

NATIONAL ASSEMBLY

SECOND SESSION

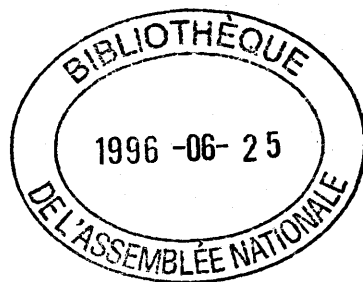
THIRTY-FIFTH LEGISLATURE

Bill 191

An Act to amend the Automobile Insurance Act

Introduction

**Introduced by
Mr Mario Dumont
Member for Rivière-du-Loup**



**Québec Official Publisher
1996**

EXPLANATORY NOTES

The object of this bill is to amend the Automobile Insurance Act to ensure that the contributions of insured persons are used exclusively for the purposes for which they were collected. To that end, the bill provides that all sums collected to finance the obligations of the Société de l'assurance automobile du Québec, chief of which is the payment of indemnities resulting from automobile accidents occurring during the period covered by the insurance contributions, are to be determined only after an actuarial valuation.

As well, under the bill, the sums paid toward the cost of health services or ambulance services required as a result of automobile accidents are to be established on the basis of the actual cost of such services. To that end, as of 1 January 1997, the Government will be required, each year, to table a draft order fixing the actual cost of those services before the Committee on Planning and Infrastructures.

The bill also enables the Société to maintain a contingency reserve fund that better reflects its actual financing needs.

Lastly, the bill contains technical and consequential amendments to the Highway Safety Code.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 151.4 of the Automobile Insurance Act (R.S.Q., chapter A-25) is repealed.

2. Section 152 of the said Act is amended by striking out the words “and revalorized, where that is the case, in accordance with section 151.4” in the second line of the first paragraph.

3. Chapter II of Title V of the said Act, comprising sections 155.1 to 155.4, is replaced by the following chapter:

“CHAPTER II

“HEALTH SERVICES

“155.1 The Government shall, each year, taking account of the actual cost of health services required as a result of automobile accidents, fix by order for the preceding year the sum to be paid into the consolidated revenue fund by the Société for the reimbursement of the cost of health services, and the terms and conditions of payment.

The draft order shall be tabled before the Committee on Planning and Infrastructures. The order may be made at the expiry of 30 days after the tabling of the report of the committee in the National Assembly.

The Government may amend the draft order and shall, in that case, publish the order in the *Gazette officielle du Québec*.”

4. Sections 155.5 and 155.6 of the said Act are replaced by the following section:

“155.5 The Government shall, each year, taking account of the actual cost of ambulance services, fix by order for the preceding year the sum to be paid by the Société to the regional boards established under the Act respecting health services and social services (R.S.Q., chapter S-4.2) and to the health and social services regional councils and to the Corporation d’urgences-santé de la région de Montréal Métropolitain governed by the Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5) for the reimbursement of the cost of ambulance services, according to the apportionment determined by the Minister of Health and Social Services, and the terms and conditions of payment.

The draft order shall be tabled before the Committee on Planning and Infrastructures. The order may be made at the expiry of 30 days after the tabling of the report of the committee in the National Assembly.

The Government may amend the draft order and shall, in that case, publish the order in the *Gazette officielle du Québec*.”

5. Chapter IV of Title V of the said Act, comprising sections 155.7 to 155.14, is repealed.

6. Section 21 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) pay the duties and fees fixed by regulation, the insurance contribution fixed pursuant to sections 151.1 and 151.2 of the Automobile Insurance Act and, where applicable, the contribution of motorists to public transit fixed pursuant to section 88.3 of the Transport Act (R.S.Q., chapter T-12);”.

7. Section 31.1 of the said Code is amended by replacing the first paragraph by the following paragraph:

“31.1 To retain the right to drive a registered road vehicle, the owner thereof must, unless exempted by regulation, pay to the Société, at the intervals and over the periods determined by regulation, the duties and fees fixed by regulation, the insurance contribution fixed pursuant to section 151.1 of the Automobile

Insurance Act and, where applicable, the contribution of motorists to public transit fixed pursuant to section 88.3 of the Transport Act.”

8. 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 to the Société the duties and fees fixed by regulation and the insurance contribution fixed pursuant to sections 151 and 151.2 of the Automobile Insurance Act.”

9. Section 93.1 of the said Code is amended by replacing the first paragraph by the following paragraph:

“93.1 The holder of a probationary licence or a driver’s licence must, at the intervals and over the periods determined by regulation, pay to the Société the duties and fees fixed by regulation and the insurance contribution fixed pursuant to section 151 of the Automobile Insurance Act.”

10. This Act has effect from 1 January 1997.

11. This Act comes into force on (*insert here the date of assent to this Act*).