

1988, chapter 25
**AN ACT TO AMEND VARIOUS LEGISLATION
RESPECTING BUS TRANSPORTATION**

Bill 16

Introduced by Mr Marc-Yvan Côté, Minister of Transport

Introduced 11 May 1988

Passage in principle 6 June 1988

Passage 17 June 1988

Assented to 17 June 1988

Coming into force: 1 July 1988

Acts amended:

Cities and Towns Act (R.S.Q., chapter C-19)

Municipal Code of Québec (R.S.Q., chapter C-27.1)

Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1)

Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2)

Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3)

Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1)

Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70)

Education Act (R.S.Q., chapter I-14)

Act respecting the Société de transport de la Ville de Laval (1984, chapter 42)

Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32)



CHAPTER 25

An Act to amend various legislation respecting bus transportation

[Assented to 17 June 1988]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CITIES AND TOWNS ACT

c. C-19,
s. 467.3.1,
replaced

1. Section 467.3.1 of the Cities and Towns Act (R.S.Q., chapter C-19) is replaced by the following section:

Amendment
or revoca-
tion of
permit

“467.3.1 Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the municipality to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under section 467.2 authorizing its holder to operate, in the territory of the municipality, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

Application

This section applies even where the holder of the permit is a party to the contract. It does not apply where the municipality organizes a public transport service for the first time and the contract is made for a period of less than six months.”

c. C-19,
s. 467.4,
French text
am.

2. The French text of section 467.4 of the said Act is amended by replacing the word “du” in the first line of the first paragraph by the words “d’un”.

c. C-19,
s. 467.5,
am.

3. Section 467.5 of the said Act is amended by replacing the first paragraph by the following paragraphs:

Fares

“467.5 The council, by resolution, shall fix the various passenger fares according to the classes of users it determines.

Changes in
service

The council may also make changes in the service; such changes shall be made by by-law of the council, except schedule changes which may be made by resolution.

Publication
of changes

A certified copy of every resolution concerning fares or schedules shall be published in a newspaper circulated in the territory of the municipality and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

c. C-19,
s. 467.6,
am.

4. Section 467.6 of the said Act is amended by striking out the words “or fare” in the second line.

c. C-19,
s. 467.7.2,
replaced

5. Section 467.7.2 of the said Act is replaced by the following section:

Draft by-
laws

“467.7.2 Every draft by-law of a council providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the public body and to each municipality within the territory of the body that is situated on the proposed route, at least 30 days before the date set for the adoption of the by-law.”

c. C-19,
s. 467.7.3,
am.

6. Section 467.7.3 of the said Act is amended by inserting the word “draft” before the word “by-law” in the fourth line.

c. C-19,
s. 467.7.4,
added

7. The said Act is amended by inserting, after section 467.7.3, the following section:

Temporary
service

“467.7.4 The council, by resolution and without calling for tenders, may make a contract with a carrier referred to in section 467.1 to provide, on the occasion of a special event, in the territory of the municipality, a temporary public transport service which does not compete with the service provided by a permit holder pursuant to his permit.”

c. C-19,
s. 467.9,
repealed

8. Section 467.9 of the said Act is repealed.

c. C-19,
s. 467.10,
repealed

9. Section 467.10 of the said Act is repealed.

c. C-19,
s. 467.10.3,
replaced

10. Section 467.10.3 of the said Act is replaced by the following section:

Service

“467.10.3 For the purposes of this subdivision, unless the context indicates another meaning, the service consists of the routes, frequency and schedule of trips.”

c. C-19,
s. 467.10.4,
am.

11. Section 467.10.4 of the said Act is amended by striking out the second paragraph.

c. C-19,
ss. 467.10.5-
467.10.7,
added

12. The said Act is amended by inserting, after section 467.10.4, the following sections:

Subsidy

“467.10.5 The council, by resolution, may grant a subsidy to the holder of a bus transport permit who provides transport service in the territory of the municipality and who, if applicable, provides links to points situated outside the territory.

Intermunicipal board

“467.10.6 This subdivision, adapted as required, applies to an intermunicipal board exercising powers provided for therein.

Exclusion

“467.10.7 This subdivision does not apply to a municipality whose territory forms part of the territory of a public body providing public transport.”

c. C-19,
s. 467.11,
am.

13. Section 467.11 of the said Act is amended

(1) by replacing the word “by-law” in the first line by the word “resolution”;

(2) by replacing the word “by-law” in the fifth line by the word “resolution”.

c. C-19,
s. 467.12,
replaced

14. Section 467.12 of the said Act is replaced by the following sections:

Contract without tender
Copies

“467.12 The contract may be made without calling for tenders.

As soon as the contract is made, the council shall send copy thereof to the Minister of Transport and to the Commission des transports du Québec.

Fixing of fares

“467.12.1 The council, by resolution, shall fix the various passenger fares according to the classes of users it determines. It may also, by resolution, make changes in the service.

Publication A certified copy of every resolution concerning fares shall be published in a newspaper circulated in the territory of the municipality and shall be posted in each vehicle. No fare may come into force before the expiry of thirty days after the date of publication and posting.

Contract adjustments The carrier shall collect fares and provide any new service. Every contract must contain clauses for adjusting the contract price to take account of changes in the service.”

c. C-19,
s. 467.13,
am. **15.** Section 467.13 of the said Act is amended by replacing the word and figure “and 467.12” in the first line by the word and figure “to 467.12.1”.

c. C-19,
s. 467.14,
am. **16.** Section 467.14 of the said Act is amended by replacing the first sentence of the first paragraph by the following sentence: “The council may also, by resolution a copy of which must be sent to the Minister of Transport, grant a subsidy to any non-profit body that organizes a special transportation service for handicapped persons in the territory of the municipality and that, where such is the case, provides links to points situated outside the territory.”

MUNICIPAL CODE OF QUÉBEC

c. C-27.1,
a. 528.1,
replaced **17.** Article 528.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is replaced by the following article:

“**528.1** Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the corporation to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under article 527 authorizing its holder to operate, in the territory of the corporation, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

This article applies even where the holder of the permit is a party to the contract. It does not apply where the corporation organizes a public transport service for the first time and the contract is made for a period of less than six months.”

c. C-27.1,
a. 529,
French text
am. **18.** The French text of article 529 of the said Code is amended by replacing the word “du” in the first line of the first paragraph by the words “d’un”.

c.C-27.1,
a. 530, am.

19. Article 530 of the said Code is amended by replacing the first paragraph by the following paragraphs:

“530. The corporation, by resolution, shall fix the various passenger fares according to the classes of users it determines.

The corporation may also make changes in the service; such changes shall be made by by-law of the corporation, except schedule changes which may be made by resolution.

A certified copy of every resolution concerning fares or schedules shall be published in a newspaper circulated in the territory of the corporation and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

c. C-27.1,
a. 531, am.

20. Article 531 of the said Code is amended by striking out the words “or fare” in the second line.

c. C-27.1,
a. 532.2,
replaced

21. Article 532.2 of the said Code is replaced by the following article:

“532.2 Every draft by-law of a corporation providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the body and to each municipality within the territory of the body that is situated on the proposed route at least 30 days before the date set for the adoption of the by-law.”

c. C-27.1,
a. 532.3,
am.

22. Article 532.3 of the said Code is amended by inserting the word “draft” before the word “by-law” in the fourth line.

c. C-27.1,
a. 532.4,
added

23. The said Code is amended by inserting, after article 532.3, the following article:

“532.4 The corporation, by resolution and without calling for tenders, may make a contract with a carrier referred to in article 526 to provide, on the occasion of a special event, in the territory of the corporation, a temporary public transport service which does not compete with the service provided by a permit holder pursuant to his permit.”

c. C-27.1,
a. 534,
repealed

24. Article 534 of the said Code is repealed.

c. C-27.1,
a. 535,
repealed

25. Article 535 of the said Code is repealed.

c. C-27.1,
a. 535.3,
replaced

26. Article 535.3 of the said Code is replaced by the following article:

“535.3 For the purposes of this section, unless the context indicates another meaning, the service consists of the routes, frequency and schedule of trips.”

c. C-27.1,
a. 535.4,
am.

27. Article 535.4 of the said Code is amended by striking out the second paragraph.

c. C-27.1,
aa. 535.5-
535.7,
added

28. The said Code is amended by inserting, after article 535.4, the following articles:

“535.5 The corporation, by resolution, may grant a subsidy to the holder of a bus transport permit who provides transport service in the territory of the corporation and who, if applicable, provides links to points situated outside the territory.

“535.6 This section, adapted as required, applies to an intermunicipal board exercising powers provided for therein.

“535.7 This section does not apply to a corporation whose territory forms part of the territory of a public body providing public transport.”

c. C-27.1,
a. 536, am.

29. Article 536 of the said Code is amended

(1) by replacing the word “by-law” in the first line by the word “resolution”;

(2) by replacing the word “by-law” in the fifth line by the word “resolution”.

c. C-27.1,
a. 537,
replaced

30. Article 537 of the said Code is replaced by the following articles:

“537. The contract may be made without calling for tenders.

As soon as the contract is made, the corporation shall send copy thereof to the Minister of Transport and to the Commission des transports du Québec.

“537.1 The corporation, by resolution, shall fix the various passenger fares according to the classes of users it determines. It may also, by resolution, make changes in the service.

A certified copy of every resolution concerning fares shall be published in a newspaper circulated in the territory of the corporation and shall be posted in each vehicle. No fare may come into force before the expiry of thirty days after the date of publication and posting.

The carrier shall collect fares and provide any new service. Every contract must contain clauses for adjusting the contract price to take account of changes in the service.”

c. C-27.1,
a. 538, am. **31.** Article 538 of the said Code is amended by replacing the word and figure “and 537” in the first line by the word and figure “to 537.1”.

c. C-27.1,
a. 539, am. **32.** Article 539 of the said Code is amended by replacing the first sentence of the first paragraph by the following sentence: “A corporation may also, by resolution a copy of which must be sent to the Minister of Transport, grant a subsidy to any non-profit body that organizes a special transportation service for handicapped persons in the territory of the corporation and that, where such is the case, provides links to points situated outside the territory.”

ACT RESPECTING THE COMMUNAUTÉ RÉGIONALE DE L'OUTAOUAIS

c. C-37.1,
s. 171, am. **33.** Section 171 of the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1) is amended

(1) by replacing paragraphs ii and iii of subparagraph *f* of the second paragraph by the following paragraph:

“ii. make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;”;

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

Special
service “The special service referred to in subparagraph *f* of the second paragraph may include links with points situated outside the territory of the Transit Commission.”

c. C-37.1,
s. 172.4,
added **34.** The said Act is amended by inserting, after section 172.3, the following section:

Contracts
without ten-
ders **172.4** Notwithstanding sections 83 and 171, the Transit Commission, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

c. C-37.1,
s. 196, am. **35.** Section 196 of the said Act is amended by replacing subsection 4 by the following subsection:

Representations “(4) The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the Transit Commission or amend a permit so as to authorize the operation of such a service without first having invited the Transit Commission to submit its representations.

Prescribed time If the Transit Commission has not made known its intention to submit representations within sixty days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of Transit Commission The Commission des transports du Québec shall reject such part of the application which concerns services to which the Transit Commission has objected if they are urban transport services that would be operated within the territory of the Transit Commission.”

c. C-37.1, s. 197, replaced **36.** Section 197 of the said Act is replaced by the following section:

Sightseeing service “**197.** The Transit Commission shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

c. C-37.2, s. 291, am. **37.** Section 291 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended

(1) by replacing subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”;

(2) by adding the words “and to provide links with points situated outside that territory” at the end of the third paragraph.

c. C-37.2, s. 291.6, replaced **38.** Section 291.6 of the said Act is replaced by the following section:

Approval of fares “**291.6** The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

c. C-37.2, s. 291.29.1, added **39.** The said Act is amended by inserting, after section 291.29, the following section:

Contracts
without
tenders

“291.29.1 The corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

c. C-37.2,
s. 306.57,
am.

40. Section 306.57 of the said Act is amended by adding, after the second paragraph, the following paragraphs:

Representa-
tions

“The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

Prescribed
time

If the Transit Commission has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of
the corpora-
tion

The Commission des transports du Québec shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation.”

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

c. C-37.3,
s. 188, am.

41. Section 188 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is amended by replacing paragraphs ii and iii of subparagraph *i* of the second paragraph by the following paragraph:

“ii. make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;”.

c. C-37.3,
s. 189.4,
added

42. The said Act is amended by inserting, after section 189.3, the following section:

Contracts
without
tenders

“189.4 Notwithstanding section 189, the Transit Commission, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

c. C-37.3,
s. 216, am. **43.** Section 216 of the said Act is amended by replacing subsection 4 by the following subsection:

Representations “(4) The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the Transit Commission or amend a permit so as to authorize the operation of such a service without first having invited the Transit Commission to submit its representations.

Prescribed time If the Transit Commission has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of Transit Commission The Commission des transports du Québec shall reject such part of the application which concerns services to which the Transit Commission has objected if they are urban transport services that would be operated within the territory of the Transit Commission.”

c. C-37.3,
s. 217,
replaced **44.** Section 217 of the said Act is replaced by the following section:

Sightseeing service “**217.** The Transit Commission shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT
IN THE AREA OF MONTRÉAL

c. C-60.1,
s. 9,
replaced **45.** Section 9 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1) is replaced by the following section:

Amendment “**9.** The municipalities party to the agreement may amend it.

Approval of agreement A municipality may, by a resolution stating the grounds for its objection, request the Government not to approve the amendment. Where a municipality fails, following a request by the Minister of Transport, to transmit such a resolution within the time fixed by him, it is deemed to have agreed to the amendment.

Approval by
Government
order

The Government may approve the proposed amendment despite the objection of a municipality. The amendment to the agreement becomes effective from the date of publication in the *Gazette officielle du Québec* of the order by which the Government approves the amendment or from a later date indicated therein.”

c. C-60.1,
s. 11, am.

46. Section 11 of the said Act is amended by striking out the second sentence of the first paragraph.

c. C-60.1,
s. 12.3,
replaced

47. Section 12.3 of the said Act is replaced by the following section :

Competing
service

“**12.3** Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the board to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under section 12.1 authorizing its holder to operate, in the territory of the board, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

Applicability

This section applies even where the holder of the permit is a party to the contract. It does not apply where the board organizes a public transport service for the first time and the contract is made for a period of less than six months.”

c. C-60.1,
s. 14, am.

48. Section 14 of the said Act is amended by replacing the first paragraph by the following paragraphs:

Fares

“**14.** The board, by resolution, shall fix the various passenger fares according to the classes of users it determines.

Changes in
service,
schedules

The board may make changes in the service; such changes shall be made by by-law of the board, except schedule changes which may be made by resolution.

Publication

A certified copy of every resolution concerning fares or schedules shall be published in a newspaper circulated in the territory of the board and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

c. C-60.1,
s. 15, am.

49. Section 15 of the said Act is amended by striking out the words “or fare” in the second line.

c. C-60.1,
s. 16, am. **50.** Section 16 of the said Act is amended by striking out the words “other than a timetable change” in the second line of the first paragraph.

c. C-60.1,
s. 18, am. **51.** Section 18 of the said Act is amended by inserting the words “with any municipality whether or not it is a member of a board,” after the word “agreement” in the second line of the first paragraph.

c. C-60.1,
s. 18.2,
replaced
Copies of
draft by-law **52.** Section 18.2 of the said Act is replaced by the following section:

“**18.2** Every draft by-law of a board providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the public body and to each municipality within the territory of the public body that is situated on the proposed route, at least 30 days before the date set for the adoption of the by-law.”

c. C-60.1,
s. 18.3, am. **53.** Section 18.3 of the said Act is amended by inserting the word “draft” before the word “by-law” in the fourth line.

c. C-60.1,
s. 27.1, am. **54.** Section 27.1 of the said Act is amended by replacing the second paragraph by the following paragraph:

Carrier “Where the board organizes such a service, it shall not be provided by anyone but a carrier or a person under contract with the board.”

c. C-60.1,
ss. 27.3,
27.4, added **55.** The said Act is amended by inserting, after section 27.2, the following sections:

Contract
with carrier “**27.3** A municipality having availed itself of the first paragraph of section 27.1 may, if the board refuses to organize the service, make a contract with a carrier in accordance with section 467.11 of the Cities and Towns Act or article 536 of the Municipal Code of Québec.

Temporary
service “**27.4** A municipality party to an agreement may also make a contract with a carrier, in accordance with section 467.7.4 of the Cities and Towns Act or article 532.4 of the Municipal Code of Québec, to provide, on the occasion of a special event, in its territory, a temporary public transport service which does not compete with the service organized by the board or provided by a permit holder pursuant to his permit.”

ACT RESPECTING MUNICIPAL AND INTERMUNICIPAL TRANSIT CORPORATIONS

c. C-70,
s. 23, am. **56.** Section 23 of the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70) is amended by replacing

the words “at such times as it may determine by resolution” in the second paragraph by the words “not less than once every two months”.

c. C-70,
ss. 23.1,
23.2, added

57. The said Act is amended by inserting, after section 23, the following sections:

Request
placed on
agenda

“23.1 The board of directors shall put on the agenda of the first regular meeting held after the receipt by the secretary of the corporation of a written request signed by 150 or more residents of the territory of the corporation, the matter that is the subject of the request. The request shall be delivered to the secretary not later than 10 days before the meeting is held.

Question
period

“23.2 The board of directors shall schedule, at each meeting, a question period during which the persons present may put oral questions to the members of the board.

Duration

The question period shall not exceed one hour unless the board of directors decides otherwise.”

c. C-70,
s. 38, am.

58. Section 38 of the said Act is amended

(1) by replacing paragraphs ii and iii of subparagraph *f* of the first paragraph by the following paragraph:

“ii. make, without calling for tenders, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;”;

(2) by replacing the words “public transit” in the first line of subparagraph *h* of the first paragraph by the word “bus”.

c. C-70,
s. 41.1,
added

59. The said Act is amended by inserting, after section 41, the following section:

Contracts
without ten-
ders

“41.1 The corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

c. C-70,
s. 62, am.

60. Section 62 of the said Act is amended

(1) by striking out the second paragraph;

(2) by adding, at the end of the third paragraph, the following sentences: "A certified copy of the resolution shall also be posted in every vehicle. No fare may come into force before the expiry of 30 days after the date of publication and posting."

c. C-70,
s. 63, added

61. The said Act is amended by inserting, after section 62, the following section:

Approval of
fares

63. The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service."

c. C-70,
s. 65,
repealed

62. Section 65 of the said Act is repealed.

c. C-70,
s. 68,
replaced
Representations

63. Section 68 of the said Act is replaced by the following section:

68. The Commission shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

Prescribed
time

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of
the corpora-
tion

The Commission shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation."

EDUCATION ACT

c. I-14,
s. 431.5,
am.

64. Section 431.5 of the Education Act (R.S.Q., chapter I-14) is amended by striking out the words "with prior authorization of the Minister of Transport and" in the second and third lines.

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA VILLE DE LAVAL

1984, c. 42,
s. 50, am.

65. Section 50 of the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42) is amended by replacing

subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”

1984, c. 42,
s. 56,
replaced
Approval of
fares

66. Section 56 of the said Act is replaced by the following section:

“**56.** The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

1984, c. 42,
s. 72.1,
added

67. The said Act is amended by inserting, after section 72, the following section:

Contracts
without
tenders

“**72.1** Notwithstanding sections 69 and 70, the corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

1984, c. 42,
s. 128, am.

68. Section 128 of the said Act is amended by adding the following paragraphs:

Representa-
tions

“The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

Prescribed
time

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of
the corpora-
tion

The Commission des transports du Québec shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation.”

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA RIVE SUD DE MONTRÉAL

1985, c. 32,
s. 63, am.

69. Section 63 of the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32) is amended

(1) by replacing subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”;

(2) by adding, at the end of the third paragraph, the words “and to provide links to points situated outside that territory”.

1985, c. 32,
s. 70,
replaced

70. Section 70 of the said Act is replaced by the following section:

Approval of
fares

“**70.** The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

1985, c. 32,
s. 93.1,
added

71. The said Act is amended by inserting, after section 93, the following section:

Contracts
without
tenders

“**93.1** Notwithstanding sections 91 and 92, the corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services.”

1985, c. 32,
s. 155.1,
added

72. The said Act is amended by inserting, after section 155, the following section:

Representa-
tions

“**155.1** The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

Prescribed
time

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

Objection of
the corpora-
tion

The Commission des transports du Québec shall reject the application in respect of services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation.”

TRANSITIONAL AND FINAL PROVISIONS

By-law in
force

73. Every by-law in force on 30 June 1988 that was adopted under a provision replaced or amended by this Act remains in force until its object is achieved, until the date prescribed for the cessation of its effect or until it is amended or replaced by way of a resolution passed pursuant to the provisions of this Act.

Provisions
applicable

74. Section 467.3.1 of the Cities and Towns Act, article 528.1 of the Municipal Code of Québec and section 12.3 of the Act respecting intermunicipal boards of transport in the area of Montréal are applicable, as replaced by sections 1, 17 and 47 of this Act, where a copy of a transport contract between a municipality, an intermunicipal management board or an intermunicipal board of transport and a carrier was received by the Commission des transports du Québec in the period from 16 July 1986 to 30 June 1988.

Retroactive
effect

75. Sections 35, 40, 43, 63, 68 and 72 have effect from 11 May 1988.

Coming into
force

76. This Act comes into force on 1 July 1988.