



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 48
(2024, chapter 10)

**An Act to amend mainly the Highway
Safety Code to introduce provisions
relating to detection systems and
other highway safety-related
provisions**

**Introduced 8 December 2023
Passed in principle 20 February 2024
Passed 1 May 2024
Assented to 2 May 2024**

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EXPLANATORY NOTES

This Act amends mainly the Highway Safety Code to introduce various provisions concerning highway safety.

Certain provisions of the Code dealing with detection systems are amended and new provisions are introduced in order to, among other things, empower the Gouvernement to determine which provisions of the Code or its regulations may be monitored by such a system and the locations where such a system may be installed.

The Act introduces a system of monetary administrative penalties and empowers the Government to prescribe, by regulation, provisions of the Code or its regulations for which a failure to comply, observed by means of a detection system, may result in such penalties being imposed. The Société de l'assurance automobile du Québec is empowered to impose such penalties on road vehicle owners and to process applications for the review of the decisions to impose them. The Act also determines the rules applicable when imposing such penalties, in particular those concerning the notification of a notice of claim.

The Act provides for the rules relating to the contestation of a decision imposing a monetary administrative penalty and specifies that such a contestation is to be made, as applicable, before the Administrative Tribunal of Québec or before a contestation body established by a municipality under the Act respecting monetary administrative penalties in municipal matters. It also provides for the rules relating to the collection and recovery of sums owing.

The Government is empowered to determine, among other things, the amounts of monetary administrative penalties and other amounts payable. The amounts collected are to be credited, to the extent determined by the Act, to the highway safety fund, the Access to Justice Fund and the fund dedicated to assistance for persons who are victims of criminal offences.

The Act prescribes various rules of proof applicable in respect of an offence under or a failure to comply with a provision of the Highway Safety Code or its regulations where the offence or failure to comply was observed by means of a detection system. The Act allows for an agreement with a municipality to be made to pay the municipality a portion of the sums collected and prescribes the

purposes for which the sums must be allocated, in particular for financing the costs associated with the management and operation of such systems.

Other highway safety measures concerning, in particular, the protection of vulnerable users are proposed as well as rules regarding access to the road network. In particular, the Act sets the speed limit applicable in a school zone at 30 km/h, unless otherwise directed by signs or signals, and requires the person responsible for the maintenance of a public highway to take into account the guide developed by the Minister of Transport to safely lay out school zones and establish school routes. It also increases the fines for certain offences resulting from unsafe behaviour towards more vulnerable users, including failure to yield to those users.

The Act revises certain rules concerning access to driving a motorcycle, the training required to drive a vehicle and the use of reserved traffic lanes by certain road vehicles.

Lastly, the Act makes consequential amendments to various Acts and contains transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Highway Safety Code (chapter C-24.2);
- Code of Penal Procedure (chapter C-25.1);
- Act respecting administrative justice (chapter J-3);
- Act respecting the Ministère de la Justice (chapter M-19);
- Act respecting the Ministère des Transports (chapter M-28);
- Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1);
- Act respecting monetary administrative penalties in municipal matters (chapter S-2.01);
- Act respecting off-highway vehicles (chapter V-1.3);
- Act to modify the rules governing the use of photo radar devices and red light camera systems and amend other legislative provisions (2012, chapter 15);

- Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18).

REGULATION ENACTED BY THIS ACT:

- Regulation respecting the application of various legislative provisions concerning detection systems (2024, chapter 10, section 42).

REGULATION AMENDED BY THIS ACT:

- Regulation respecting licences (chapter C-24.2, r. 34).

REGULATION REPEALED BY THIS ACT:

- Ministerial Order concerning the fine to which a person who contravenes paragraph 9 of section 386 of the Highway Safety Code is liable (chapter C-24.2, r. 1.1).

Bill 48

AN ACT TO AMEND MAINLY THE HIGHWAY SAFETY CODE TO INTRODUCE PROVISIONS RELATING TO DETECTION SYSTEMS AND OTHER HIGHWAY SAFETY-RELATED PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PROVISIONS RESPECTING DETECTION SYSTEMS

HIGHWAY SAFETY CODE

1. Section 3 of the Highway Safety Code (chapter C-24.2) is amended by inserting “, or any failure to comply observed by means of a detection system,” after “offence”.

2. Section 4 of the Code is amended by inserting the following definition in alphabetical order:

“**“detection system”** means any system for measuring or calculating speed or monitoring road behaviour, including photo radar devices and red light camera systems;”.

3. Section 251 of the Code is amended, in paragraph 2,

(1) by replacing “photo radar device or a red light camera system” by “detection system”;

(2) by replacing “the camera of such a radar device or camera system” by “such a system”.

4. Section 294.1 of the Code is replaced by the following section:

“294.1. The person responsible for the maintenance of a public highway must erect proper signs or signals to mark every place where a detection system is used to monitor compliance with highway safety rules.”

5. Section 312.1 of the Code is replaced by the following section:

“312.1. No person may modify all or part of a detection system without the authorization of the owner of the system.

No person may, except with the authorization of the person responsible for the maintenance of a public highway or a member of a police force having jurisdiction over the territory where the system is situated, remove or move all or part of the system.”

6. Section 312.2 of the Code is replaced by the following section:

“**312.2.** No person may damage a detection system or interfere in any way with the operation of such a system or with the recording by the device of the elements affixed to or visible in one or more of the photographs taken by the system.”

7. Section 312.3 of the Code is amended by replacing subparagraphs *a* and *b* of the first paragraph by the following subparagraphs:

“(1) in any way with the operation of a detection system; or

“(2) with the recording by the device of the elements affixed to or visible in one or more of the photographs taken by the system.”

8. Section 332 of the Code is repealed.

9. Section 333 of the Code is amended by replacing “the camera of a photo radar device or of a red light camera system” by “a detection system”.

10. Section 334.1 of the Code is amended by replacing “the camera of a photo radar device or of a red light camera system” in the first paragraph by “a detection system”.

11. Section 359.3 of the Code is repealed.

12. The Code is amended by inserting the following title after section 519.78:

“TITLE VIII.3

**“MONITORING COMPLIANCE WITH CERTAIN PROVISIONS
BY MEANS OF A DETECTION SYSTEM**

“**519.79.** A detection system may be used to monitor compliance with a provision of this Code or its regulations determined by government regulation.

The detection system is approved by the Minister of Transport and the Minister of Public Security by an order published in the *Gazette officielle du Québec*.

“**519.80.** A detection system may be used

(1) in a school zone;

(2) in a place where, in accordance with section 303.1, signs or signals indicate, for the duration of work for the construction or maintenance of a public highway, a speed limit to be respected other than the prescribed speed limit; and

(3) on a public highway or part of a public highway designated by the Minister of Transport.

Such a designation is made according to the criteria determined by government regulation. The list of public highways or parts of public highways so designated is published on the website of the Ministère des Transports. The date of such designation and publication as well as the designated public highway and the documents attesting it shall be registered by the Minister and recorded electronically.

The Minister shall determine the conditions and procedures of an application made by a municipality for the purposes of the designation of a public highway the maintenance of which is under the responsibility of the municipality.

The Government may, by regulation, prescribe that a detection system may be used on a vehicle or other equipment it designates and set out the cases in which and the conditions on which the system may be used. The provisions of the regulation may depart from those of section 294.1, of the second paragraph of section 312.1 and of sections 519.81, 602.7 and 602.8 of this Code if the Government, on the recommendation of the Minister, considers that their application is inconsistent with the use of a detection system as provided for by the regulation.

“519.81. The Minister may make an agreement with a municipality under which the Minister is to pay to the municipality a part of the amount of the fines or of the amount of the monetary administrative penalties collected, respectively, for offences or failures to comply observed by means of a photograph or series of photographs taken by a detection system on a public highway the maintenance of which is under the responsibility of the municipality. These sums shall be allocated first to financing the costs associated with the management and operation of such a system and, for any sums remaining, to financing highway safety measures or programs.

For the purposes of the first paragraph, the amount paid to a municipality is determined taking into account, in particular, its responsibilities under Chapter I.1 of Title X.

“519.82. The Minister of Transport and the Minister of Public Security shall determine, by regulation, the conditions and procedures for the use of detection systems.

The regulation determines the information that must be contained in a register kept by the Sûreté du Québec or, if applicable, by any other person in charge designated in the regulation, and the persons authorized to make entries in the register.”

13. The heading of Chapter I of Title X of the Code is replaced by the following heading:

“GENERAL PROVISIONS RESPECTING
ADMINISTRATIVE MATTERS”.

14. The heading of Division I before section 547 of the Code is replaced by the following heading:

“PROCEDURE AND PROOF RESPECTING
ADMINISTRATIVE MATTERS”.

15. The Code is amended by inserting the following section before section 547:

“**546.9.** This Chapter applies to monetary administrative penalties, subject to the special provisions applicable to them under Chapter I.1 of this Title.”

16. The Code is amended by inserting the following chapter after section 573.1:

“CHAPTER I.1

“SPECIAL PROVISIONS RESPECTING MONETARY ADMINISTRATIVE PENALTIES

“DIVISION I

“FAILURE TO COMPLY

“**573.2.** A monetary administrative penalty may be imposed on the owner of a road vehicle where a failure to comply with a provision of this Code or its regulations, determined by government regulation, was observed by means of a detection system.

“**573.3.** No statement of offence may be served for non-compliance with a provision of this Code or its regulations giving rise to the imposition of a monetary administrative penalty under section 573.2.

“**573.4.** No accumulation of monetary administrative penalties may be imposed on the same person for the same failure to comply if the failure occurs on the same day and is based on the same facts.

“**573.5.** The Minister develops and publishes on the website of the Ministère des Transports a general framework for applying monetary administrative penalties in which the Minister specifies, in particular,

(1) the purposes of the penalties, which include encouraging road users to comply with highway safety rules and deterring them from repeatedly failing to comply with those rules;

- (2) the categories of offices held by the persons designated within the Société to review a decision to impose penalties;
- (3) the criteria to be considered when reviewing such a decision; and
- (4) the other procedures connected with imposing such penalties.

“DIVISION II

“IMPOSITION OF A MONETARY ADMINISTRATIVE PENALTY AND NOTICE OF CLAIM

“**573.6.** The Société is responsible for imposing monetary administrative penalties under section 573.2 and processing applications for review of such penalties in accordance with the general framework for applying monetary administrative penalties developed by the Minister under section 573.5.

“**573.7.** A monetary administrative penalty is imposed by notifying a notice of claim to the vehicle owner.

The Société notifies the notice of claim to the owner at the most recent address entered in the records of the Société or in a register kept outside Québec by an administrative authority responsible for registering the vehicle involved.

Where a person has agreed to a notice of claim being notified to him by the Société by means of information technologies at the location designated by the Société, the document is deemed to be received once the Société has filed it at that location and a notice informing the person concerned of the filing has been notified by the technological means last preferred by that person on the date of the transmission, as it appears in the Société’s records.

The notice of claim may also be notified by a municipality, with respect to public highways it is responsible for maintaining, if it has been authorized by the Minister to do so or has been entrusted with that responsibility by the Minister by an order published in the *Gazette officielle du Québec*. The Société and the municipality must enter into an agreement to establish the procedures connected with the sharing of information necessary for the purposes of this section.

“**573.8.** The notice of claim includes the following particulars:

- (1) the failure to comply observed;
- (2) the amount claimed and the other sums payable, the reasons why they are payable and the time from which they bear interest;
- (3) the photograph or series of photographs of the failure to comply that was taken by a detection system;

(4) the right, under section 573.10, to obtain a review of the decision to impose the monetary administrative penalty and the time limit for exercising that right;

(5) the right, under section 573.15, to contest the review decision before the body responsible for hearing the contestation and the time limit to exercise that right; and

(6) information on the procedures for recovery of the amount claimed.

One or more of the photographs sent must indicate or show the elements affixed to or visible in them without making it possible to identify the occupants of the vehicle or any other person.

“573.9. The imposition of a monetary administrative penalty for a failure to comply referred to in section 573.2 is prescribed by one year from the date on which the failure to comply was observed. Notification of a notice of claim interrupts the prescription.

“DIVISION III

“REVIEW

“573.10. Within 30 days of the notification of the notice of claim, the person concerned by the notice may apply, in writing, for a review of the decision by the Société.

The application for review is sent to the Société or, where applicable, to the municipality that notified the notice of claim.

The person concerned by the notice of claim must, when filing an application for review, present observations and produce any relevant documents.

“573.11. The person responsible for reviewing decisions to impose monetary administrative penalties must belong to an administrative unit that is separate from the unit responsible for imposing the penalties.

“573.12. Applications for review must be processed promptly.

The person responsible for reviewing a decision renders a decision on the basis of the record unless the person considers it necessary to proceed in some other manner. The person may confirm, quash or amend the decision under review.

“573.13. The review decision must be written in clear, concise terms, with reasons given. It must be notified to the applicant by the Société or, if applicable, by the municipality that notified the notice of claim and state that the applicant has the right to contest the decision within 30 days of the notification.

“573.14. If the review decision is not rendered within 30 days of receipt of the application or, if applicable, of the time granted to the applicant to finalize observations or produce additional documents, the interest provided for in section 573.22 on the amount owing ceases to accrue until the decision is rendered.

“DIVISION IV

“CONTESTATION

“573.15. A review decision confirming or amending the decision to impose a monetary administrative penalty may, within 30 days after notification of the decision, be contested by the person concerned by the decision before

(1) the Administrative Tribunal of Québec, where the notice of claim was notified to the person by the Société; or

(2) the contestation body established by a municipality under the Act respecting monetary administrative penalties in municipal matters (chapter S-2.01), where

(a) the notice of claim was notified to the person by the municipality; or

(b) the Government, by regulation, entrusted that body rather than the Administrative Tribunal of Québec with the hearing of the contestation of the notice of claim that was notified to the person by the Société.

“573.16. A municipality referred to in the fourth paragraph of section 573.7 may enter into an agreement with another municipality that is also referred to in that paragraph so that contestations resulting from the notices of claim notified by the first municipality are heard by the contestation body of that other municipality. The two municipalities must be authorized to establish a system of monetary administrative penalties under the Act respecting monetary administrative penalties in municipal matters (chapter S-2.01).

“573.17. The Tribunal or municipal contestation body may only confirm or quash the contested decision.

“573.18. To ensure a fair process, in keeping with the duty to act impartially and the right to be heard, a government regulation may provide for any rules of procedure. Such regulation may, in particular, prescribe

(1) that the application for contestation of the review decision does not suspend the execution of that decision;

(2) the rules that apply where a party who has been summoned does not appear at the time fixed for the hearing without having provided a valid excuse for his absence, or appears at the hearing but refuses to be heard; and

(3) the rules governing the calling and conduct of hearings, as well as decisions and their review for cause.

A government regulation may authorize a municipality to provide for any rule of procedure applicable before a contestation body established by the municipality.

Subject to the regulation made under the first or second paragraph, the provisions of Chapter II of Title I and Divisions I to IX of Chapter VI of Title II of the Act respecting administrative justice (chapter J-3) apply.

“573.19. The notified notice of claim is proof of its content, except on proof to the contrary.

The same applies to a copy of the notice certified by a person authorized to do so by the Société.

“DIVISION V

“AMOUNT OF A MONETARY ADMINISTRATIVE PENALTY AND OTHER SUMS PAYABLE

“573.20. The amount of a monetary administrative penalty is fixed by government regulation.

The costs relating to the application of the system of monetary administrative penalties determined by government regulation are added to that amount.

“573.21. The following amounts are added to the amount of the monetary administrative penalty and to the amount of the costs relating to the application of the system of monetary administrative penalties:

- (1) \$26 if the amount of the penalty does not exceed \$100;
- (2) \$30 if the amount of the penalty exceeds \$100 without exceeding \$300; and
- (3) \$53 if the amount of the penalty exceeds \$300.

Out of each amount collected under the first paragraph, the first amount referred to in each of the following subparagraphs is credited to the fund dedicated to assistance for persons who are victims of criminal offences that is established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1), whereas the second amount is credited to the Access to Justice Fund established under the Act respecting the Ministère de la Justice (chapter M-19):

- (1) \$15 and \$9 if the amount collected is \$26;

(2) \$17 and \$11 if the amount collected is \$30; and

(3) \$24 and \$16 if the amount collected is \$53.

“DIVISION VI

“RECOVERY

“**573.22.** From the 31st day after notification of the notice of claim,

(1) the amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002); and

(2) the person concerned by the notice of claim is required to pay recovery charges determined by government regulation.

“**573.23.** The Société or municipality, as the case may be, is responsible for collecting and recovering any amount owing in respect of a notice of claim that it has notified. It may, for that purpose, enter into a payment agreement with the debtor.

Such an agreement and the payment of the amount owing do not constitute, for the purposes of any penal proceeding or any other administrative penalty under this Code or its regulations, an acknowledgement of the facts giving rise to it.

For the purposes of this division, a debtor is a road vehicle owner required to pay a monetary administrative penalty and, where applicable, each of the owner’s directors and officers who are solidarily liable with the owner for payment of the penalty.

“**573.24.** The government may, by regulation and after consulting with the Société,

(1) prescribe any conditions, terms or rules relating to the collection and recovery of the amounts owing; and

(2) determine in what cases and on what conditions the Société imposes on the debtor, as recovery measures, penalties provided for in this Code, as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of this Code.

The regulation may also prescribe, among the regulatory provisions determining penalties provided for in this Code, those whose contravention constitutes an offence and renders the offender liable to a fine, the amount of which is set by the regulation.”

17. The heading of Chapter II of Title X of the Code is replaced by the following heading:

“GENERAL PROVISIONS RESPECTING PENAL MATTERS”.

18. Section 592 of the Code is amended by replacing “evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system” in the third paragraph by “observed by means of a photograph or series of photographs taken by a detection system”.

19. Sections 592.0.0.1, 592.1, 592.1.1, 592.2, 592.2.1, 592.4, 592.4.1 and 592.4.2 of the Code are repealed.

20. Section 595.1 of the Code is amended by adding the following paragraph at the end:

“The cameras referred to in the first paragraph do not constitute a detection system despite the definition of that expression in section 4.”

21. Section 597.1 of the Code is amended

(1) by replacing “evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera” in the first paragraph by “observed by means of a photograph or series of photographs taken by a detection”;

(2) by striking out the second paragraph.

22. The Code is amended by inserting the following chapter after section 602:

“CHAPTER II.1

“PROVISIONS CONCERNING DETECTION SYSTEMS

“**602.1.** The provisions of this chapter supplement those of Chapters I.1 and II of Title X where an offence or failure to comply has been observed by means of a detection system.

“**602.2.** A photograph or series of photographs of a road vehicle taken by a detection system is admissible as evidence

(1) in any penal proceedings for an offence under a provision determined under the first paragraph of section 519.79; and

(2) in any proceedings that could lead to the imposition of a monetary administrative penalty for a failure to comply with a provision determined under section 573.2.

The photograph or series of photographs is proof, in the absence of any evidence to the contrary, of the accuracy of the elements affixed to or visible in one or more of the photographs taken by means of that system.

The Government may, by regulation, prescribe the elements referred to in the second paragraph. The Government may also, by regulation, determine other rules of proof applicable in respect of an offence or a failure to comply observed by means of a detection system.

“602.3. Where the prosecutor or the Société alleges that a public highway was designated by the Minister, the prosecutor or the Société is not obliged to prove it unless the person concerned by the statement of offence or, where applicable, the notice of claim requires it and notifies the prosecutor or the Société accordingly at least 30 days before the appointed date for the trial or the hearing of the contestation, as the case may be. The prosecutor and the Société may waive such notice.

“602.4. In proceedings for an offence observed by means of a photograph or series of photographs taken by a detection system, one or more of the photographs must indicate or show the elements that are affixed to or visible in one or more of the photographs taken by the system, without making it possible to identify the occupants of the vehicle or any other person.

“602.5. Despite section 592, no owner of any of the following road vehicles may be convicted of an offence observed by means of a photograph or series of photographs taken by a detection system:

- (1) a police force vehicle;
- (2) an ambulance service vehicle;
- (3) a fire safety vehicle;
- (4) an emergency vehicle used by the Société;
- (5) an emergency vehicle used mainly in emergency situations to bring medical personnel or medical equipment to a location where a person requires immediate medical care; or
- (6) an emergency vehicle used mainly in emergency situations to bring a technician or rescue equipment to a location where rapid intervention is required in order to provide immediate medical care.

In addition, despite sections 573.2 and 573.7, no monetary administrative penalty may be imposed on any owner of a road vehicle referred to in the first paragraph.

“602.6. An offence observed by means of a photograph or series of photographs taken by a detection system does not entail the issue of demerit points unless the driver was intercepted and was served with a statement of offence for the offence so observed.

“602.7. In the case of an offence or failure to comply observed by means of a photograph or series of photographs taken by a detection system, the prosecutor or the Société, as the case may be, is not required to prove the presence of road signs or signals marking the place where a detection system is used in accordance with section 519.79.

No proceedings may be dismissed, no defendant may be acquitted and no procedure that could lead to the imposition of a monetary administrative penalty may be stopped on the grounds that road signs or signals described in the first paragraph were inadequate or absent.

“602.8. In the case of an offence observed by means of a photograph or series of photographs taken by a detection system, a peace officer, the supplier of such a system, its manufacturer or any person authorized to carry out maintenance on the system is not required to give oral testimony at trial unless a summons authorized by a judge requiring the person to attend to testify is issued in accordance with the Code of Penal Procedure (chapter C-25.1). In such a case, article 63 of that Code does not apply.

The judge shall authorize a summons referred to in the first paragraph only if satisfied that the testimony of that person is useful to allow the prosecutor to prove the commission of an offence, to afford the defendant the benefit of a full and complete defence or to allow the judge to rule on a question submitted to him, as applicable.

In the case of a failure to comply observed by means of a photograph or series of photographs taken by a detection system, a peace officer, the supplier of such a system, its manufacturer or any person authorized to carry out maintenance on the system is not required to make representations, unless compelled to do so by the person responsible for hearing the contestation, who may impose it only if satisfied that the representations of that person are useful to prove the failure to comply, to enable the applicant to submit observations and avail himself of the right to be heard, or to allow the person responsible for hearing the contestation to rule on a question submitted to him, as applicable.”

23. The Code is amended by inserting the following section after section 620:

“620.1. The Government may, by regulation,

(1) determine the provisions of this Code or its regulations compliance with which may be monitored by means of a detection system;

(2) determine the criteria according to which a public highway or part of a public highway may be designated by the Minister;

(3) prescribe that a detection system may be used on a vehicle or other equipment it designates and set out the cases in which and the conditions on which the system may be used, and, for those purposes, depart from the provisions of section 294.1, of the second paragraph of section 312.1 and of sections 519.81, 602.7 and 602.8 of this Code if it considers, on the Minister's recommendation, that their application is inconsistent with the use of a detection system as provided for by the regulation;

(4) prescribe the elements affixed to or visible in one or more of the photographs that are proof, in the absence of any evidence to the contrary, of their accuracy;

(5) prescribe other rules of proof applicable in respect of an offence or a failure to comply observed by means of a detection system;

(6) prescribe the failures to comply with a provision of this Code or its regulations observed by means of a detection system that give rise to the imposition of a monetary administrative penalty;

(7) entrust a municipal contestation body with the hearing of contestations of monetary administrative penalties where a notice of claim was notified by the Société;

(8) provide for any rule of procedure applicable to hearing contestations of monetary administrative penalties;

(9) fix the amount of a monetary administrative penalty or determine the methods for calculating it, which may vary according to the seriousness of the failure or depending on whether the person in default is a natural person or a legal person;

(10) determine the costs relating to the application of the system of monetary administrative penalties and the recovery fees;

(11) prescribe all the terms, conditions or rules relating to the collection and recovery of the sums owing; and

(12) determine in what cases and on what conditions the Société imposes on the debtor, as recovery measures, penalties provided for in this Code, as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of this Code and prescribe the penalties whose violation constitutes an offence and renders the offender liable to a fine, the amount of which is set by the Government.”

24. Section 621 of the Code is amended by inserting the following subparagraph after subparagraph 21 of the first paragraph:

“(21.1) determine the conditions and procedures according to which the person responsible for the maintenance of a public highway must, in respect of an illuminated variable or non-variable message sign, record and electronically log any speed limit posted on such a sign as well as any information that the recording and logging must include;”.

25. Sections 634.3 and 634.4 of the Code are repealed.

CODE OF PENAL PROCEDURE

26. Article 146 of the Code of Penal Procedure (chapter C-25.1) is amended by striking out “or, if applicable, to send a declaration referred to in section 592.1 or 592.1.1 of the Highway Safety Code (chapter C-24.2) within the time prescribed by section 592.1 of that Code” in the second paragraph.

27. Article 157.2 of the Code is amended by replacing “evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system” in paragraph 2 by “observed by means of a photograph or series of photographs taken by a detection system within the meaning of section 4 of the Highway Safety Code (chapter C-24.2)”.

28. Article 158.0.1 of the Code, enacted by section 5 of chapter 7 of the statutes of 2024, is amended by replacing “evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system, or of the offence provided for in section 417.2 of the Highway Safety Code (chapter C-24.2)” by “observed by means of a photograph or series of photographs taken by a detection system within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), or of the offence under section 417.2 of the Code”.

29. Article 163 of the Code is amended

(1) by striking out “or, if applicable, send the declaration referred to in section 592.1 or 592.1.1 of the Highway Safety Code (chapter C-24.2)” in the introductory clause of the second paragraph;

(2) by striking out the third paragraph.

30. Article 218.4 of the Code is amended, in the second paragraph,

(1) by replacing subparagraph 6 by the following subparagraph:

“(6) in the cases referred to in paragraph 3 of article 157.2, the certificate of the person authorized for that purpose by the prosecutor attesting that the statement of offence and the photograph or photographs were sent in accordance with section 592.5 of the Highway Safety Code (chapter C-24.2);”;

(2) by striking out subparagraph 7;

(3) by striking out “or, if applicable, send, within the time prescribed in section 592.1 of the Highway Safety Code, the declaration referred to in that section or in section 592.1.1 of that Code” in subparagraph 8.

31. Article 218.5 of the Code is amended

(1) by replacing “in subparagraphs 4 to 7” in the first paragraph by “in subparagraphs 4 to 6”;

(2) by striking out “and, if applicable, that the defendant did not send within the time prescribed in section 592.1 of the Highway Safety Code (chapter C-24.2) a declaration referred to in that section or in section 592.1.1 of that Code” in the second paragraph.

32. Article 228.1 of the Code is amended by striking out “592.1 or” in the second paragraph.

ACT RESPECTING ADMINISTRATIVE JUSTICE

33. Section 36 of the Act respecting administrative justice (chapter J-3) is amended by adding the following paragraph at the end:

“It is also charged with making determinations in respect of the proceedings referred to in paragraph 6 of Schedule IV pertaining to monetary administrative penalties.”

34. Section 37 of the Act is amended by adding the following paragraph at the end:

“However, proceedings under paragraph 1 of section 573.15 of the Highway Safety Code (chapter C-24.2) shall be heard and determined by a single member who shall be an advocate or notary.”

35. Section 97 of the Act is amended by inserting “and by the Minister of Transport, out of the highway safety fund” after “Individual and Family Assistance Act (chapter A-13.1.1)” in subparagraph 2 of the second paragraph.

36. Schedule IV to the Act is amended by inserting “and paragraph 1 of section 573.15” after “section 560” in paragraph 6.

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

37. Section 32.0.3 of the Act respecting the Ministère de la Justice (chapter M-19) is amended by inserting the following paragraph after paragraph 1:

“(1.1) the sums collected under section 573.21 of the Highway Safety Code (chapter C-24.2), to the extent determined in that section;”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

38. Section 12.39.1 of the Act respecting the Ministère des Transports (chapter M-28) is amended

(1) in paragraph 1.1,

(a) by striking out “sections 509 and 516 to 516.2 of”;

(b) by replacing “evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system” by “observed by means of a photograph or series of photographs taken by a detection system within the meaning of section 4 of the Code”;

(2) by inserting the following paragraphs after paragraph 1.2:

“(1.2.1) amounts collected from monetary administrative penalties imposed under section 573.2 of the Code;

“(1.2.2) administrative fees collected for the application of the system of monetary administrative penalties under the second paragraph of section 573.20 of the Code;”;

(3) by replacing “photo radar device or red light camera system” in paragraph 1.3 by “detection system”.

39. The Act is amended by inserting the following section after section 12.39.2:

“12.39.3. The Minister of Transport and the Société de l’assurance automobile du Québec shall enter into an agreement for the purpose of reimbursing the expenses incurred for the application of the system of monetary administrative penalties provided for in Chapter I.1 of Title X of the Highway Safety Code (chapter C-24.2). Those sums are debited from the Fund.

The sums paid to a municipality under an agreement entered into in accordance with section 519.81 of that Code are also debited from the Fund.”

ACT TO ASSIST PERSONS WHO ARE VICTIMS OF CRIMINAL OFFENCES AND TO FACILITATE THEIR RECOVERY

40. Section 12 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1) is amended by inserting the following paragraph after paragraph 3:

“(3.1) the sums collected under section 573.21 of the Highway Safety Code (chapter C-24.2), to the extent determined in that section;”.

ACT TO MODIFY THE RULES GOVERNING THE USE OF PHOTO RADAR DEVICES AND RED LIGHT CAMERA SYSTEMS AND AMEND OTHER LEGISLATIVE PROVISIONS

41. Section 21 of the Act to modify the rules governing the use of photo radar devices and red light camera systems and amend other legislative provisions (2012, chapter 15) is amended by striking out paragraphs 3 and 5.

REGULATION RESPECTING THE APPLICATION OF VARIOUS PROVISIONS CONCERNING DETECTION SYSTEMS

42. The Regulation respecting the application of various provisions concerning detection systems, the text of which appears below, is enacted.

“REGULATION RESPECTING THE APPLICATION OF VARIOUS PROVISIONS CONCERNING DETECTION SYSTEMS

“CHAPTER I

“PROVISIONS OF THE HIGHWAY SAFETY CODE WITH WHICH COMPLIANCE MAY BE MONITORED BY MEANS OF A DETECTION SYSTEM

“**1.** Compliance with the following provisions may be monitored by means of a detection system:

(1) with respect to compliance with speed limits: the second paragraph of section 299, sections 303.2 and 328, the third paragraph of section 329 and sections 496.4 and 496.7 of the Highway Safety Code (chapter C-24.2); and

(2) with respect to compliance with stops at red lights: section 359 of the Code.

“CHAPTER II

“FAILURES TO COMPLY GIVING RISE TO THE IMPOSITION OF A MONETARY ADMINISTRATIVE PENALTY

“2. In the case of a failure to comply with the second paragraph of section 299, section 328, the third paragraph of section 329 or sections 496.4 and 496.7 of the Highway Safety Code observed by means of a detection system, a monetary administrative penalty may be imposed on the owner of the road vehicle with which the failure to comply was committed, in the amount of \$30, 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; or

(4) if the speed exceeds the speed limit by 46 to 59 km/h, \$25 for each 5 km/h by which the speed exceeds the speed limit.

No monetary administrative penalty may be imposed in the case of a failure to comply with the provisions set out in the first paragraph in the following cases:

(1) in a zone where the maximum authorized speed limit is 60 km/h or less, if the speed of the road vehicle measured by means of a detection system is 40 km/h or more over the posted speed limit;

(2) in a zone where the maximum authorized speed limit is over 60 km/h but not over 90 km/h, if the speed of the road vehicle measured by means of a detection system is 50 km/h or more over the posted speed limit;

(3) in a zone where the maximum authorized speed limit is over 90 km/h, if the speed of the road vehicle measured by means of a detection system is 60 km/h or more over the posted speed limit;

(4) in a school zone, during the school period within the meaning of the Regulation to govern the establishment of school zones and define the school period (chapter C-24.2, r. 24.01); or

(5) in a place where, in accordance with section 303.1, signs or signals indicate, for the duration of work for the construction or maintenance of a public highway, a speed limit to be respected other than the prescribed speed limit.

“CHAPTER III

“ELEMENTS OF A PHOTOGRAPH OR SERIES OF PHOTOGRAPHS THAT ARE PROOF OF THEIR ACCURACY

“3. The photograph or series of photographs taken by a detection system is proof of the accuracy of the following elements that are affixed to or visible in one or more of the photographs:

(1) the place where the photograph or series of photographs was taken, with reference to an identifier or otherwise;

(2) the date and time on which the photograph was taken;

(3) the road vehicle; and

(4) the registration plate number of the road vehicle.

“4. The photograph or series of photographs taken by a detection system is also proof of the accuracy of the following elements that are affixed to or visible in one or more of the photographs:

(1) if the detection system is used to measure or calculate speed,

(a) the authorized speed limit, except the speed limit set under any of sections 299, 303.1 and 329, and

(b) the speed of the road vehicle recorded by the detection system; and

(2) if the detection system is used to monitor traffic at red lights, the traffic light involved.”

CHAPTER II

OTHER HIGHWAY SAFETY-RELATED PROVISIONS

HIGHWAY SAFETY CODE

43. Section 3.1 of the Highway Safety Code (chapter C-24.2) is amended by replacing “and mobility impaired persons” in the second paragraph by “, mobility impaired persons and persons who, in the performance of their duties, work on foot on a public highway”.

44. Section 62 of the Code is repealed.

45. Section 65 of the Code is amended by replacing “particulars” by “endorsements”.

46. Section 66.1 of the Code is replaced by the following section:

“66.1. Persons applying for a driver’s licence must, in the cases and on the conditions prescribed by regulation, successfully complete the Société’s training program for driving a road vehicle or any other training determined by regulation to obtain the class of licence applied for or to have an endorsement indicated on their licence.

The Government may, by regulation, set the maximum and minimum amounts payable to undergo the training to drive a passenger vehicle.”

47. The Code is amended by inserting the following section after section 66.1:

“66.2. The Société establishes the training program for driving a road vehicle and sets the parameters of the program. The Société may, on the conditions it determines, recognize an educational institution, a driving school, an enterprise or any body to provide that program.

In addition, the Société may delegate its power of recognition to any body. However, only the Société may suspend or revoke the recognition granted for non-compliance with the conditions determined.

The Société also establishes, on the conditions it determines and for each class of licence, including for any related endorsement, the training that the persons called upon to provide the training program for driving must undergo. The Société may provide that training or it may authorize, on the conditions it determines, an educational institution, a driving school, an enterprise or any body to provide it.”

48. Sections 90 and 91 of the Code are amended by adding the following sentence at the end of the third paragraph: “The Société may also require that the person undergo the training referred to in section 66.1 to obtain such a licence.”

49. Section 99 of the Code is amended by replacing “particulars” in the second paragraph by “endorsements”.

50. The Code is amended by inserting the following section after section 99:

“99.1. Holders of a learner’s licence and holders of a probationary licence of the appropriate class for driving a motorcycle are prohibited from driving a motorcycle appearing on the list of the makes and models or piston displacements contained in a regulation under section 151.1 of the Automobile Insurance Act (chapter A-25).

That prohibition also applies to holders of a driver’s licence to which is added the appropriate class for driving a motorcycle during the 24 months following the addition of that class to the holders’ driver’s licence.

When computing the period set out in the second paragraph, any time during which the licence was suspended or the person was prohibited from driving a road vehicle under the first paragraph of section 93.1 must be disregarded.”

51. Section 140.1 of the Code is amended by inserting “, section 99.1” after “the fifth paragraph of section 99”.

52. The Code is amended by inserting the following section after section 202.2.0.1, enacted by section 26 of chapter 13 of the statutes of 2022:

“202.2.0.2. No holder of a driver’s licence to which is added the appropriate class for driving a motorcycle, other than the class 6E, may drive or have the care or control of such a vehicle if any alcohol is present in his body, during the 24 months following the addition of that class to the holder’s driver’s licence.

When computing the period set out in the first paragraph, any time during which the licence was suspended or the person was prohibited from driving a road vehicle under the first paragraph of section 93.1 must be disregarded.”

The first paragraph does not apply to a person referred to in section 202.2.”

53. Section 202.2.1.2 of the Code is amended by replacing “4,500 kg or more” in subparagraph 3 of the second paragraph by “less than 4,500 kg”.

54. Section 202.3 of the Code, amended by section 43 of chapter 19 of the statutes of 2018 and by section 28 of chapter 13 of the statutes of 2022, is again amended by inserting “202.2.0.2,” after “202.2.0.1,” in the first paragraph.

55. Section 202.4 of the Code, amended by section 29 of chapter 13 of the statutes of 2022, is again amended

(1) by inserting “or 202.2.0.2” after “under section 202.2.0.1” in subparagraph 2.1 of the first paragraph;

(2) by inserting “202.2.0.2,” after “sections 202.2.0.1,” in the last paragraph.

56. Section 202.8 of the Code, amended by section 52 of chapter 19 of the statutes of 2018 and by section 31 of chapter 13 of the statutes of 2022, is again amended by replacing “section 202.2 or section 202.2.0.1” in the first paragraph by “any of sections 202.2, 202.2.0.1 and 202.2.0.2”.

57. Section 209.2 of the Code, amended by section 16 of chapter 29 of the statutes of 2001 and by section 32 of chapter 7 of the statutes of 2018, is again amended by inserting “327.1,” before “328.1”.

58. Section 226.2 of the Code, replaced by section 39 of chapter 13 of the statutes of 2022, is amended by adding the following sentence at the end of the second paragraph: “In addition, the driver of a tow truck may, on the same conditions, use a traffic lane reserved for certain classes of road vehicles or a traffic lane reserved for the exclusive use of road vehicles carrying the number of passengers indicated by proper signs or signals.”

59. Section 294.0.1 of the Code is amended by adding the following paragraph at the end:

“In addition, the person responsible for the maintenance of a public highway is required to safely lay out the school zone, in particular by taking into account the application guide developed by the Minister of Transport on the subject.”

60. The Code is amended by inserting the following section after section 294.0.1:

“294.0.2. When establishing a school route, the person responsible for the maintenance of a public highway must take into account the application guide developed by the Minister of Transport on the subject.”

61. The Code is amended by inserting the following section after section 300:

“300.1 The person responsible for the maintenance of a public highway must record and electronically log any speed limit posted on an illuminated variable or non-variable message sign, in accordance with the terms and conditions prescribed by regulation.

The recording and electronic logging must also include any information required by regulation.”

62. Section 314.2 of the Code is amended by replacing “\$200 to \$400” by “\$300 to \$600”.

63. The Code is amended by inserting the following section after section 326.1:

“326.2. The driver of any of the following road vehicles may use a traffic lane reserved for certain classes of road vehicles or a traffic lane reserved for the exclusive use of road vehicles carrying the number of passengers indicated by proper signs or signals:

- (1) a police force vehicle;
- (2) an ambulance service vehicle;
- (3) a fire safety vehicle;

(4) an emergency vehicle used by the Société; and

(5) a road vehicle used for snow removal or road maintenance if the driver is removing snow or maintaining those lanes.”

64. The Code is amended by inserting the following sections after section 327:

“327.1. A peace officer shall immediately suspend, on behalf of the Société and for a period of seven days, the licence issued under section 61 of a driver of a road vehicle who contravenes section 327.

The suspension period is increased to 30 days in the case of a driver who was convicted of at least one offence under section 327 during the 10 years before the suspension.

If the driver does not hold a licence or holds a licence issued by another administrative authority, the first and second paragraphs apply, with the necessary modifications, to the driver’s right to obtain a licence under section 61.

“327.2. The driver of a road vehicle whose licence or right to obtain a licence is suspended for a 30-day period in accordance with section 327.1 may, after proving that he was not driving the vehicle in contravention of section 327, obtain the lifting of the suspension by a judge of the Court of Québec acting in the civil practice chamber.

“327.3. Sections 202.6.1, 202.6.7 and 202.7, the second paragraph of section 209.11 and section 209.12 apply to the licence suspension under section 327.1, with the necessary modifications.”

65. Section 328 of the Code is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) in excess of 30 km/h in a school zone;”.

66. Section 329 of the Code is amended

- (1) by replacing “4” by “4.1” in the first paragraph;
- (2) by striking out the fourth paragraph.

67. Section 329.1 of the Code is replaced by the following section:

“329.1. In a school zone, the person responsible for the maintenance of a public highway must erect signs or signals to indicate the speed limit provided for in subparagraph 4.1 of the first paragraph of section 328.

The person responsible for the maintenance of a public highway may, in compliance with the conditions prescribed by government regulation, establish a different speed limit than the one provided for in subparagraph 4.1 of the first paragraph of section 328.”

68. The Code is amended by inserting the following section after section 359:

“359.0.1. The driver of a road vehicle or a cyclist must stop his vehicle not less than 5 metres from an automated flagger assistance device when facing its red light, and may proceed only when the flashing amber light is activated and the arm is raised. He must travel at a safe, reasonable speed.

An automated flagger assistance device is a barrier that is controlled remotely by a flag person in charge of directing traffic around or about work sites or during exceptional events or sports events or competitions. It is equipped with a red light and an amber light.”

69. Section 388.1 of the Code is amended

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

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

“A government regulation may prescribe rules relating to the stopping of such vehicles in a space reserved for recharging electric vehicles. The Government may determine the provisions of the regulation the violation of which constitutes an offence and fix the minimum and maximum amounts of the fine to which the offender is liable.”

70. Section 410 of the Code is amended by striking out “clearly”.

71. Section 506 of the Code is amended by replacing “, 381 to 385” by “and 381 to 385, paragraph 9 of section 386”.

72. Section 509 of the Code is amended

(1) by striking out “335,”;

(2) by replacing “, 372 to 376, 386, 388.1, 391 and 407, any of sections” by “and 372 to 376, any of paragraphs 1 to 8 of section 386 or any of sections 388.1, 391, 407,”;

(3) by replacing “349, 350, 358.1, 359, 359.1, 360, 361, 362 to 364, 367 to 371, 402, 404, 405, 408 to” by “361,”;

(4) by replacing “, 479 and 496.6” by “and 479”.

73. The Code is amended by inserting the following section after section 509.3:

“509.4. Every driver of a road vehicle who contravenes section 359.0.1 is guilty of an offence and is liable to a fine of \$300 to \$600.”

74. Section 510 of the Code is amended by replacing “346, 406 and 460” in the first paragraph by “335, 346, 349, 350, 358.1, 359, 359.1, 360, 362 to 364, 367 to 371, 402, 404 to 406, 408 to 410, 460 and 496.6”.

75. Section 516 of the Code is amended by replacing “\$15” in the introductory clause of the first paragraph by “\$30”.

76. Section 519.70 of the Code is amended

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

(2) by inserting the following paragraphs after the first paragraph:

“The highway controller may require the vehicle to be driven to a location that he considers safe to inspect the vehicle, provided it is not over 15 kilometres from the place of interception.

The highway controller may also require any information relating to the enforcement of this Code, demand that any related document be produced, and examine any such documents.”;

(3) by replacing “the first paragraph” in the second paragraph by “this section”.

77. Section 519.77 of the Code is amended by replacing “second paragraph of section 519.70” by “fourth paragraph of section 519.70”.

78. Section 619 of the Code, amended by section 29 of chapter 18 of the statutes of 2018, is again amended by inserting the following paragraphs after paragraph 6.3:

“(6.3.1) prescribe the cases in which and the conditions on which a person applying for a driver’s licence must successfully complete training to drive a vehicle corresponding to the class of licence applied for or to have an endorsement indicated on his licence;

“(6.3.2) determine the training that a person applying for a driver’s licence must undergo to obtain the class of licence applied for or to have an endorsement indicated on his driver’s licence, the theoretical and practical parts the training must contain, the deadline for the successful completion of each part of the training and the cases in which a person may be exempted from the training;

“(6.3.3) set the maximum time limit for a person applying for a driver’s licence to comply with the requirements to obtain the class of licence applied for or the requirements to have an endorsement indicated on his licence;

“(6.3.4) prescribe the cases and conditions relating to access to driving that are applicable to a person applying for a driver’s licence where, within the maximum time limit prescribed, the requirements to obtain the class of licence applied for or the requirements to have an endorsement indicated on his licence have not been met;”.

79. Section 621 of the Code is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 25.2:

“(25.3) prescribe the conditions for establishing a different speed limit than the one provided for in subparagraph 4.1 of the first paragraph of section 328;”;

(2) by inserting the following subparagraphs after subparagraph 32.9:

“(33) prescribe rules relating to the stopping of electric road vehicles and plug-in hybrid road vehicles in a space reserved for recharging electric vehicles;

“(34) determine, from among the provisions of any regulation made under subparagraph 33, the provisions the violation of which constitutes an offence and fix the minimum and maximum amounts of the fine to which the offender is liable;”.

80. Section 633.1 of the Code is amended by replacing “\$200 or more than \$3,000” in the fourth paragraph by “\$100 or more than \$3,000. In the case of pilot projects relating to autonomous vehicles, the amount may not be less than \$200 or more than \$3,000”.

81. Section 660 of the Code is repealed.

ACT RESPECTING MONETARY ADMINISTRATIVE PENALTIES IN MUNICIPAL MATTERS

82. The Act respecting monetary administrative penalties in municipal matters (chapter S-2.01) is amended by inserting the following section after section 2:

2.1. The Government may, by regulation and after consulting with the Société de l’assurance automobile du Québec, determine in what cases and on what conditions the Société imposes on the debtor, as recovery measures, penalties provided for in the Highway Safety Code (chapter C-24.2), as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of the Code.

The regulation may also prescribe, among the regulatory provisions determining penalties provided for in that Code, those whose contravention constitutes an offence and renders the offender liable to a fine, the amount of which is set by the regulation.”

ACT RESPECTING OFF-HIGHWAY VEHICLES

83. The Act respecting off-highway vehicles (chapter V-1.3) is amended by inserting the following section after section 69:

“69.1. The person responsible for the maintenance of a public highway may authorize an off-highway vehicle club to lay out and operate a trail, for the period and on the conditions determined by that person, on a part of that public highway off the roadway, the shoulder and the ditch area.

Such authorization gives the club the right to collect access fees for the trail in accordance with this Act.”

84. Section 73 of the Act is amended

(1) by replacing “on the conditions fixed by government regulation” in subparagraph 3 of the second paragraph by “where authorized by signs or signals that conform to regulatory standards”;

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

“A government regulation may prescribe any other condition useful for the operation of an off-highway vehicle authorized under subparagraph 3 of the second paragraph.”

ACT TO IMPROVE THE PERFORMANCE OF THE SOCIÉTÉ DE L’ASSURANCE AUTOMOBILE DU QUÉBEC, TO BETTER REGULATE THE DIGITAL ECONOMY AS REGARDS E-COMMERCE, REMUNERATED PASSENGER TRANSPORTATION AND TOURIST ACCOMMODATION AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

85. Section 50 of the Act to improve the performance of the Société de l’assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18) is amended

(1) in the first paragraph,

(a) by replacing “corresponds to the greater of” in the introductory clause by “is \$13.20.”;

(b) by striking out subparagraphs 1 and 2;

(2) by striking out “daily” in the second paragraph;

(3) by adding the following paragraph at the end:

“The fees fixed in the first paragraph are indexed in accordance with Chapter VIII.1 of the Financial Administration Act (chapter A-6.001), despite section 83.11 of that Act.”

REGULATION RESPECTING LICENCES

86. The Regulation respecting licences (chapter C-24.2, r. 34) is amended by replacing all occurrences of “driving school recognized under section 62 of the Highway Safety Code (chapter C-24.2)” and “driving school recognized under section 62 of the Highway Safety Code” by “recognized driving school”.

MINISTERIAL ORDER CONCERNING THE FINE TO WHICH A PERSON WHO CONTRAVENES PARAGRAPH 9 OF SECTION 386 OF THE HIGHWAY SAFETY CODE IS LIABLE

87. The Ministerial Order concerning the fine to which a person who contravenes paragraph 9 of section 386 of the Highway Safety Code is liable (chapter C-24.2, r. 1.1) is repealed.

CHAPTER III

TRANSITIONAL PROVISIONS

88. Until the coming into force of section 16, the provisions introduced by section 22 apply only to the offences referred to in that section.

89. Section 592.0.0.1, the second and third paragraphs of section 592.1 and sections 592.1.1 and 592.2 of the Highway Safety Code (chapter C-24.2) continue to apply if a statement of offence was sent before the date of coming into force of section 19 of this Act.

The same applies to articles 146, 163, 218.4, 218.5 and 228.1 of the Code of Penal Procedure (chapter C-25.1), as amended, respectively, by sections 26 and 29 to 32 of this Act.

90. Unless the context indicates otherwise or this Act provides otherwise, in any regulation or other document, “photo radar device” and “red light camera system” are replaced by “detection system”, with the necessary modifications.

91. Until the coming into force of section 66.1 of the Highway Safety Code, enacted by section 46 of this Act,

(1) section 66.1 of the Code is to be read as if “driving school recognized in accordance with section 62” were replaced by “recognized driving school”;

(2) a driving course required under section 66.1 of the Code to obtain a first driver's licence of the appropriate class for driving a motorcycle, a moped or another passenger vehicle is deemed to be a training program of the Société de l'assurance automobile du Québec given by a driving school recognized by the Société.

92. A driving school recognized by the Société de l'assurance automobile du Québec before 2 May 2024 is deemed to be recognized on the same conditions under section 66.2 of the Highway Safety Code, enacted by section 47 of this Act, except where the recognition was revoked by the Société.

93. Section 99.1 of the Highway Safety Code, enacted by section 50 of this Act, does not apply to a person who obtained their learner's licence of the appropriate class for driving a motorcycle before the date of coming into force of that section.

94. Until the coming into force of paragraph 1 of section 50 of chapter 19 of the statutes of 2018, section 202.6.6 of the Highway Safety Code, amended by section 116 of chapter 13 of the statutes of 2022, is to be read as if "section 202.2 or 202.2.0.1" in subparagraph 1 of the first paragraph were replaced by "any of sections 202.2, 202.2.0.1 and 202.2.0.2".

95. For the purposes of section 294.0.1 of the Highway Safety Code, as amended by section 59 of this Act, the person responsible for the maintenance of a public highway must, not later than on the date determined by the Minister in an order published in the *Gazette officielle du Québec*, safely lay out any school zone existing on the date preceding the date of coming into force of section 59 of this Act.

CHAPTER IV

FINAL PROVISIONS

96. Photo radar devices and red light camera systems approved by the Ministerial Order concerning the Approval of photo radar devices and red light camera systems (chapter C-24.2, r. 5.1) are deemed to have been approved under section 519.79 of the Highway Safety Code (chapter C-24.2), enacted by section 12 of this Act.

97. Any public highway determined by the Ministerial Order concerning Public highways where photo radar devices and red light camera systems may be used (chapter C-24.2, r. 6.01) is deemed to have been designated by the Minister of Transport under section 519.80 of the Highway Safety Code, enacted by section 12 of this Act, and to have been entered in the register kept by the Minister in accordance with that section 519.80.

98. The Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9), enacted under section 634.4 of the Highway Safety Code, is deemed to have been enacted under section 519.82 of the Code, enacted by section 12 of this Act.

99. This Act comes into force on 2 May 2024, except

(1) sections 2 to 11, section 12 insofar as it enacts sections 519.79, 519.80 and 519.82 of the Highway Safety Code, sections 18 to 20, paragraph 1 of section 21, section 22 except as concerns the words “or any other person” in section 602.4 of the Code, sections 23, 25 to 27 and 29 to 32, paragraphs 1 and 3 of section 38, section 41, section 42 insofar as it concerns Chapters I and III of the regulation it enacts, and sections 96 to 98, which come into force on 1 July 2024;

(2) section 42 insofar as it concerns Chapter II of the regulation it enacts, which comes into force on the date of coming into force of section 16 of this Act;

(3) sections 62, 68, 70 to 77 and 87, which come into force on 1 June 2024;

(4) section 69 and paragraph 2 of section 79, which come into force on the date of coming into force of the first regulation made under the second paragraph of section 388.1 of the Highway Safety Code, amended by section 69 of this Act;

(5) section 28, which comes into force on the date of coming into force of section 5 of chapter 7 of the statutes of 2024;

(6) section 65, paragraph 1 of section 66, section 67 and paragraph 1 of section 79, which come into force on the date of coming into force of the first regulation made under the second paragraph of section 329.1 of the Highway Safety Code, enacted by section 67 of this Act; and

(7) the provisions of section 1, section 12 insofar as it enacts section 519.81 of the Highway Safety Code, sections 15 and 16, paragraph 2 of section 21, section 22 insofar as it concerns the words “or any other person” in section 602.4 of the Code, sections 33 to 37, paragraph 2 of section 38 and sections 40, 46, 48, 50 to 52, 54 to 57, 59, 60, 64, 93 and 94, which come into force on the date or dates to be determined by the Government.

