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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 414-2004, 28 April 2004

Highway Safety Code
(R.S.Q., c. C-24.2)

Tariff for the purposes of section 194 of the Code

Tariff for the purposes of section 194 of the Highway Safety Code

WHEREAS, under subparagraph 52 of the first paragraph of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation fix, on the basis of the costs borne by the Société de l'assurance automobile du Québec for the purposes of section 194 of the Code, the amount to be used to determine the amount to be paid to the Société by the Government, a municipality or a Native community pursuant to section 648.2 of the Code;

WHEREAS, under the second paragraph of section 621 of the Highway Safety Code, the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to a regulation made under subparagraph 52 of the first paragraph of section 621 of the Code;

WHEREAS, under the second paragraph of section 621 of the Code, the Minister of Transport shall consult with the bodies representing municipalities, more particularly the Union des municipalités du Québec and the Fédération québécoise des municipalités locales et régionales, before submitting a draft of the regulation to the Government;

WHEREAS the Minister of Transport has consulted with the two above-mentioned bodies on the draft Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Tariff for the purposes of section 194 of the Highway Safety Code, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Tariff for the purposes of section 194 of the Highway Safety Code

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 52; 2003, c. 5, s. 13)

1. To determine the compensation to be paid to the Société de l'assurance automobile du Québec by the Government, a municipality or a Native community under section 648.2 of the Highway Safety Code (R.S.Q., c. C-24.2) for the purposes of section 194 of the Code, the amount referred to in section 648.2 is fixed at \$30.90.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6292

Draft Regulations

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Insurance contributions — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the «Regulation to amend the Regulation respecting insurance contributions made by the Société de l'assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval after forty-five days have elapsed from the date of this publication.

Under section 194.3 of the Highway Safety Code (R.S.Q., c. C-24.2), where the owner of a road vehicle applies for and is entitled to a refund of fees and contribution,, the amount of reimbursement is used to make payment of fines and casts owed by the owner according to the order of non-payment notices received by the Société de l'assurance automobile du Québec from the collecting entity.

The draft Regulation proposes allowing the right to an insurance contribution refund on request by the owner of a vehicle prohibited from road use, to have the reimbursement be put to the payment of fines.

Further information may be obtained by contacting Mr. Jean Rochon, Société de l'assurance automobile du Québec, 333, boulevard Jean Lesage, C-3-21, P.O. Box 19600, Québec (Québec) G1K 8J6; tel. (418) 528-3266.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec (Québec) G1K 8J6.

JACQUES BRIND'AMOUR,
*Chairman and CEO of the
Société de l'assurance automobile du Québec*

Regulation to amend the Regulation respecting insurance contributions*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195.1)

1. Section 57 of the Regulation respecting insurance contributions is amended by adding “nor if that renunciation of vehicle operation takes place after receipt by the Société of notification under article 364 of the Code of Penal Procedure (chapter C-25.1)” at the end of the second paragraph.

2. Section 59 of the Regulation is amended :

(1) by inserting “or the second paragraph of section 194” after “189”;

(2) by striking out “, corresponding to the period during which the prohibition has effect”.

3. The following is substituted for section 64:

“**64.** Subject to sections 65 to 69, the amount of insurance contribution reimbursement is calculated by multiplying the monthly contribution applicable to the road vehicle in question by the number of full months between the date of the refund request, or in the cases covered by section 63, from the date of the event or the date of the new registration, to the end of the period for which the contribution had been paid.”.

4. Sections 65, 66 and 67 are amended by substituting the following in each for what introduces subparagraph 1:

* The latest amendments to the Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991 (1991, *G.O.* 2, 4159), were made by the Regulation approved by Order in Council 161-99 dated 24 February 1999 (1999, *G.O.* 2, 249). For prior amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

“Where the cancellation of registration, renunciation of the right to operate the road vehicle, or a request for reimbursement following prohibition from putting the vehicle back into operation, takes place:”.

5. This regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6291

Draft Regulation

Highway Safety Code
(R.S.Q., c. C-24.2)

Road vehicle registration — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting road vehicle registration, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

Under section 194.3 of the Highway Safety Code (R.S.Q., c. C-24.2), where the owner of a road vehicle requests and is entitled to reimbursement of duties and contributions, the amount of reimbursement shall be applied to the payment of any fines or costs due by the owner according to the order in which notices for failure to pay fines are received from the collector by the Société de l'assurance automobile du Québec.

The draft Regulation establishes the right of the owner of a vehicle under a prohibition against being put into operation to reimbursement, on request, of the duties and contributions of motorists to public transit in order to apply the sums reimbursed to the payment of fines.

Further information may be obtained by contacting Jean Rochon, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C.P. 19600, Québec (Québec) G1K 8J6; telephone: (418) 528-3266.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

YVON MARCOUX,
Minister of Transport

Regulation to amend the Regulation respecting road vehicle registration*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, pars. 11 and 11.0.1)

1. Section 162 of the Regulation respecting road vehicle registration is amended by adding “or if the election is made after receipt by the Société of a notice under article 364 of the Code of Penal Procedure (R.S.Q., c. C-25.1)” at the end of the second paragraph.

2. Section 164 is amended

(1) by inserting “or subparagraph 2 of the first paragraph of section 194” after “189”;

(2) by striking out “for the period during which that prohibition has effect”.

3. Section 170 is replaced by the following:

“**170.** Subject to sections 173 to 175, the reimbursement of fees is determined by multiplying the monthly fees applicable to the road vehicle concerned by the number of full months from the date of the request for reimbursement or, in the cases referred to in section 169, from the date of the event or the date the vehicle was registered elsewhere, to the date of expiry of the period for which the fees had been paid.”.

4. Section 170.1 is replaced by the following:

“**170.1.** The reimbursement of the additional duty is determined by multiplying the additional monthly duty applicable to the road vehicle concerned by the number of full months from the date of the request for reimbursement or, in the cases referred to in section 169, from the date of the event or the date the vehicle was registered elsewhere, to the date of expiry of the period for which the additional duty had been paid.”.

5. Sections 171 to 172.1 are revoked.

6. Sections 173, 174 and 175 are amended by replacing the part preceding subparagraph 1 of the second paragraph by the following:

* The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111), was last amended by the regulation made by Order in Council 786-2003 dated 16 July 2003 (2003, *G.O.* 2, 2225). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

“Where the cancellation of the registration, the election not to operate the vehicle or the request for reimbursement, in the case of a prohibition from putting the road vehicle back into operation, occurs”.

7. Section 176 is replaced by the following :

“**176.** The reimbursement of the contribution of motorists to public transit is determined by multiplying the monthly contribution of \$2.50 by the number of full months from the date of the request for reimbursement or, in the cases referred to in section 169, from the date of the event or the date the vehicle was registered elsewhere, to the date of expiry of the period for which the contribution of motorists to public transit had been paid.”.

8. Sections 177 and 178 are revoked.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Abbreviations : **A** : Abrogated, **N** : New, **M** : Modified

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