

"The Société may also transmit to an insurer, a claims adjuster or the Insurance Crime Prevention Bureau the names and given names, the present or previous address, the date of birth and the personal identification number of present and past owners of a road vehicle, as well as any information concerning the vehicle's registration history, where such information is required for an investigation concerning the theft of a road vehicle or a fraud in respect of a road vehicle.

The information so released which is nominative information must be dealt with confidentially by the persons to whom it is released. Such information may be used only for investigation purposes by insurers, by claims adjusters having a mandate from insurers or by the Insurance Crime Prevention Bureau. It must be destroyed in the year following the date on which it was received."

223. Section 618 of the said Code is amended

(1) by replacing paragraph 2 by the following paragraph:

"(2) determine in which cases and subject to what conditions the Société may issue one or more of the following documents: a registration certificate, registration plate, validation sticker, temporary registration certificate or detachable registration plate;"

(2) by replacing paragraph 3 by the following paragraph:

“(3) determine the information forming the registration which is entered in the registers of the Société, to be supplied by the person applying for registration or paying sums with regard thereto;”;

(3) by replacing paragraph 4 by the following paragraph:

“(4) determine the information which must appear on each of the following documents: the registration certificate, registration plate, validation sticker, identification sticker, temporary registration certificate or detachable registration plate, and determine their respective periods of validity;”;

(4) by striking out paragraph 5;

(5) by replacing paragraph 7 by the following paragraphs:

“(7) determine the documents which must be produced with an application for registration or the payment of amounts under section 31.1 as well as the information they must contain and any other condition or formality for obtaining registration;

“(7.1) establish the conditions and formalities for replacing a registration certificate, registration plate, validation sticker, temporary registration certificate or temporary registration plate;”;

(6) by replacing paragraph 8 by the following paragraphs:

“(8) prescribe the classes of road vehicles for which registration may be effected under section 10.2;

“(8.1) prescribe the information to be entered in the registers of the Société with regard to the classes of road vehicles prescribed under paragraph 8 and the persons applying for registration under section 10.2;

“(8.2) prescribe the conditions for obtaining registration under section 10.2;

“(8.3) prescribe the methods of computing the duties exigible for obtaining registration under section 10.2 on the basis of the following factors:

(a) the time remaining between the date of registration and the date of the prescribed day within the prescribed period for payment of annual duties exigible under section 31.1;

(b) the annual duties fixed pursuant to paragraph 8.4 which would be exigible under section 31.1;

“(8.4) fix the annual duties exigible under section 31.1 with regard to any person obtaining registration under section 10.2 on the basis of one or more of the following factors:

- (a) the class of road vehicles registered;
- (b) their net mass;
- (c) their number of axles;
- (d) their use;
- (e) the professional activity, the legal personality or the identity of the applicant;
- (f) the territory where the vehicles are to be used;

“(8.5) establish the method to be applied for rounding off the amount of registration duties and establish the terms and conditions of payment of those duties;

“(8.6) define the meaning of “registration by lot” and determine the terms and conditions therefor;

“(8.7) prescribe at what intervals the payment of duties exigible under section 31.1 must be made;

“(8.8) determine during what periods the payment of duties, fees and the insurance contribution exigible under section 31.1 concerning a registered road vehicle must be made according to the class or sub-class of road vehicles to which it belongs, the professional activity, the legal personality or the identity of its owner, the territory where it is used, its net mass or the first letter of its owner’s name;

“(8.9) prescribe with regard to the owner of a road vehicle any exemptions of duties exigible under section 31.1 concerning a road vehicle registered according to the class or sub-class of road vehicles to which it belongs;”;

(7) by replacing paragraph 9 by the following paragraph:

“(9) define, in relation to the fixing and computing of the duties exigible for obtaining the registration of a road vehicle and in relation to the fixing and computing of the duties exigible under section 31.1, the terms “axle” and “net mass” and establish the method for calculating the number of axles of a road vehicle as well as the rules governing any increase in the number of axles or any change in the net mass during the term of the registration of the vehicle;”;

(8) by striking out the words “or renewing” in the second line of paragraph 10;

(9) by replacing paragraph 11 by the following paragraphs:

“(11) prescribe the cases and conditions establishing a right to a reimbursement of part of the duties exigible for obtaining the registration of a road vehicle and of the duties exigible under section 31.1 and establish the calculation method or fix the exact amount of the duties to be reimbursed;

“(11.1) prescribe the cases and conditions establishing entitlement to a reduction of the duties exigible in respect of a road vehicle under section 31.1 and establish the calculation method or fix the exact amount of duties to be deducted;”;

(10) by inserting, after paragraph 13, the following paragraph:

“(13.1) establish standards and prohibitions respecting the use and driving of road vehicles according to the class or sub-class of road vehicles to which they belong, their owner’s identity, the territory where they are used or the class of registration plate they carry;”;

(11) by replacing the words “and a licence plate” in the second line of paragraph 15 by the words “, a registration plate or a detachable registration plate”;

(12) by inserting the words “or to a public establishment within the meaning of the Act respecting health services and social services,” after the word “vehicle,” in the third line of paragraph 22.

224. Section 619 of the said Code is amended

(1) by replacing paragraph 4 by the following paragraphs:

“(4) prescribe, on the conditions it determines, cases of exemption or reduction of the duties exigible under sections 69 and 91.1;

“(4.1) prescribe at what intervals the payment of duties exigible under section 93.1 must be made;

“(4.2) determine the periods within which payment of duties, fees and insurance contribution exigible under section 93.1 must be made;”;

(2) by replacing paragraph 5 by the following paragraphs:

“(5) prescribe the cases and conditions giving entitlement to a reimbursement of part of the duties exigible for obtaining a licence and of the duties exigible under section 93.1 and establish the calculation method or fix the exact amount of the duties to be reimbursed;

“(5.1) prescribe the cases and conditions giving entitlement to a reduction of the duties payable for a probationary licence or a driver’s licence under section 93.1 and establish the calculation method or fix the exact amount of duties to be deducted;”;

(3) by replacing paragraph 6 by the following paragraphs:

“(6) prescribe, according to the nature, class or category of a licence, the documents and information which must be produced with an application for the issue or renewal of such a licence or the payment of amounts under section 93.1 as well as any other condition or formality for obtaining or renewing that licence;

“(6.1) fix, according to the nature and class of licence applied for, a minimum period of time which must lapse before a person who has failed a proficiency examination referred to in section 67 may again undergo such an examination;

“(6.2) establish, according to the nature and class of licence applied for, any additional conditions and formalities a person who has failed a proficiency examination referred to in section 67 must comply with to obtain a licence or class of licence;

“(6.3) prescribe cases of exemption from the obligation to undergo the proficiency examinations of the Société for obtaining a licence;

“(6.4) determine, for obtaining a driver’s licence under any of sections 66 and 90 to 92.0.1, the period during which a person must have held a probationary licence and establish the cases where the period may be reduced and the terms and conditions permitting such a reduction;”;

(4) by inserting the words “of a probationary licence,” after the words “learner’s licence” in the second line of paragraph 7;

(5) by replacing paragraph 8 by the following paragraph:

“(8) establish the medical and optometrical standards which identify the illnesses, deficiencies and conditions affecting a person that are considered as being essentially or relatively inconsistent with the driving of a road vehicle or class or sub-class of road vehicles;”;

(6) by inserting, after paragraph 9, the following paragraphs:

“(9.1) establish under what conditions a learner’s licence or probationary licence shall be suspended on the basis of demerit points or of offences committed;

“(9.2) determine which provisions of Division IV of Chapter II of Title II or of a regulation made under paragraph 9 of this section shall apply to the holder of a learner’s licence or probationary licence and provide for derogatory provisions to this division or to that regulation which shall apply to such holders;

“(9.3) prescribe the total number of offences or of demerit points entered in a person’s record that shall entail the sending of a notice, the suspension of a learner’s licence and of a probationary licence or of the right to obtain such licences;”;

(7) by replacing the words “or regional county municipality” in the third and fourth lines of paragraph 10 by the words “, in the territory of a regional county municipality, in the territory composed of the territories of the municipalities enclosed within the territory of the municipality of Baie James or in the territory composed of the territories of the municipalities constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence”;

(8) by replacing the words “or regional county municipality” in the second line of paragraph 11 by the words “, in the territory of a regional county municipality, in the territory composed of the territories of the municipalities enclosed within the territory of the municipality of Baie James or in the territory composed of the territories of the municipalities constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence”;

(9) by inserting the words “learner’s licence, probationary licence or” after the words “more than one” in the second line of paragraph 23.

225. The said Code is amended by inserting, after section 619, the following sections:

619.1 The Government may fix, by regulation, the duties exigible for obtaining the registration of a road vehicle and the duties exigible under section 31.1, on the basis of one or more of the following factors:

(1) the class or sub-class of road vehicles to which the vehicle belongs;

(2) its net mass;

(3) its number of axles;

(4) its use;

(5) the professional activity, the legal personality or the identity of its owner;

(6) the territory where it is used.

“619.2 The Government may fix, by regulation, the duties exigible for obtaining a learner’s licence, probationary licence or driver’s licence and the duties exigible under section 93.1, on the basis of one or more of the following factors:

(a) the nature of the licence applied for;

(b) its class;

(c) its category.

“619.3 The Government may prescribe, by regulation, calculation methods for the following duties:

(1) the duties exigible for obtaining the registration of a road vehicle on the basis of one or more of the following factors:

(a) the time remaining between the date of registration and the date of the prescribed day within the prescribed period under paragraph 8.8 of section 618 for the payment of annual duties exigible under section 31.1;

(b) the right of the applicant to a reimbursement of part of the registration duties on another road vehicle;

(c) a percentage of the annual duties on the road vehicle fixed pursuant to section 619.1 which would be exigible under section 31.1;

(2) the duties exigible for obtaining a learner’s licence, probationary licence or driver’s licence on the basis of one or more of the following factors:

(a) the time remaining between the date of issue of the licence and the date of the prescribed day within the prescribed period under paragraph 4.2 of section 619 for the payment of duties exigible under section 93.1;

- (b) the time expired between the date of issue of the licence and the expiration date of a previous licence;
- (c) the cancellation of a previous licence;
- (d) the cancellation of a previous licence at the holder's request;
- (e) the applicant's entitlement to a reimbursement of part of the duties for his previous licence.

The calculation methods prescribed on the basis of the factors referred to in paragraphs *a* and *b* of subparagraph 1 of the first paragraph shall be based on the annual duties on the road vehicle fixed under section 619.1 which would be exigible under section 31.1 or on the monthly duties on the vehicle fixed by the Government, by regulation, on the basis of one or more of the factors prescribed in section 619.1.

The calculation methods prescribed on the basis of the factors referred to in paragraph 2 of the first paragraph shall be based on the licence duties fixed under section 619.2 which would be exigible under section 93.1 or on the monthly licence duties fixed by the Government, by regulation, on the basis of one or more of the factors prescribed in section 619.2."

226. Section 620 of the said Code is amended by inserting, after paragraph 3, the following paragraph:

"(3.1) establish the form, terms and conditions according to which an association of dealers or recyclers may act as surety for its members;"

227. Section 621 of the said Code is amended

(1) by replacing the words "outside a city or town" in the second and third lines of paragraph 4 by the words "on a public highway";

(2) by replacing the words "motor vehicles" in paragraphs 15 and 17 by the words "road vehicles";

(3) by inserting, after paragraph 20, the following paragraphs:

"(20.1) determine the form and content of escort permits for outsized vehicles and designate a person authorized to issue such permits;

"(20.2) fix the fee exigible for obtaining an escort permit for outsized vehicles, establish the conditions for obtaining such a permit

and provide for the deposit of security, its nature and amount, and determine the conditions attached to the permit, including the reports to be transmitted by the holder to the person authorized to issue the escort permit;

“(20.3) determine, from among the provisions of any regulation made under paragraph 20.2, the provisions the violation of which constitutes an offence;

“(20.4) establish standards of equipment and driving rules relating to farm machinery;”;

(4) by replacing the words “motor vehicle” in the second line of paragraph 27 by the words “road vehicle”;

(5) by inserting the words “and technical appraisal” after the word “inspection” in the second line of paragraph 29;

(6) by inserting, after paragraph 31, the following paragraphs:

“(31.1) establish which road vehicles damaged in an accident cannot be rebuilt;

“(31.2) prescribe the documents and information which must be included in the record of rebuilding of a road vehicle referred to in section 546.2;”;

(7) by replacing the words “and the inspection sticker” in the second line of paragraph 32 by the words “, the inspection sticker and the certificate of technical compliance;”;

(8) by inserting the words “road vehicles or” before the word “combinations” in the third line of paragraph 35;

(9) by striking out paragraphs 45 and 46;

(10) by adding, after paragraph 48, the following paragraph:

“(49) prescribe the conditions and formalities for partial or complete recognition of periodical and compulsory mechanical inspection programs of another administrative authority in Canada or the United States for road vehicles registered in Québec or in the place of origin of the program as well as the cases in which such vehicles must undergo a mechanical inspection under this Code.”

223. Section 624 of the said Code is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) determine the amount of the fee exigible for obtaining the registration of a road vehicle and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 31.1 and establish the terms and conditions of payment of such fees;”;

(2) by inserting, after paragraph 1, the following paragraph:

“(1.1) fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 31.1, in cases of failure to pay within the period determined by a regulation made under paragraph 8.8 of section 618;”;

(3) by replacing paragraph 3 by the following paragraphs:

“(3) fix, according to the nature, class or category of a licence, the amount of the fee exigible for obtaining such a licence and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 93.1 and establish the terms and conditions of payment of such fees;

“(3.1) fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 93.1, in cases of failure to pay during the period determined by a regulation made under paragraph 4.2 of section 619;”;

(4) by inserting, after paragraph 4, the following paragraph:

“(4.1) fix the amount of the fee exigible from the date it may determine for replacing a registration certificate, registration plate, validation sticker, temporary registration certificate or detachable registration plate;”;

(5) by replacing the words “an illegible, damaged, destroyed, lost or stolen registration certificate, registration plate, sticker or licence” in the second and third lines of paragraph 5 by the words “a registration certificate, a temporary registration certificate, a registration plate, a detachable registration plate, a sticker or a licence that is illegible, damaged, destroyed, lost or stolen or on which inaccurate information appears;”.

229. Section 626 of the said Code is amended by inserting the words “the territory of” after the word “across” in the third line of paragraph 5.

230. Section 627 of the said Code is replaced by the following section:

“627. Notwithstanding any contrary or inconsistent provision of a general law or special Act, every by-law, resolution or ordinance passed or issued by a municipality relating to the means or systems of vehicular transport under the jurisdiction of the Commission des transports du Québec, vehicle construction, heavy vehicle traffic, rate of speed, the traffic of vehicles carrying dangerous substances and the use of vehicles elsewhere than on public highways must, in order to have effect, be approved by the Minister of Transport.

This section does not apply to by-laws, resolutions or ordinances passed or issued under section 293.1, or to transportation by taxi within the meaning of the Act respecting transportation by taxi.”

231. Section 628 of the said Code is amended

(1) by replacing the second, third and fourth lines by the following: “part of a by-law, resolution or ordinance referred to in section 627. He may also withdraw all or part of any approval given under that section. In such a case, the by-law, resolution or ordinance or part thereof from which approval has been withdrawn”;

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

“The Minister of Transport may remove any sign or signal relating to a by-law, resolution or ordinance which he has not approved or from which he has withdrawn approval, and replace those signs or signals by signs or signals he deems appropriate.”

232. Section 633 of the said Code is amended by replacing the words “motor vehicle” in the fourth line of the first paragraph by the words “road vehicle”.

233. Section 636 of the said Code is replaced by the following section:

“636. Every peace officer recognizable as such at first sight may, in the performance of his duties under this Code, require the driver of a road vehicle to stop his vehicle. The driver must comply with this requirement without delay.”

234. The said Code is amended by inserting, after section 636, the following sections:

“636.1 Where a peace officer reasonably suspects the presence of alcohol in the body of a driver having stopped his vehicle in accordance with section 636 may require the driver to undergo forthwith any reasonable physical coordination tests he indicates to

him, to ascertain whether there is cause for requiring him to undergo the tests provided for in section 254 of the Criminal Code. The driver must comply with this requirement without delay.

“636.2 A peace officer who, in the performance of his duties under this Code, has reasonable grounds to believe that an offence has been committed under this Code may, without the owner’s permission, take possession of the road vehicle, drive that vehicle and impound it at its owner’s expense.”

235. Section 637 of the said Code is replaced by the following sections:

“637. A peace officer is authorized to confiscate and remit to the Société any unauthorized plate or unauthorized validation sticker, any plate to which is affixed an unauthorized sticker or any unauthorized licence or unauthorized inspection sticker.

For the purposes of the first paragraph,

(1) an unauthorized plate is a plate referred to in section 34 or issued for a road vehicle other than the vehicle to which it is attached;

(2) an unauthorized validation sticker is a sticker referred to in section 34 or issued for a vehicle other than the vehicle carrying the plate to which it is affixed;

(3) an unauthorized licence is a document referred to in section 146 or a licence issued to a person other than the person using it to drive a road vehicle;

(4) an unauthorized inspection sticker is a sticker referred to in section 538.1.

“637.1 A peace officer is authorized to confiscate any licence or permit and remit it to the Société where the licence or class thereof or the permit is subject to a suspension or cancellation.

When confiscating a licence or a permit, the peace officer shall issue a receipt to the person in possession of the licence or permit and shall then remit the licence or permit to the Société.”

236. The said Code is amended by inserting, after section 643, the following sections:

“643.1 Every driver contravening section 636.1 is guilty of an offence and is liable to a fine of \$200 to \$300.

“643.2 Every driver contravening section 636 is guilty of an offence and is liable to a fine of \$300 to \$600.”

237. The said Code is amended by inserting, after section 645.2, enacted by section 20 of chapter 68 of the statutes of 1988, the following sections:

“645.3 Every person who contravenes a regulation under paragraph 2.1 of section 621 is guilty of an offence and is liable to a fine of \$100 to \$200.

“645.4 Every person who contravenes a regulation under paragraph 20.4 of section 621 is guilty of an offence and is liable to a fine of \$100 to \$200.”

238. Section 648 of the said Code is amended

(1) by replacing the word and figure “section 151” in the second line of paragraph 2 by the words and figures “sections 151 to 151.3”;

(2) by adding, after paragraph 5, the following paragraph:

“(6) the portion fixed by agreement between the Société and the Minister of Finance of the registration fee collected annually by the Société for vehicles carrying goods or persons.”

239. Section 657 of the said Code is replaced by the following section:

“657. A certificate of exemption for medical reasons issued before (*insert here the date of introduction of Bill 108*) under section 398 of the Highway Safety Code (1986, chapter 91) expires on the last day of a period of two years following its date of issue.”

240. Section 660 of the said Code is amended by replacing the first paragraph by the following paragraph:

“660. No new driving school licences shall be issued for a period of five years from 1 January 1991, except in the case of the renewal of a licence in force on that date. The Government may, however, order that the moratorium be lifted before 31 December 1995.”

241. Section 96 of the Automobile Insurance Act (R.S.Q., chapter A-25) is replaced by the following section:

“96. The Société may, at any time, require the owner of an automobile to furnish a statement attesting that he meets the

requirements imposed under this Act with respect to liability insurance as well as a certificate of insurance or of financial responsibility.

Such a declaration must state the name of the insurer and, except in the case of a person holding a temporary certificate referred to in section 98, the policy number and its date of expiry.

The particulars prescribed in the second paragraph are not required in the case of a person who has obtained from the Société a certificate of financial responsibility in accordance with section 102.”

242. Section 150 of the said Act is amended by replacing the word and figure “and 69” in the third line of the first paragraph by the word and figures “, 31.1, 69, 93.1 and 624”.

243. Section 151 of the said Act is replaced by the following sections:

“151. The Société may fix, by regulation, after actuarial valuation, the insurance contribution exigible on obtaining a learner’s licence, probationary licence or driver’s licence and the contribution exigible pursuant to section 93.1 of the Highway Safety Code, on the basis of one or more of the following factors:

- (1) the nature of the licence applied for;
- (2) its class;
- (3) its category;
- (4) the number of demerit points entered in the applicant’s record kept in accordance with section 113 of the Highway Safety Code;
- (5) the cancellations or suspensions of the applicant’s licence or of his right to obtain such licence imposed under any of sections 180, 185, 191.2, 191.3 and 192 of the Highway Safety Code.

“151.1 The Société may fix, by regulation, after actuarial valuation, the insurance contribution exigible on obtaining the registration of a road vehicle and the contribution exigible pursuant to section 31.1 of the Highway Safety Code, on the basis of one or more of the following factors:

- (1) the class or sub-class of road vehicles to which the vehicle belongs;
- (2) its net mass;

- (3) its number of axles;
- (4) its piston displacement;
- (5) its use;
- (6) the professional activity, the legal personality or the identity of its owner;
- (7) the territory where it is used.

“151.2 The Société may prescribe, by regulation, calculation methods for the following insurance contributions:

(1) the contribution exigible upon the issue of a learner’s licence, probationary licence or driver’s licence on the basis of one or more of the following factors:

(a) the time remaining between the date of issue of the licence and the date of the prescribed day within the prescribed period under paragraph 4.2 of section 619 of the Highway Safety Code for the payment of the insurance contribution exigible under section 93.1 of the said Code;

(b) the time expired between the date of issue of the licence and the expiration date of a previous licence;

(c) the cancellation of a previous licence;

(d) the cancellation of a previous licence at the holder’s request;

(e) the applicant’s entitlement to a reimbursement of part of the insurance contribution for his previous licence;

(2) the insurance contribution exigible upon the registration of a road vehicle on the basis of one or more of the following factors:

(a) the time remaining between the date of registration and the date of the prescribed day within the prescribed period under paragraph 8.8 of section 618 of the Highway Safety Code for the payment of the insurance contribution exigible under section 31.1 of the said Code;

(b) the entitlement of the applicant to a reimbursement of part of the insurance contribution for another road vehicle;

(c) a percentage of the insurance contribution fixed pursuant to section 151.1 which would be exigible under section 31.1 of the Highway Safety Code for the road vehicle.

The calculation methods prescribed on the basis of the factors referred to in subparagraph 1 of the first paragraph must be based on one of the following insurance contributions:

(1) the insurance contribution on the licence fixed under section 151 which would be exigible under section 93.1 of the Highway Safety Code;

(2) the monthly insurance contribution fixed, by regulation, by the Société, on the basis of one or more of the factors referred to in section 151.

The calculation methods prescribed on the basis of the factors referred to in paragraphs *a* and *b* of subparagraph 2 of the first paragraph must be based on one of the following insurance contributions:

(1) the insurance contribution fixed under section 151.1 which would be exigible in respect of the vehicle under section 31.1 of the Highway Safety Code;

(2) the monthly insurance contribution fixed, by regulation, by the Société in respect of the vehicle on the basis of one or more of the factors referred to in section 151.1.

“151.3 The Société may, by regulation,

(1) prescribe the cases and conditions giving entitlement to a reduction of the insurance contribution on a learner's licence, a probationary licence or a driver's licence exigible under section 93.1 of the Highway Safety Code or to a reduction of the insurance contribution exigible with respect to a road vehicle under section 31.1 of the said Code and establish the calculation method or fix the exact amount of the insurance contribution to be deducted;

(2) prescribe, with regard to the owner of a road vehicle any exemptions from the insurance contribution exigible in respect of that vehicle under section 31.1 of the Highway Safety Code according to the class or sub-class of road vehicles to which it belongs.”

244. Section 152 of the said Act is amended by replacing the word and figure “section 151” in the first line by the words and figures “sections 151 to 151.3”.

245. Section 154 of the said Act is amended by inserting the figure “, 151.1” after the figure “151” in the first line.

246. Section 195 of the said Act, replaced by section 15 of chapter 15 of the statutes of 1989, is amended by adding, after paragraph 30, the following paragraphs:

“(31) to determine the standards and methods allowing the computation of the number of offences or the number of demerit points to be taken into account and limiting the period to be taken into consideration in fixing or computing insurance contributions under sections 151, 151.2 and 151.3;

“(32) to determine the standards and methods permitting to limit the period to be taken into consideration in fixing or computing insurance contributions under sections 151, 151.2 and 151.3.”

247. Section 195.1 of the said Act, enacted by section 15 of chapter 15 of the statutes of 1989, is replaced by the following section:

“195.1 The Société may, by regulation,

(1) define, in relation to the fixing and computing of the insurance contribution exigible for obtaining the registration of a road vehicle and in relation to the fixing and computing of the insurance contribution exigible under section 31.1 of the Highway Safety Code, the terms “axle” and “net mass” and establish a method for calculating the number of axles of a road vehicle as well as rules governing any increase in the number of axles or any change in the net mass during the period of registration of the vehicle;

(2) prescribe the cases and conditions giving entitlement to the reimbursement of part of the insurance contribution fixed or calculated under any of sections 151 to 151.3 and establish the calculation method or fix the exact amount of the insurance contribution to be reimbursed.”

248. Section 416 of the Cities and Towns Act (R.S.Q., chapter C-19) is repealed.

249. Article 688 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is repealed.

250. Section 2 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., chapter R-4), amended by chapter 19 of the statutes of 1990, is amended by adding, after paragraph *d* of subsection 1, the following paragraphs:

“(e) to ensure the monitoring of and control over road transportation of persons and goods on highways and in undertakings, and in particular with respect to the application of

- the provisions of the Highway Safety Code;
- the legislative or regulatory provisions pertaining to highway transportation which are under the responsibility of the departments and bodies designated by the Government, to the extent and on the conditions determined by agreement entered into pursuant to Title VIII.2 of the Highway Safety Code;

“(f) to assume operational coordination in matters pertaining to the control of highway transportation between the departments and bodies concerned and to promote stricter highway control throughout Québec.”

251. Section 1 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) is amended by striking out the definition of the word “taxi”.

252. Section 1 of the Act to amend the Highway Safety Code and other legislation (1987, chapter 94) is repealed.

253. Any sign or signal indicating a speed limit of 50 km/h erected before (*insert here the date of coming into force of paragraph 4 of section 143 of this Act*) by a municipality on a public highway or on part of a public highway that it maintains is, from that date, deemed to have been erected under section 299 of the Highway Safety Code to indicate the speed limit established by a by-law approved by the Minister of Transport in accordance with section 627 of the said Code.

254. The Regulation respecting medical and optometrical standards for driving a road vehicle and the conditions attached to a licence, made by Order 32-89 of 18 January 1989, is amended by replacing the word “absolutely” wherever it appears by the word “essentially”.

The said regulation is deemed to be enacted under paragraph 2 of section 619 of the Highway Safety Code and under paragraph 8 of section 619 of the said Code, as replaced by paragraph 5 of section 224 of this Act, until a new regulation enacted under paragraph 8 of section 619 of the said Code comes into force.

255. A regulation made under any of sections 618 to 621, 624 and 626 of the Highway Safety Code remains in force until it is

replaced or repealed by a regulation made under any of sections 618 to 621, 624 and 626 of the said Code, as amended or enacted by this Act.

256. A regulation made under any of sections 151 and 195.1 of the Automobile Insurance Act, amended by the Act to amend the Act respecting the Régie de l'assurance automobile du Québec and other legislation (1990, chapter 19), remains in force until it is replaced or repealed by a regulation made under any of sections 151 to 151.3 and 195.1 of the said Act, as amended or enacted by this Act.

257. From (*insert here the date of coming into force of this section*), section 518 of the said Code, amended by section 196 of Bill 108, is again amended by replacing the words "was declared in the application for registration" in the third line of the first paragraph by the words "is entered in the register kept by the Société pursuant to section 10".

258. Section 239 of this Act has effect from (*insert here the date of introduction of Bill 108*).

259. The provisions of this Act will come into force on the dates to be determined by the Government, except section 239 which will come into force on *insert here the date of assent to this Act*).