



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 40

An Act to ensure safety in guided land transport

Introduction

**Introduced by
Mr Marc-Yvan Côté
Minister of Transport**

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EXPLANATORY NOTES

This bill proposes various measures to ensure the safety of guided land transport works and the safe operation of guided land transport vehicles and equipment.

To that end, it provides that the erection of certain guided land transport works will require announcement and, if there are any objections, submission to the Minister for approval, before construction may begin. Work departing from recognized engineering standards will also be subject to prior approval.

In addition, the bill empowers the Government to prescribe a safety code applicable to guided land transport safety systems. It also provides that the operators of certain guided land transport systems will be allowed or required, as the case may be, to establish and implement in their enterprise, after receiving the approval of the Minister of Transport, safety rules based on the safety code prescribed by the Government. The bill confers a number of other powers as to safety rules on the Minister of Transport.

Under the bill, the Government is given regulatory powers as regards the construction and maintenance of guided land transport works and the carriage of dangerous substances.

Other provisions of the bill pertain to the protection of guideways, level crossings and signalling systems, the rights and obligations of the owners of guideways, traffic rules, the apportionment of construction and maintenance costs relating to guided land transport works and the safety of persons and property.

Finally, the bill contains provisions regarding inspections and inquiries.

ACT AMENDED BY THIS BILL:

— Railway Act (R.S.Q., chapter C-14).

Bill 40

An Act to ensure safety in guided land transport

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

INTERPRETATION AND SCOPE

1. For the purposes of this Act

(1) the expression “guided land transport works” includes, in particular, level crossings, railway tracks, including subway or monorail tracks, and any other guideway as well as the infrastructures, structures and permanent structures;

(2) the expression “level crossing” means the intersection of a railway with a public highway or with a private road open to general vehicular traffic within the meaning of the Highway Safety Code (1986, chapter 91);

(3) the expression “guided land transport” includes transport systems propelled by electric, hydraulic, mechanical, electromechanical or other power and mechanical, electrodynamic, electromagnetic or air cushion levitated transport, whether or not it is linked or to a network and operated on rails or other guideways.

2. For the purposes of this Act, foundation, erection, alteration or demolition work shall be deemed to be construction work.

3. This Act is binding the Government, its departments and the bodies which are mandataries thereof.

CHAPTER II

GUIDED LAND TRANSPORT WORKS

DIVISION I

CONSTRUCTION WORK

4. This division does not apply to construction work concerning the metro operated under the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2).

Neither does it apply to the construction of any works comprising no level crossing or junction and extending over less than one kilometre.

5. No person may undertake any work for the construction of guided land transport works which, by virtue of a regulation, must be announced before making the announcement in accordance with this division.

No person may undertake any work for the construction of guided land transport works if the work departs from recognized engineering standards, unless he has obtained the approval of the Minister.

6. The announcement of construction work shall be made by way of a notice published in the manner prescribed by regulation. The notice shall specify the nature and site of the proposed construction work, the name and address of the party proposing the guided land transport works, the place at which the prescribed plans, profiles, drawings and specifications may be consulted and the period, determined in accordance with the regulations, during which objections to the proposed works may be filed.

7. The Minister of Transport may prolong the period during which objections to the proposed works may be filed.

8. Any interested party may object to all or part of the announced construction work if he considers that his safety or the safety of his property would be prejudiced by the erection of the proposed works.

9. The objection shall be drawn up in writing, specify the interest of the objecting party and set out the reasons for which it is filed. It

shall be served in accordance with the Code of Civil Procedure (R.S.Q., chapter C-25) on the party proposing the works before the expiration of the period prescribed for filing objections and transmitted to the Minister together with proof of the service.

Where the objecting party wishes to withdraw his objection, he shall notify the party proposing the works and the Minister in writing.

10. On the application of the party proposing the guided land transport works, the Minister may dismiss the objection where he considers that the objecting party has no evident interest or that the objection is dilatory.

A copy of the Minister's decision shall be transmitted to the objecting party and to the party proposing the works within 15 days from the date of the decision.

11. The proposing party shall not undertake the construction work before the expiry of the period prescribed for the filing of objection, or where an objection has been filed, before he has obtained the approval of the Minister.

12. The application for approval must be accompanied with the response of the party proposing the guided land transport works to all outstanding objections and with his views, and the grounds therefor, as to the compatibility of the proposed works with the safety of persons and property.

Where the proposed works entails a departure from recognized engineering standards, the party proposing the guided land transport works shall accompany his application for approval with a statement specifying the nature of and the reasons for the departure.

13. The Minister may solicit the expert advice of a person or organization on the safety of the proposed works or of any departure from recognized engineering standards for persons and property.

He shall, in writing and without delay, so inform the party proposing the works and any objecting party.

14. The Minister may require, before rendering his decision, the party proposing the works to furnish to him further particulars within the period he specifies.

15. The Minister may, if he considers that the proposed works or the departure from recognized engineering standards is compatible

with the safety of persons and property, approve all or part of the proposed works or, as the case may be, authorize the departure. He may refuse his approval or make it subject to such terms and conditions as he may determine.

16. Every decision of the Minister must be in writing and state the reasons therefor. It shall be sent to the party proposing the works and to any objecting party within 60 days following the day on which the Minister receives the application for approval.

The period commencing on the day the Minister requires further particulars and ending on the day such particulars are sent to him and the period commencing on the day expert advice is solicited and ending on the day the expert's report is filed or the period commencing on the day an inquiry is announced by the Minister and ending on the day the inquiry ends, shall be excluded from the period prescribed in the first paragraph.

17. Upon completion of the construction work and before permitting the operation of the works, the proposing party shall transmit with the Minister an affidavit by the engineer in charge of the work to the effect that he is satisfied that the construction work has been carried out in accordance with recognized engineering standards, the terms and conditions of the Minister's approval or, where no approval is required, with the construction standards prescribed by regulation.

DIVISION II

SIGNALLING AND LEVEL CROSSING

18. The owner of a guideway shall erect and maintain, at every level crossing, a signboard in compliance with the standards prescribed by regulation.

19. The Minister may, for the purposes of regulating the traffic of vehicles on a guideway or the traffic of road vehicles on each side of a level crossing or junction, direct the owner of the guideway to install such signalling system, as he may prescribe within the time he determines, along the guideway or inside guided land transport vehicles.

The Minister may also require that gates be erected, within the time he determines, on each side of a level crossing equipped with a signalling system.

20. The owner of a guideway must, within the time prescribed by the Minister, erect such signalling and gate systems as are prescribed by the Minister.

21. Where the signalling system at a level crossing is defective, the owner of the guideway must, until such time as it is repaired, station, on each side of the level crossing, a signalman who shall remain on the premises throughout the passage of guided land transport vehicles.

22. On his own initiative or at the request of a municipality or the owner of a private road open to general vehicular traffic, the Minister may require the owner of a guideway to carry out, at a level crossing, such construction work as he may determine or require him to relocate a level crossing or to erect a grade separation.

The owner of the guideway shall carry out any work required under the first paragraph within the time prescribed by the Minister.

DIVISION III

PROTECTION OF THE GUIDEWAY

23. The owner of a guideway must maintain the guideway in accordance with the standards contained in the safety code prescribed by regulation and, if he is the operator of the guideway, in accordance with the safety rules approved or imposed by the Minister.

24. No person may, except with authorization of the owner of a guideway, undertake construction or maintenance work, in respect of any works, on, above or below the guideway.

25. Within six months of receiving a written request by the owner of adjoining land, the owner of a guideway must

- (1) erect fences on each side of the guideway;
- (2) equip such fences with gates;
- (3) construct farm crossings on the lands across which the guideway runs.

He shall carry out such work and maintain such fences and gates at his own expense.

26. The owner of a guideway or any person designated by him may, at any reasonable time, enter upon any land adjoining the guideway

to erect or maintain snow-fences for safety purposes. He may also, at any reasonable time, enter thereupon to prune, for safety purposes, any trees which may hinder the operation of the guideway. He must identify himself upon request.

He shall remove the snow-fences not later than the first of April of every year.

27. No person may undertake, near, above or below a guideway, the erection of any works or fuel tank which is prohibited by regulation or which is not in compliance with the standards prescribed by regulation.

DIVISION IV

LIABILITIES AND RESPONSIBILITIES

28. Every owner of a guideway shall be liable for any damage caused by the pruning of trees or by the installation or removal of fences erected on lands adjoining the guideway for the purpose of preventing the accumulation of snow.

29. Every owner of a guideway shall see to it that

(1) a signalling system is erected and maintained in accordance with the regulations at every level crossing;

(2) every level crossing is constructed in accordance with the regulations;

(3) the crossing surface between the rails of every level crossing is laid and maintained in accordance with the regulations;

(4) construction work effected on a permanent structure which carries the guideway above the road are carried out in accordance with the regulations and that the structure is properly maintained.

30. Every person in charge of the maintenance of a public highway and every owner of a private road open to general vehicular traffic shall be responsible for maintaining and removing the snow from the crossing surface of a level crossing, including removing any accumulated snow blocking the guideway.

31. Unless otherwise provided for by agreement, the building and maintenance costs for work carried out at a level crossing built after the *(insert here the date of coming into force of this section)* shall be borne

by the owner of the guideway where such guideway was built after the public highway or by the person in charge of the maintenance of the public highway where such highway was built after the guideway.

However, the costs arising from relocating a public highway or widening it beyond the width of its right of way at the time of the construction of the guideway shall be borne by the person in charge of the maintenance of the public highway.

32. Unless otherwise provided by agreement, the costs of building any grade separation that carries the guideway above the public highway and the costs of maintaining the infrastructure and structure of such grade separation shall be borne by the owner of the guideway. The building and maintenance costs for any grade separation carrying the public highway above the guideway shall be borne by the person in charge of the maintenance of the public highway.

33. Where the Minister orders that a level crossing be improved or relocated or that a grade separation be erected, the owner of the guideway shall assume 5% of the building costs incurred for the erection of the works up to a maximum amount prescribed by regulation. All other building costs incurred for the erection of the works shall be borne by the person in charge of the maintenance of the public highway.

34. The costs of installing the signalling system prescribed by the Minister at a level crossing shall be borne by the person in charge of the maintenance of the public highway or by the owner of the private road open to general vehicular traffic. The maintenance costs for a signalling system at a level crossing shall be borne by the owner of the guideway.

35. The Minister may, on the conditions he determines, grant a subsidy to a municipality for up to 80% of the cost of any work for which it is required to pay under this Act.

CHAPTER III

OPERATION OF A GUIDED LAND TRANSPORT SYSTEM

DIVISION I

VEHICLES AND EQUIPMENT

36. The operator of a guided land transport system shall comply with the standards relating to vehicles and equipment contained in the

safety code prescribed by regulation, in the safety rules approved or imposed by the Minister, where that is the case, and in any other regulation under section 54.

DIVISION II

TRAFFIC RULES

§ 1.—*Prohibitions*

37. No person is permitted on a guideway or its right of way at places other than a level crossing, unless written authorization of the owner of the guideway is obtained.

38. No person may operate a vehicle on a guideway or its right of way at places other than a level crossing, unless written authorization of the owner of the guideway is obtained.

39. No person may impede or interrupt, by any means, the use of guided land transport works or of a vehicle or equipment used in a guided land transport system.

40. No person may proceed with a guided land transport vehicle over a mobile bridge or at a level crossing with another guideway before receiving authorization to proceed from a signalman or a signalling system.

41. No conductor may operate a guided land transport vehicle in a populated area at a speed exceeding 15 kilometres per hour.

The first paragraph does not apply to guided land transport systems specifically designed for urban passenger transportation.

Nor does it apply to places where the guideway is protected by fences in accordance with the standards prescribed by regulation.

§ 2. —*Public safety*

42. Before proceeding at a level crossing, the conductor of a guided land transport vehicle must sound a whistle or horn at a distance of at least 460 metres from the level crossing and continue sounding it until the first car enters the crossing.

However, where the level crossing is equipped with a signalling system, the Minister may, at the request of a municipality, exempt conductors from that obligation.

The first paragraph does not apply to guided land transport systems specifically designed for urban passenger transportation.

43. The conductor of a guided land transport vehicle must keep the headlight turned on at all times while the vehicle is in motion.

44. The operator of a guided land transport system must, except in cases where he is exempted therefrom by regulation, notify the Minister and send him forthwith a detailed report in prescribed form of any accident which results in the injury or death of a person or which causes damage to the guideway, permanent structures or equipment.

DIVISION III

SAFETY OF OPERATION

45. The operator of a guided land transport system shall implement the regulations concerning the transportation of dangerous substances within his enterprise.

He shall also implement, within his enterprise, the standards relating to vehicular traffic and the prevention of, and protection against, fires and accidents contained in the safety code prescribed by regulation, and the safety rules approved or imposed by the Minister, where that is the case.

46. Every employee of a guided land transport system must comply with the standards referred to in section 45.

47. The operator of a guided land transport system shall implement, in his enterprise, the standards relating to the carrying on of work by the holder of a position that are contained in the safety code prescribed by regulation and in the safety rules approved or imposed by the Minister, where that is the case.

48. In no case may the operator of a guided land transport system permanently abandon the operation of all or part of a guideway unless he has given the Minister three-months' notice.

The Minister may prescribe measures to ensure safety on abandoned premises. The owner of the guideway shall implement such safety measures within the time specified by the Minister.

DIVISION IV

REPORT

49. Every operator must, in the cases determined by regulation, transmit a report to the Minister according to the frequency, form and tenor prescribed by regulation.

CHAPTER IV

REGULATORY PROVISIONS

DIVISION I

SAFETY CODE

50. The Government may, by regulation, adopt a safety code applicable to guided land transport systems.

The code may contain safety standards concerning the following subjects:

- (1) the prevention of, and protection against, fires and accidents;
- (2) the materials, apparatus and equipment that are mandatory or prohibited in a guided land transport system;
- (3) the maintenance of a guideway, of the vehicles and equipment of a guided land transport system and of the signalling systems;
- (4) the coupling mechanisms, brake assemblies and safety devices with which a guided land transport vehicle must be equipped;
- (5) the rules governing vehicular traffic on a guideway, including those applying to speed limits and guideway signs and signals;
- (6) the arrangement of guided land transport vehicles in a train, convoy or consist;
- (7) the use of whistles or horns and the required communications systems in a guided land transport system;
- (8) the qualifications and skills required of the holder of a position within a guided land transport system, as well as any other requirements he must meet, and the information he must furnish to his employer;

(9) the qualifying examination for obtaining or holding a position within a guided land transport system, particularly as concerns administrative and technical knowledge in the area of guided land transport system safety, as well as the conditions for admission to or exemption from the examination or any other mode of evaluation;

(10) the illnesses, impairments or situations affecting a person that may be considered as relatively or totally incompatible with the holding of certain identified positions within a guided land transport system;

(11) the alternation of periods of work and mandatory periods of rest.

The Government may determine among the provisions of the safety code, those the contravention of which shall constitute an offence.

51. The code may make binding the instructions of the manufacturer concerning the assembly, erection, maintenance or inspection of materials, equipment or vehicles used in a guided land transport system.

52. The code may make binding a technical safety standard relating to guided land transport systems developed by another government or by an organization commissioned with the development of such standards.

53. The standards prescribed in the code may differ from one class of guided land transport system to another.

DIVISION II

REGULATIONS

54. The Government may, by regulation,

(1) prescribe the work which must be announced and the manner of publishing the notice under section 6 and the duration of the period for filing objections;

(2) prescribe the content of plans, profiles, drawings and specifications for guided land transport works;

(3) prescribe construction standards for guided land transport works;

(4) prescribe maintenance standards for level crossings;

(5) prescribe construction and installation standards for signalling systems, signboards, fences and gates;

(6) prescribe standards for or prohibit the construction of works or fuel tanks above, below or near a guideway;

(7) prescribe the maximum amount of construction costs to be borne by the owner of a guideway where the Minister prescribes the improvement or relocation of a level crossing or the construction of a grade separation;

(8) prescribe, according to classes of vehicles, standards for the design, manufacturing and modifying of vehicles and standards for the equipment to be used by the operator of a guided land transport system;

(9) prescribe the form and tenor of the report that the operator of a guided land transport system must transmit to the Minister in the circumstances referred to in section 44 and establish the cases in which he is exempted from notifying the Minister and making such a report;

(10) prescribe standards restricting the transportation of dangerous substances in a guided land transport system, and make the necessary prohibitions pertaining thereto, particularly as concerns:

(a) the classes and categories of dangerous substances and the designation of substances as dangerous;

(b) the carriage, storage, loading, unloading, containerizing and packaging of dangerous substances carried by a guided land transport vehicle;

(c) the hazard warnings and other information which must be displayed on dangerous substances, on their packaging, and on the guided land transport vehicles;

(d) the documents which must accompany dangerous substances carried by a guided land transport vehicle and the minimum information that the documents must contain;

(11) determine in which cases a report must be transmitted to the Minister, and the form, tenor and frequency thereof;

(12) determine, among the provisions of any regulation under this section, those the contravention of which shall constitute an offence.

The regulations may differ from one class of guided transport system to another.

The Government may also determine, by regulation, among the provisions of safety rules approved or imposed by the Minister, those the contravention of which constitutes an offence.

DIVISION III

SAFETY RULES

§ 1. —*Approval of safety rules*

55. The operator of a guided land transport system may, in accordance with this division, subject to the safety code prescribed by regulation and with the approval of the Minister, implement in his enterprise safety rules which pertain to the subjects that may be included in the safety code and, if he is the owner of a guideway, safety rules which pertain to the maintenance of the guideway.

56. The operator of a guided land transport system shall make copies of the proposed safety rules available to the persons and organizations having an interest in the safety of his enterprise and inform them of his intention to submit the proposed safety rules to the Minister for approval.

He shall afford them the opportunity to express their views on the proposed safety rules within the time he determines.

57. The application for ministerial approval must be accompanied with the following documents:

- (1) a copy of the proposed safety rules;
- (2) an account of the consultations held and the views expressed, and the response of the operator of the guided land transport system to those views;
- (3) where applicable, a statement by the operator of the guided land transport system indicating the nature of and reasons for any departure from the safety rules applicable in similar enterprises.

58. The Minister may solicit the expert advice of any person or organization on the proposed safety rules.

He shall so inform, forthwith and in writing, the operator of the guided land transport system.

59. The Minister may require that the operator of a guided land transport system furnish to him further particulars within the period he specifies or that the operator submit his proposed safety rules to any person or organization that the Minister indicates.

The Minister may approve the proposed safety rules in whole or in part. He may require that such amendments as he considers appropriate be made to the proposed safety rules by the operator within the period he specifies. He may refuse to approve them or make his approval subject to such terms and conditions as he may determine.

60. The decision of the Minister shall be in writing and state the reasons therefor. It shall be transmitted to the operator of the guided land transport system within 60 days following the day on which the Minister receives the application for approval.

The period commencing on the day the Minister requested further particulars, ordered a consultation, solicited expert advice or announced an inquiry and ending on the day the particulars are transmitted to him, the consultation period ends, the expert advice is filed or the inquiry ends, shall be excluded from the period prescribed in the first paragraph.

61. The operator of a guided land transport system shall publish at the place, in the manner and within the time prescribed by the Minister the approved safety rules and the decision of the Minister approving them.

62. The safety rules shall come into force on the date specified in the decision of the Minister approving them.

63. Subject to section 64, this subdivision does not apply to the safety rules pertaining to the metro operated under the Act respecting the Communauté urbaine de Montréal.

However, a copy of the safety rules pertaining to the metro shall be transmitted forthwith to the Minister with a statement by the operator of that guided land transport system indicating, where applicable, the nature of and reasons for any departure from the safety rules applicable in similar enterprises.

§ 2.—Imposition of safety rules

64. The Minister may require that the operator of a guided land transport system submit for his approval, in the manner and within the time he indicates, safety rules pertaining to subjects which may be included in the safety code.

He may also require that such amendments as he considers appropriate be made to the proposed safety rules by the operator within the period he specifies.

Subdivision 1 applies to such safety rules.

65. The Minister may impose safety rules to be implemented by the operator of a guided land transport system where the latter has not submitted rules to him within the period he specified or where for reasons of safety he did not approve the rules proposed by the operator.

In cases of emergency, the Minister may also impose a particular safety rule during the period allotted to the operator for the submission of safety rules.

66. Except in cases of emergency, the Minister shall hold consultations in accordance with section 56.

67. The decision imposing safety rules shall be in writing and state the reasons therefor.

It shall be transmitted to the operator within 10 days.

68. The operator of a guided land transport system shall publish, in the manner prescribed by the Minister, the imposed safety rules and a copy of the decision imposing them.

The safety rules shall come into force on the date specified in the Minister's decision.

CHAPTER V

INSPECTIONS AND INQUIRIES

DIVISION I

INSPECTIONS

69. Any person authorized by the Minister to act as an inspector for the purposes of this Act and the regulations may

(1) enter, at any reasonable time, any place where activities related to guided land transport are carried on in order to inspect guided land transport works, equipment and vehicles;

(2) order the temporary stoppage in an appropriate location of any vehicle used in guided land transport and inspect the vehicle;

(3) examine any substance designated as dangerous under this Act and take samples free of charge;

(4) take photographs of any guided land transport vehicle, equipment or works;

(5) require that any book, shipping slip, bill of lading or other document or record be communicated to him for examination, reproduction or the taking of extracts, where he has reasonable grounds to believe that they contain information relevant to administration of this Act or the regulations.

70. Where, in the judgment of the inspector, vehicular traffic on the guideway presents a safety risk, in particular because of the condition of the guideway, a permanent structure, a signalling system, the vehicles or equipment, he must inform the Minister forthwith.

71. The Minister may

- (1) restrict or prohibit traffic forthwith;
- (2) reduce speed limits;
- (3) prescribe conditions for the resumption of vehicular traffic;
- (4) require that tests be done to ensure that the guideway, permanent structure, signalling system, vehicles or equipment is or are in compliance with this Act and the regulations.

The Minister may lift the reduction of speed limits or the prescribed restrictions or prohibition when, in his judgment, traffic on the guideway no longer presents a safety risk.

72. In no case may a person hinder an inspector in the performance of his duties, mislead him by concealment or false declarations, refuse to give him information or conceal, destroy or refuse to give him access to any information, document or property relevant to an inspection.

73. Every inspector must, upon request, show a certificate of his capacity.

DIVISION II

INQUIRIES

74. The Minister, or any person authorized by the Minister for such purpose, may conduct an inquiry into any matter relevant to the enforcement of this Act and the regulations.

75. The Minister, or any person authorized by the Minister for such a purpose, may conduct an inquiry

(1) where an accident occurs in connection with the construction or operation of guided land transport works, vehicles or equipment;

(2) where he receives a complaint from a person who becomes aware of a defect in a guideway, permanent structure, signalling system, vehicle or equipment used in a guided land transport system.

76. The Minister, or any person authorized by the Minister for such purpose, may, in conducting an inquiry, order that temporary measures be taken to correct a situation he deems unsafe.

The person in charge of implementing such measures must carry out the required work and transmit to the Minister a detailed report on the work within the time determined by the Minister.

77. The Minister shall transmit the conclusions of an inquiry to the parties concerned.

Where the conclusions of an inquiry establish the existence of a defect and state the measures required to correct it, the person in charge of implementing such measures must carry out the required work within the time determined by the Minister.

78. For the purposes of inquiries, the Minister, or the person authorized by him, has the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (R.S.Q., chapter C-37), except the power to impose imprisonment.

CHAPTER VI

SPECIAL PROVISIONS

79. The Minister, by order, may generally or specially delegate his powers under this Act to any person.

The delegation of powers shall come into force on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified therein.

80. The Minister may commission the Commission des transports du Québec or any other body or person to hold a public hearing in his name.

CHAPTER VII

PENAL PROVISIONS

81. Every person who contravenes any provision of sections 5, 11, 17, 18, 20, 21, the second paragraph of section 22, sections 23, 29, 40, 41, 45, 61, the first paragraph of section 68 and the second paragraph of section 76 or 77, is guilty of an offence and is liable to a fine of not less than \$1 000 nor more than \$2 000 in the case of a natural person, and of not less than \$5 000 nor more than \$10 000 in the case of a legal person.

82. Every person who contravenes any provision of sections 24 to 27, 36 to 39, 42 to 44, 46, 47 and 48, of a regulation under the third paragraph of section 50 or paragraph 12 of section 54, any provision of the safety rules the contravention of which constitutes an offence under a regulation made under the third paragraph of section 54 or any provision of section 72 is guilty of an offence and is liable to a fine of not less than \$200 nor more than \$500 in the case of a natural person and of not less than \$400 nor more than \$1 000 in the case of a legal person.

83. Every person who, by act or omission, aids another in committing an offence may be found guilty of the offence as if he had committed it himself, if he knew or should have known that his act or omission would probably result in aiding in the commission of the offence.

84. Every person who abets, counsels or commands another person to commit an offence may be found guilty of the offence as if he had committed it himself and of any other offence committed by the other person as a result of the abetment, counsel or command, if he knew or should have known that his action would probably result in the commission of the offence.

85. Proceedings are instituted by the Attorney General or any person generally or specially authorized by him for such purpose.

CHAPTER VIII

TRANSITIONAL AND FINAL PROVISIONS

86. Subsection 2 of section 48, sections 49, 52, 53, 55 to 59, 62, 64 to 77, 113 to 120, paragraphs *e* and *f* of subsection 1 of section 121,

sections 122, 148 to 154, 157, subsections 2 and 3 of section 158, sections 169, 172 to 180, 190 to 212 and 242 to 249 of the Railway Act (R.S.Q., chapter C-14) are repealed.

87. The moneys collected in the Railway Inspection Fund pursuant to section 249 of the Railway Act shall be paid into the consolidated revenue fund.

88. The Minister of Transport is responsible for the administration of this Act.

89. The provisions of this Act come into force on the date or dates fixed by the Government.