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## **Laws and Regulations**

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### **Summary**

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## Draft Regulations

### Draft Regulation

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

#### Fees exigible and return of confiscated objects — Amendment

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 fees exigible under the Highway Safety Code and the return of confiscated objects, made by the Société de l'assurance automobile du Québec and the text of which appears below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation proposes fees to apply when the amounts to be paid annually to retain the right to operate registered road vehicles are paid in six equal instalments. The proposed fee is \$4.75 per vehicle, plus an amount based on the interest rate fixed pursuant to the Act respecting the Ministère du Revenu regarding debts owed to the State. The draft Regulation was the subject of a regulatory impact statement attached to the memorandum in support of the draft Regulation submitted to the Cabinet.

The instalment payment program is available to road vehicle owners who in the previous year paid amounts exceeding \$15,000, and to bus and truck owners whose vehicles have a net mass in excess of 3,000 kg. The program eligibility conditions are set out in the draft of the Regulation to amend the Regulation respecting road vehicle registration.

It is estimated that approximately 50% of eligible owners will participate in the instalment payment program, or nearly 23,000 owners of some 172,000 heavy vehicles.

Further information may be obtained by contacting Nathalie Surprenant, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C.P. 19600, Québec (Québec) G1K 8J6; telephone: (418) 528-4898.

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 Chair of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec (Québec) G1K 8J6.

JACQUES BRIND'AMOUR,  
*Chair of the Société de  
l'assurance automobile du Québec*

### Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects<sup>1</sup>

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 624, subpar. 1 of the first par.)

**1.** The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended by substituting the following for section 2.1 :

“**2.1.** In addition to the fees fixed in paragraph 3.1 of section 2, the owner of road vehicles who makes payment by six instalments of the sums covered by the first paragraph of section 31.1 of the Highway Safety Code, shall pay \$4.75 per vehicle and the sum of the fee exigible at the time of the second, third, fourth, fifth and sixth instalments, calculated using the following formula :

$$F = S \times N \times I \times J/365$$

Where :

F is the fee ;

S is one-sixth of the sum of the following amounts :

<sup>1</sup> The last amendment to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 (1991, *G.O.* 2, 1695), was made by the regulation approved by O.C. 947-2002 dated 21 August 2002 (2002, *G.O.* 2, 4506). For prior amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

(1) the fees payable to retain the right to operate each of the owner's vehicles, covered by Chapter IV of the Regulation respecting road vehicle registration;

(2) the insurance contribution payable to retain the right to operate each of the owner's vehicles, covered by Division V of Chapter II of the Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991;

(3) the contribution of motorists to public transit set under section 88.3 of the Transport Act (R.S.Q., c. T-12);

(4) any additional fee covered by section 31.1 of the Highway Safety Code;

(5) the tax on the insurance contribution covered by section 512 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1);

(6) the fees covered by paragraph 3.1 of section 2;

I is the rate of interest equal to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31) in force on the first day of the month preceding the month in which the first instalment comes due;

J is the number of days following the last instalment including the applicable due date;

N is the total number of instalment payments less those already made.

For purposes of applying the variables "J" and "N" of the formula, calculation must be made of the due date for payment of the second, third, fourth, fifth and sixth instalments as determined under section 24.1 of the Regulation respecting road vehicle registration."

**2.** 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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## 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.

The draft Regulation proposes to allow payment of the amounts to be paid annually to retain the right to operate registered road vehicles in six equal instalments where those amounts exceeded \$15,000 in the previous year, or in the case of bus and truck owners whose vehicles have a net mass in excess of 3,000 kg. The fees payable under the laws of other administrative authorities in Canada and the United States must be paid in one instalment.

The draft Regulation was the subject of a regulatory impact statement attached to the memorandum in support of the draft Regulation submitted to the Cabinet. It is estimated that approximately 50% of the eligible owners will choose this type of payment, or nearly 23,000 owners of some 172,000 heavy vehicles.

Owners who choose to pay in instalments will have to pay a fee of \$4.75 per vehicle plus fees based on the interest rate fixed pursuant to the Act respecting the Ministère du Revenu regarding debts owed to the State. Those fees are set out in the draft of the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

The most recent data indicate that in 2001, there were 370 families in Québec composed of at least nine persons. Certain families acquired a minibus because they were unable to find passenger vehicles able to carry all the family members, although the registration fees for a minibus are higher than those for a passenger vehicle.

The draft Regulation proposes to adjust the registration fees for a minibus belonging to a family of at least nine persons residing together to correspond to the fees payable for a passenger vehicle.

Further information may be obtained by contacting Nathalie Surprenant, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C.P. 19600, Québec (Québec) G1K 8J6; telephone: (418) 528-4898.

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<sup>e</sup> 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. 8.5, 8.7 and 8.8 and s. 631)

**1.** The Regulation respecting road vehicle registration is amended by inserting the following after section 24:

“**24.1.** Owners of road vehicles having paid \$15,000 or more in duties, fees, the insurance contribution, tax on that contribution, the contribution of motorists to public transit and, where applicable, the additional duty to obtain or retain the right to operate vehicles during the last calendar year may pay, despite sections 19 to 24, the amounts referred to in the first paragraph of section 31.1 of the Highway Safety Code in six equal instalments, provided they have not failed to pay any amounts owed to the Société in the two preceding years.

The same applies, but in respect only of the vehicles concerned, to the owners of road vehicles used for snow removal, other than a snowblower and special mobile snow equipment and a bus, truck, equipment transport vehicle or farm motor vehicle, provided the net mass of the vehicles exceeds 3,000 kg.

Subject to the fifth paragraph, the due date of the first instalment is

- (1) the last day of April, for a farm motor vehicle;
- (2) the last day of September, for a bus engaged in the transportation of schoolchildren;
- (3) the last day of December, for a road vehicle used for snow removal; and
- (4) the last day of March, for a road vehicle not referred to in subparagraphs 1 to 3.

Subject to the fifth paragraph, the due date of the second, third, fourth, fifth and sixth instalments is respectively the last day of the second, fourth, sixth, eighth and tenth month following the first instalment.

If financial institutions are not open on the day on which the instalment is due, the due date is deferred to the next day on which they are open.

The instalments are payable only by direct debit on an account in a Québec financial institution designated by the owner of the road vehicle. The debit transaction is made on the due date of the instalment.

For the purposes of the second paragraph, the amount of the fees and other items pertaining to any other road vehicle owned by the person referred to in that paragraph may be added to the amount to be paid in instalments, provided the due date determined in any of sections 19 to 24 corresponds to the due date of the first instalment to be made.”.

**2.** Section 25 is amended

- (1) by striking out “during the period applicable to his vehicle, as determined in sections 19 to 24” in the first paragraph;
- (2) by deleting the second paragraph.

**3.** Section 60.17 is replaced by the following:

“**60.17.** Despite section 60.14, holders of an apportioned registration of road vehicles renewing their registration may pay the registration fees for Québec in six equal instalments under section 60.15, the fees exigible under sections 2.2, 2.4 and 2.5 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, the insurance contribution under section 60.16, the tax payable on that contribution and the fees established in section 60.18, provided they have not failed to pay any amounts owed to the Société in the two preceding years. Subject to the fourth paragraph, the due date of the first instalment is the last day of March preceding the registration year for which the apportioned registration renewal application is made.

\* 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.

Subject to the fourth paragraph, the due date of the second, third, fourth, fifth and sixth instalments is respectively the last day of the second, fourth, sixth, eighth and tenth month following the first instalment.

The fees payable under the laws of other administrative authorities must be paid in one instalment on the last day of March preceding the registration year for which the apportioned registration renewal application is made.

If financial institutions are not open on the day on which the instalment is due, the due date is deferred to the next day on which they are open.

The instalments are payable only by direct debit on an account in a Québec financial institution designated by the owner of the road vehicle. The debit transaction is made on the due date of the instalment.”.

**4.** Section 60.18 is replaced by the following:

“**60.18.** For the purposes of section 60.17, the holder of an apportioned registration of road vehicles must pay a fee of \$4.75 per vehicle and the sum of the fees calculated for the second, third, fourth, fifth and sixth instalments using the following formula:

$$F = (S \times N \times I \times J) \div 365$$

where

F is the fees

S is one sixth of the sum of

(1) the fees calculated under section 60.15;

(2) the insurance contribution calculated under section 60.16;

(3) the tax on the insurance contribution payable under section 512 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1); and

(4) the fees payable under sections 2.2, 2.4 and 2.5 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

I is the interest rate determined pursuant to the first paragraph of section 28 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31) and in effect on the first day of the month preceding the month in which the first instalment is due;

J is the number of days following the last instalment, including the reference due date; and

N is the number of total instalments less instalments already paid.

For the purposes of variables J and N in the formula, the date on which the second, third, fourth, fifth and sixth instalments are due as determined in section 60.17 is the reference due date.”.

**5.** The following is inserted after section 121:

“**121.1.** Despite sections 115 to 121, the fees payable to retain the right to operate a minibus used for personal purposes owned by a person who is a member of a family of at least nine persons residing together are \$104.

The fees fixed in the first paragraph are reduced by \$52, where the owner’s principal residence is located in a peripheral region described in section 2R1 of the Regulation respecting the application of the Fuel Tax Act.

The fees fixed in the first paragraph are reduced by \$26, where the owner’s principal residence is located in a specified region described in section 2R1 of the Regulation respecting the application of the Fuel Tax Act.”.

**6.** Section 136 is amended

(1) by replacing the second paragraph by the following:

“The fees payable to retain the right to operate a farm tractor referred to in the first paragraph are \$6.”;

(2) by deleting the third paragraph.

**7.** Section 180.1 is revoked.

**8.** The Regulation is amended

(1) by striking out “for each payment period” in the third, fourth and fifth paragraphs of section 97, the first and second paragraphs of section 101, the first paragraph of section 103, the first paragraph of section 104, the first paragraph of section 105, the first paragraph of section 106, the first paragraph of section 107, the first paragraph of section 108, the first paragraph of section 108.1, the first paragraph of section 108.2, the first paragraph of section 108.3, the third paragraph of section 109, the first, second, third, fourth, fifth and sixth paragraphs of section 111, the first, second, third,



fourth, fifth and sixth paragraphs of section 112, the first paragraph of section 115, the first paragraph of section 116, the first paragraph of section 117, the first paragraph of section 118, the first paragraph of section 119, the first paragraph of section 120, the first paragraph of section 121, the first paragraph of section 125, the first paragraph of section 126, the first paragraph of section 127, the first paragraph of section 128, the first paragraph of section 129, the first paragraph of section 130, the first paragraph of section 131, the first paragraph of section 132, the first paragraph of section 133, the first paragraph of section 134, the first paragraph of section 135, the second paragraph of section 137, the second paragraph of section 139, the second paragraph of section 141, the first paragraph of section 148 and sections 155, 156 and 157;

(2) by striking out the sixth paragraph of section 97, the third paragraph of section 101, the second paragraph of section 103, the second paragraph of section 104, the second paragraph of section 105, the second paragraph of section 106, the second paragraph of section 107, the second paragraph of section 108, the second paragraph of section 108.1, the second paragraph of section 108.2, the second paragraph of section 108.3, the fourth paragraph of section 109, the seventh paragraph of section 111, the seventh paragraph of section 112, the second paragraph of section 115, the second paragraph of section 116, the second paragraph of section 117, the second paragraph of section 118, the second paragraph of section 119, the second paragraph of section 120, the second paragraph of section 121, the second paragraph of section 125, the second paragraph of section 126, the second paragraph of section 127, the second paragraph of section 128, the second paragraph of section 129, the second paragraph of section 130, the second paragraph of section 131, the second paragraph of section 132, the second paragraph of section 133, the second paragraph of section 134, the second paragraph of section 135, the third paragraph of section 137, the third paragraph of section 139 and the third paragraph of section 141.

**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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## Draft Regulation

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

### Safety standards for road vehicles — 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 safety standards for road vehicles, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The most recent data shows that in 2001 in Québec, there were 370 families made up of at least 9 persons. Since they could hardly find passenger vehicles that could carry all their members, certain families bought minibuses. However, unlike passenger vehicles, minibuses must undergo mechanical inspections every six months.

The draft Regulation proposes that a mechanical inspection for used minibuses owned by those families be carried out only before registration.

Further information may be obtained by contacting Monique Faucher, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C.P. 19600, Québec (Québec) G1K 8J6; telephone : (418) 528-3405.

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<sup>e</sup> étage, Québec (Québec) G1R 5H1.

YVON MARCOUX,  
*Minister of Transport*

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## **Regulation to amend the Regulation respecting safety standards for road vehicles\***

Highway Safety Code

(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 29)

**1.** Section 7 of the Regulation respecting safety standards for road vehicles is amended by adding “except minibuses used exclusively for personal purposes and belonging to a person who is a member of a family of at least nine persons living together” at the end of paragraph 2.

**2.** The following is inserted after section 7:

“**7.1.** Used minibuses used exclusively for personal purposes and belonging to a person who is a member of a family of at least nine persons living together must undergo a mechanical inspection before being registered.”.

**3.** 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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\* The Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998 (1998, *G.O.* 2, 4557), was last amended by the regulation made by Order in Council 623-99 dated 2 June 1999 (1999, *G.O.* 2, 1619). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

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

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