

1986, chapter 66

**AN ACT TO AMEND THE ACT RESPECTING  
INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA  
OF MONTRÉAL, THE CITIES AND TOWNS ACT AND  
THE MUNICIPAL CODE OF QUÉBEC**

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**Bill 98**

Introduced by Mr Marc-Yvan Côté, Minister of Transport

Introduced 6 June 1986

Passage in principle 17 June 1986

Passage 19 June 1986

**Assented to 19 June 1986**

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**Coming into force: on the date fixed by order of the Government**

— 16 July 1986: ss. 1 to 18

G.O., 1986, Part 2, p. 2042

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**Acts amended:**

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

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

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





## CHAPTER 66

### **An Act to amend the Act respecting intermunicipal boards of transport in the area of Montréal, the Cities and Towns Act and the Municipal Code of Québec**

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA OF MONTRÉAL

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

**1.** Section 10 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1) is amended by replacing the word and figure “and 564” in the third line by the words and figures “, 564 and subsection 2 of section 567”.

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

**2.** Section 11 of the said Act is amended by replacing the second paragraph by the following paragraphs:

Transmis-  
sion to  
Minister

“A by-law of a board establishing a public transport service requires to be transmitted to the Minister of Transport. If the by-law prescribes the establishment of a link to any point outside the territory of the board, the Minister may disallow the by-law with respect to such link within 30 days after receiving it; he shall thereafter notify the board and cause his decision to be published in the *Gazette officielle du Québec*.”

Notice to  
board

The Minister may, however, before the expiry of the thirty-day period, inform the board that he does not intend to disallow the by-law.”

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

**3.** Section 12.1 of the said Act, enacted by section 35 of chapter 35 of the statutes of 1985, is amended by replacing the first paragraph by the following paragraph:

Holder of  
bus permit

**"12.1** Where the board organizes for the first time a public transport service, other than a shared transportation service by taxi, which competes with the service supplied by the holder of a bus transport permit of the class determined by regulation of the Government, it shall first deliver its specifications for the proposed public transport service to the holder of the permit."

c. C-60.1,  
ss. 12.3,  
12.4, added

**4.** The said Act is amended by inserting, after section 12.2, the following sections:

Revocation  
of permit

**"12.3** Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec shall revoke the permit of a holder contemplated in section 12.1 on receiving a copy of the contract made, whether or not the holder is a party to the contract.

Number of  
passengers

**"12.4** Where the contract provides that the remuneration of the carrier shall be based, in whole or for the greater part, on the number of passengers carried, it must indicate, on an annual basis, the number of passengers projected by the parties and contain a clause whereby the board undertakes to make up any insufficiency of receipts due to a smaller number of passengers than the number projected in the contract."

c. C-60.1, s.  
16, replaced

**5.** Section 16 of the said Act is replaced by the following section:

Transmis-  
sion to  
Minister

**"16.** A copy of a by-law of a board making a change in its service other than a timetable change requires to be transmitted to the Minister of Transport.

Possible dis-  
allowal

If the by-law prescribes the establishment of or a change to a link to any point outside the territory of the board, the Minister may disallow the by-law with respect to such link within 30 days after receiving it; he shall thereafter notify the board and cause his decision to be published in the *Gazette officielle du Québec*. In no case may the part of the by-law that has been disallowed be published or come into force.

Notice to  
board

The Minister may, however, before the expiry of the thirty-day period, inform the board that he does not intend to disallow the by-law."

c. C-60.1, s.  
18.4, added

**6.** The said Act is amended by inserting, after section 18.3, the following section:

Transport  
services by  
others

**"18.4** The board may take any measure it considers appropriate to promote the organization and operation of public transport services not organized by the board itself and to supply support services to users and to organizers of such transport services."

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

**7.** Section 33.2 of the said Act is amended by inserting, after the first paragraph, the following paragraph:

Presumption

“If the board does not indicate its refusal to the Commission des transports du Québec within 60 days after the Commission’s application for authorization, it is presumed to have given its authorization.”

CITIES AND TOWNS ACT

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

**8.** Section 467.2 of the Cities and Towns Act (R.S.Q., chapter C-19), replaced by section 2 of chapter 35 of the statutes of 1985, is amended by replacing the first paragraph by the following paragraph:

Holder of  
bus permit

“**467.2** Where the municipality organizes for the first time a public transport service, other than a shared transportation service by taxi, and where the holder of a bus transport permit of the class determined by regulation of the Government operates in its territory, the municipality shall first deliver its specifications for the proposed public transport service to the holder of the permit.”

c. C-19, s.  
467.3.1,  
added

**9.** The said Act is amended by inserting, after section 467.3, the following section:

Revocation  
of permit

“**467.3.1** Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec shall revoke the permit of a holder contemplated in section 467.2 on receiving a copy of the contract made, whether or not the holder is a party to the contract.”

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

**10.** Section 467.4 of the said Act is amended by adding the following paragraph:

Number of  
passengers

“Where the contract provides that the remuneration of the carrier shall be based, in whole or for the greater part, on the number of passengers carried, it must indicate, on an annual basis, the number of passengers projected by the parties and contain a clause whereby the municipality undertakes to make up any insufficiency of receipts due to a smaller number of passengers than the number projected in the contract.”

c. C-19, s.  
467.10.2,  
am.

**11.** Section 467.10.2 of the said Act is amended by inserting, after the first paragraph, the following paragraph:

Presumption

“If the municipality or the intermunicipal board does not indicate its refusal to the Commission des transports du Québec within 60 days after the Commission’s application for authorization, it is presumed to have given its authorization.”

c. C-19, s. 467.10.4, added      **12.** The said Act is amended by inserting, after section 467.10.3, the following section:

Transport services by others      **“467.10.4** The board may take any measure it considers appropriate to promote the organization and operation of public transport services not organized by the board itself and to supply support services to users and organizers of such transport services.

Applicability      This section does not apply to a municipality whose territory forms part of the territory of a public body providing public transport.”

MUNICIPAL CODE OF QUÉBEC

c. C-27.1, a. 527, am.      **13.** Article 527 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), replaced by section 25 of chapter 35 of the statutes of 1985, is amended by replacing the first paragraph by the following paragraph:

**“527.** Where the corporation organizes for the first time a public transport service, other than a shared transportation service by taxi, and where the holder of a bus transport permit of the class determined by regulation of the Government operates in its territory, the corporation shall first deliver its specifications for the proposed public transport service to the holder of the permit.”

c. C-27.1, a. 528.1, added      **14.** The said Code is amended by inserting, after article 528, the following article:

**“528.1** Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec shall revoke the permit of a holder contemplated in article 527 on receiving a copy of the contract made, whether or not the holder is a party to the contract.”

c. C-27.1, a. 529, am.      **15.** Article 529 of the said Code is amended by adding the following paragraph:

**“Where** the contract provides that the remuneration of the carrier shall be based, in whole or for the greater part, on the number of passengers carried, it must indicate, on an annual basis, the number of passengers projected by the parties and contain a clause whereby the corporation undertakes to make up any insufficiency of receipts due to a smaller number of passengers than the number projected in the contract.”

c. C-27.1, a. 535.2, am.      **16.** Article 535.2 of the said Code is amended by inserting, after the first paragraph, the following paragraph:

“If the corporation or the intermunicipal board does not indicate its refusal to the Commission des transports du Québec within 60 days after the Commission’s application for authorization, it is presumed to have given its authorization.”

c. C-27.1, a.  
535.4,  
added

**17.** The said Code is amended by inserting, after article 535.3, the following article:

**“535.4** Every local corporation may take any measure it considers appropriate to promote the organization and operation of public transportation services not organized by the board itself and to provide support services to users and organizers of such transport services.

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

Coming into  
force

**18.** This Act comes into force on the date fixed by order of the Government, except the provisions excluded by that order, which come into force on any later date to be fixed by order of the Government.