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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 265-2007, 28 March 2007

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

Road vehicle registration

— Amendments

Regulation to amend the Regulation respecting road vehicle registration

WHEREAS, under paragraphs 8.3 to 8.5, 8.7, 8.8, 10, 11, 11.0.1 and 11.2 of section 618, subparagraph 1 of the first paragraph and the second paragraph of section 619.3, and sections 619.4 and 631 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine the terms and conditions of payment of road vehicle registration and the methods of computing the duties payable;

WHEREAS, under paragraphs 3 and 4.1 of section 618 of the Highway Safety Code, the Government may, by regulation, determine the information forming the registration which is entered in the registers of the Société de l'assurance automobile du Québec and the information which must appear on the registration certificate;

WHEREAS, by Order in Council 1420-91 dated 16 October 1991, the Government made the Regulation respecting road vehicle registration;

WHEREAS it is expedient to amend the Regulation to determine the terms and conditions for the payment in instalments of registration and the modifications to the information forming the registration which is entered in the registers of the Société de l'assurance automobile du Québec and the information which must appear on the registration certificate;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting road vehicle registration was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting road vehicle registration, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister for the Capitale-Nationale region:

THAT the Regulation to amend the Regulation respecting road vehicle registration, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting road vehicle registration *

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, pars. 3, 4.1, 8.3 to 8.5, 8.7, 8.8, 10, 11, 11.0.1, 11.2, s. 619.3, 1st par., subpar. 1 and 2nd par., ss. 619.4 and 631)

1. The Regulation respecting road vehicle registration is amended in section 3 by replacing paragraph 7 by the following:

“(7) particulars identifying the road vehicle, such as, if they appear in the registration record,

(a) make and model, or an abbreviation thereof, and the model year;

(b) net weight;

(c) number of axles calculated under sections 16 to 18;

(d) vehicle serial number;”.

* 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 1246-2005 dated 14 December 2005 (2005, *G.O.* 2, 5527). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

2. Section 13 is amended by replacing paragraph 6 by the following:

“(6) particulars identifying the vehicle, such as

(a) make and model, or an abbreviation thereof, and the model year;

(b) engine displacement;

(c) vehicle serial number;

(d) fuel type;”.

3. The heading of Division VIII of Chapter I is replaced by the following:

“TERMS OF PAYMENT”.

4. Section 19 is replaced by the following:

“**19.** The payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code by the owner of a motor home used for personal purposes with a net weight of 3,000 kg or less or a passenger vehicle is determined according to an order based on the owner’s surname.

The due date if the owner’s surname begins with

(1) B, is 31 January but payment may be made as of 1 November of the preceding year;

(2) A, C or W, is the last day in February but payment may be made as of 1 December of the preceding year;

(3) D, E or F, is 31 May but payment may be made as of 1 March;

(4) G, H or J, is 30 June but payment may be made as of 1 April;

(5) M, N, O or V, is 31 August but payment may be made as of 1 June;

(6) L, is 30 September but payment may be made as of 1 July;

(7) P, Q or R, is 31 October but payment may be made as of 1 August;

(8) I, K, S, T, U, X, Y or Z, is 30 November but payment may be made as of 1 September.”.

5. Sections 20 and 20.1 are revoked.

6. Sections 21 to 24 are replaced by the following:

“**21.** The payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code by an owner of a farm vehicle or farm tractor if the owner is a farmer, a motor home if the owner is a legal person, a motor home with a net weight of more than 3,000 kg, a motorcycle and a moped is 30 April but payment may be made as of 1 February.

22. Subject to section 24, the payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code by an owner of a vehicle or a bus engaged in the transportation of school-children is 30 September but payment may be made as of 1 July.

23. Subject to section 24, the payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code in respect of a snowmobile, a snowblower or special mobile snow equipment is 31 December but payment may be made as of 1 October.

24. Despite section 19, for the owner of a road vehicle listed below, the payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code is 31 March but payment may be made as of 1 January:

(1) passenger vehicles referred to in sections 98, 99 and 137 or owned by the holder of a ham radio operator’s licence;

(2) road vehicles referred to in section 137 with the exception of mopeds, snowmobiles and motorcycles;

(3) road vehicles referred to in sections 139 and 140 with the exception of mopeds, motorcycles and snowblowers;

(4) road vehicles referred to in sections 124 and 139;

(5) commercial vehicles;

(6) trucks;

(7) special mobile equipment with the exception of special mobile snow equipment;

(8) equipment transport vehicles;

(9) tow trucks;

(10) ambulances and hearses;

(11) taxis;

(12) buses and minibuses except buses engaged in the transportation of schoolchildren; and

(13) road vehicles not referred to in paragraphs 1 and 2 or in sections 19 and 21 to 23 that are not apportioned vehicles.”

7. Section 24.1 is replaced by the following:

“**24.1.** Despite sections 19 and 21 to 24, if, upon obtaining registration of a road vehicle and the right to operate it or put it back into operation, there are no more than four months, including parts of a month, remaining before the payment due date for the amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code, the payment due date for the duties, fees, insurance contribution, contribution of motorists to public transit and additional annual duties is postponed for 12 months upon request by the owner of the vehicle. The postponement entails a 12-month postponement of the beginning of the payment period determined in sections 19 and 21 to 24.”

8. Section 25 is replaced by the following:

“**25.** An owner of a road vehicle must every year pay the duties and fees prescribed in Chapter IV and the other amounts to be paid under the first paragraph of section 31.1 of the Highway Safety Code to retain the right to operate the road vehicle.

An owner of a road vehicle who elects to pay by direct debit pursuant to section 25.1 is deemed to comply with the first paragraph of section 31.1 of the Highway Safety Code if he or she complies with the provisions of this Division.”

9. The following is inserted after section 25:

“**25.1.** Direct debit payments may be made if the total of the amounts payable pursuant to the first paragraph of section 31.1 of the Highway Safety Code and the tax on the insurance contribution is equal to or greater than \$48, provided that

(1) no cheque or debit transaction for amounts owing to the Société under the Highway Safety Code has been refused by a financial institution in the two preceding years;

(2) the owner of the road vehicle authorizes the financial institution and the Société to make the transactions on a single account and provides the details of that account; and

(3) the owner of the road vehicle has obtained all the signatures and authorizations required.

25.2. Direct debit payments may be made according to one of the following schedules:

(1) annually: one debit transaction on the due date determined in sections 19 and 21 to 24;

(2) bimonthly or monthly: a first debit transaction on the due date determined in sections 19 and 21 to 24 and the others every two months or every month, depending on the schedule chosen.

25.3. An owner of a road vehicle required to pay \$48 or more in duties, fees, insurance contribution, tax on that contribution, contribution of motorists to public transit and additional duties to obtain the registration of a road vehicle and the right to operate it or to obtain a registration modification with financial consequences may pay those amounts by direct debit on the conditions set out in sections 25.1 and 25.4 to 25.7.

25.4. If upon obtaining the registration of a road vehicle the owner elects to pay for the right to operate it for 13 to 16 months pursuant to section 24.1, the debit transactions are determined as follows:

(1) if the owner elects to pay annually, the transaction is made on the day following the date of registration;

(2) if the owner elects for the right to operate the vehicle for 13 or 14 months and bimonthly payments, the first transaction is made on the due date determined in sections 19 and 21 to 24 and the others every two months;

(3) if the owner elects for the right to operate the vehicle for 13 to 16 months and monthly payments, the first transaction is made on the last day of the month of registration and the others every month;

(4) if the owner elects for the right to operate the vehicle for 15 months and bimonthly payments, the first transaction is made on the last day of the month of registration and the others every two months;

(5) if the owner elects for the right to operate the vehicle for 16 months and bimonthly payments, the first transaction is made on the last day of the month following the month of registration and the others every two months.

25.5. In the cases of road vehicle registration not covered by section 25.4 and registration modifications with financial consequences, the owner must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date on which registration is obtained or modified;

(2) bimonthly or monthly: according to the terms determined in paragraph 2 of section 25.2 provided that the debit transactions are made at the same time or after the date on which registration is obtained or modified.

Where the registration of a trailer is obtained, direct debit payments may be staggered over 12 months following the date of registration. Despite the first paragraph, the owner must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date of registration;

(2) bimonthly or monthly: a first debit transaction on the last day of the month of registration and the others every two months or every month, depending on the schedule chosen.

25.6. An owner of a road vehicle electing for direct debit payments for the annual duties, annual additional duties, the annual insurance contribution prescribed in the Regulation respecting insurance contributions made by the Société de l'assurance automobile du Québec by resolution No. AR-2380 dated 1 November 2006 and the fees prescribed in 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, who has not paid them on the due date determined in sections 19 and 21 to 24 and has not informed the Société by that date of his or her intent not to operate the road vehicle, must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date on which the authorization to put the road vehicle back into operation is given;

(2) bimonthly or monthly: a first debit transaction on the day following the date on which the authorization to put the road vehicle back into operation is given and the others on the dates determined in paragraph 2 of section 25.2.

25.7. The following rules apply to direct debit transactions:

(1) the minimum amount of a transaction is \$4;

(2) the number of transactions may not be changed before the next due date, except a change required to comply with paragraph 1;

(3) the amounts of the transactions must be equal except for the last, which may be less;

(4) the transactions are staggered between the date on which registration is obtained or modified, or the due date determined in sections 19 and 21 to 24, and the next due date determined in accordance with those sections;

(5) other amounts payable to the Société relating to any other road vehicle of the owner may be added to the amount payable by direct debit, provided that the transaction dates remain the same;

(6) an amount that is added to or subtracted from the amount payable by direct debit following a modification to a vehicle's registration or the addition or removal of a vehicle covered by direct debit is apportioned over all the transactions;

(7) if the authorized financial institution is not open on the scheduled day of a transaction, the transaction is postponed to the next business day;

(8) if the due date determined in sections 19 and 21 to 24 is the 31st day of January, March, May, August, October or December and a transaction is scheduled in February, April, June, September or November, the transaction is made on the last day of that month;

(9) where the due date determined in sections 19 and 21 to 24 is the 30th day of any month and a transaction is scheduled in February, the transaction is made on the last day of that month;

(10) unless the owner gives notice to the contrary, the method of payment and the debit transaction schedule chosen by the owner are automatically renewed on the next due date determined in sections 19 and 21 to 24;

(11) an owner who terminates direct debit payments before the schedule expires must inform the Société and pay the balance owing at that time;

(12) direct debit payments are interrupted and the balance owing becomes payable if

(a) a transaction cannot be made, in particular because there are insufficient funds or the account identified by the owner under paragraph 2 of section 25.1 has been closed, and the default is not remedied 10 days after notice thereof is given to the owner by the Société; or

(b) at least two debit transactions cannot be made during the payment period; and

(13) if the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation, the debit transactions continue to be made unless the owner informs the Société that they are terminated, in which case the balance owing becomes payable.”

10. Sections 60.14 to 60.17 are replaced by the following:

60.14. To apportion a road vehicle, the applicant must pay the fee calculated under section 60.13, the insurance contribution under section 60.16 and the fees under the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

60.15. For the purposes of paragraph 2 of section 60.13, the proportion of the amount of registration fees for Québec is the product obtained by multiplying the monthly fees determined in section 87 or 90 by the number of calendar months, including parts of a month, less one, between the date on which the registration comes into effect and the following 31 March.

60.16. The insurance contribution for an apportioned road vehicle is the contribution payable under the Regulation respecting insurance contributions.

60.17. A person required to pay \$48 or more in duties, fees, the insurance contribution and tax on the contribution for an apportioned road vehicle may pay those amounts by direct debit on the conditions set out in sections 25.1 and 25.7.

If registration is issued in February or March, is subsequent to the first registration and comes into effect on 1 April of the year of issue, the person must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the last day of March;

(2) bimonthly or monthly: a first debit transaction on the last day of March and, according to the schedule chosen,

(a) 5 others at 2-month intervals;

(b) 11 others at 1-month intervals.

For registration covered by the second paragraph, if a person elects to pay by direct debit, the fees payable under the laws of other administrative authorities must be paid on the first transaction.

For registration not covered by the second paragraph, the owner must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date on which registration is issued;

(2) bimonthly or monthly: according to the conditions determined in paragraph 2 of section 25.2 as if the due date were 31 March, provided that the transactions are concurrent with or subsequent to the date on which registration is obtained or modified and, for the fees payable under the laws of other administrative authorities, an additional transaction on the day following the date on which registration is issued.”

11. Section 60.18 is revoked.

12. Sections 61 to 61.2 are replaced by the following:

61. Subject to sections 61.1 to 66, the amount of the duties and fees payable to obtain the registration of a road vehicle and for the right to operate the vehicle is the product obtained by multiplying the monthly fees determined in any of sections 86 to 90 by the number of calendar months, including parts of a month, less one, during which the owner of the vehicle has the right to operate it.

The contribution of motorists to public transit established under section 88.2 of the Transport Act (R.S.Q., c. T-12) payable to obtain the registration of a road vehicle and for the right to operate it is the product obtained by multiplying the monthly contribution of \$2.50 by the number of calendar months, including parts of a month, less one, during which the owner of the vehicle has the right to operate it.

61.1. In respect of a road vehicle in the category of road vehicles referred to in section 2.1, the additional duty payable to obtain the registration of the vehicle and for the right to operate it is the product obtained by multiplying the monthly duty determined in section 90.1 by the number of calendar months, including parts of a month, less one, during which the owner of the vehicle has the right to operate it.

61.2. In respect of a road vehicle in the category of road vehicles referred to in the first paragraph of section 2.1.1, the additional duty payable to obtain the registration of the vehicle and for the right to operate it is the product obtained by multiplying the monthly duty determined in section 90.1.1 by the number of calendar months, including parts of a month, less one, during which the owner of the vehicle has the right to operate it.”

13. Sections 67 and 68 are replaced by the following:

“67. An owner of a registered road vehicle who elected not to operate the road vehicle until the end of the payment period for the fees and duties, who was reimbursed under section 162 and who applies for authorization to put the vehicle back into operation must first pay the annual duties, annual additional duties, the annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, for the period during which the owner is entitled to put the vehicle back into operation.

68. An owner of a registered road vehicle who has not paid, on the due date determined in sections 19 and 21 to 24, the annual duties, annual additional duties, the annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, and has not notified the Société by that date of an election not to operate the road vehicle must pay those amounts and the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to put the vehicle back into operation until the end of the 12-month period for which those amounts are payable.

If those amounts are not paid by the due dates, in respect of two periods and more than 12 months, only the amounts for the 12-month period during which authorization to put the vehicle back into operation is applied for are payable, in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.”.

14. Sections 69 to 71 are revoked.**15.** Sections 72 to 75 are replaced by the following:

“72. An owner of a registered road vehicle who has not paid, on the due date determined in sections 19 and 21 to 24, the annual duties, annual additional duties, the annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, and has not notified the Société by that date of an election not to operate the road vehicle whose registration was cancelled during the 12-month period for which those amounts are payable must, upon the cancellation or new registration if it is issued during that

period, pay the duties and contribution for the part of that period preceding the cancellation of the registration, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

If those amounts are not paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the registration was cancelled is considered and only the amounts for the part of that period preceding the cancellation are payable in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

73. An owner of a registered road vehicle who has not paid, on the due date determined in sections 19 and 21 to 24, the annual duties, annual additional duties, the annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, and has not notified the Société by that date of an election not to operate the road vehicle, but who is prohibited from putting the vehicle back into operation under section 188 or 189 or paragraph 2 of section 194 of the Highway Safety Code for a part of the 12-month period for which payment was required must pay, when the prohibition is lifted if it is lifted during that period, the duties and contribution for the part of that period not covered by the prohibition, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

If those amounts are not paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the prohibition was in effect is considered and only the amounts for the part of that period not covered by the prohibition are payable, in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

74. An owner of a registered road vehicle who is prohibited from putting a vehicle back into operation under section 188 or 189 or paragraph 2 of section 194 of the Highway Safety Code during a payment period prescribed for the vehicle in sections 19 and 21 to 24 is exempt from payment of the annual duties, additional annual duties and annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act for the duration of the prohibition. If the prohibition is lifted during the part of the 12-month period for which payment was required, the owner must pay, when the prohibition is lifted if it is lifted during that period, the

duties and contribution for the part of that period not covered by the prohibition, and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to put the vehicle back into operation until the end of that period.

75. An owner of a registered road vehicle who is prohibited from putting a vehicle back into operation under section 188 or 189 or paragraph 2 of section 194 of the Highway Safety Code for a part of the 12-month period for which the annual duties, annual additional duties and annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act are payable, and who was reimbursed under section 164 must pay, when the prohibition is lifted if it is lifted during that period, the duties and contribution for the part of that period following the prohibition, and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to put the vehicle back into operation until the end of that period.

75.1. The amount of the duties payable under sections 67 and 72 to 75 is the product obtained by multiplying the monthly fees determined in any of sections 78 to 90 by the number of calendar months, including parts of a month, less one, within the part of the 12-month period considered.

The additional duty payable in respect of a road vehicle in the category of road vehicles referred to in section 2.1 under sections 67 and 72 to 75 is the product obtained by multiplying the monthly duty determined in section 90.1 by the number of calendar months, including parts of a month, less one, within the part of the 12-month period considered.

The additional duty payable in respect of a road vehicle in the category of road vehicles referred to in the first paragraph of section 2.1.1 under sections 67 and 72 to 75 is the product obtained by multiplying the monthly duty determined in section 90.1.1 by the number of calendar months, including parts of a month, less one, within the part of the 12-month period considered.

The contribution of motorists to public transit payable under sections 67 and 72 to 75 is the product obtained by multiplying the monthly contribution of \$2.50 by the number of calendar months, including parts of a month, within the part of the 12-month period considered.”.

16. Sections 76 and 77 are revoked.

17. Section 90.1 is amended by replacing “value of a vehicle” by “value of a road vehicle”.

18. Sections 147 and 148 are replaced by the following:

“**147.** The amount of the fees payable to obtain the registration of a road vehicle in a category covered by section 143 and the right to operate a vehicle in one of those categories is the product obtained by multiplying the monthly fees of \$50.42 by the number of calendar months, including parts of a month, less one, during which the person has the right to operate a road vehicle in one of those categories.

148. The fees payable by a person having obtained the registration of a road vehicle in a category covered by section 143 and wishing to retain the right to operate a road vehicle in one of those categories are \$605.

To retain the right to operate a road vehicle in one of those categories of registered vehicles, a person referred to in the first paragraph must pay the fees prescribed therein every year, as well as the other amounts prescribed in the first paragraph of section 31.1 of the Highway Safety Code during the 3-month period ending on 31 March for as long as the registration has not been cancelled.

Despite the second paragraph, if there are more than 4 months, including parts of a month, remaining before the payment due date for the annual amounts, the due date is postponed for 12 months upon request by the person to whom the registration was issued. The postponement entails a 12-month postponement of the beginning of the payment period determined in the second paragraph.”.

19. Section 154 is replaced by the following:

“**154.** The amount of the fees payable to obtain the registration of a road vehicle in a category of road vehicle covered by section 149 and the right to operate a road vehicle having a net mass of 500 kg or less in one of those categories is the product obtained by multiplying the monthly fees of \$3.33 by the number of calendar months, including parts of a month, less one, during which the person has the right to operate a road vehicle in one of those categories.

To obtain the registration of a road vehicle in a category of road vehicle covered by section 149 and the right to operate a road vehicle in one of those categories that has a net mass greater than 500 kg but less than 3,000 kg, the monthly fees are \$24.58.

To obtain the registration of a road vehicle in a category of road vehicle covered by section 149 and the right to operate a road vehicle in one of those categories regardless of the vehicle’s net mass, the monthly fees are \$50.42.”.

20. Section 158 is replaced by the following:

“**158.** To retain the right to operate a road vehicle in one of the categories of registered vehicles, a person referred to in sections 155 to 157 must pay the fees prescribed in that section every year, and the other amounts prescribed in the first paragraph of section 31.1 of the Highway Safety Code during the 3-month period ending on 31 March for as long as the registration has not been cancelled.

Despite the first paragraph, if there are more than 4 months, including parts of a month, remaining before the payment due date for the annual amounts, the due date is postponed for 12 months upon request by the person to whom the registration was issued. The postponement entails a 12-month postponement of the beginning of the payment period determined in the first paragraph.”

21. Direct debit payment of the amounts referred to in sections 147, 148, 154 and 158 may be made according to the rules established in sections 25.1 to 25.7, with the reference to “owner of the road vehicle” replaced by “person who has obtained registration in one of the categories of road vehicles covered by sections 143 and 149” and the reference to “the due date determined in sections 19 and 21 to 24” replaced by “31 March”.

22. Sections 160 and 161 are replaced by the following:

“**160.** A person who has obtained the registration of a road vehicle in a category of road vehicle covered by section 143 and who wishes to obtain the right to operate more than one vehicle in the category must apply for as many registration certificates and detachable licence plates bearing the prefix “X” as there are vehicles to be operated, and for each vehicle pay the fees prescribed in section 147, the insurance contribution determined under the Regulation respecting insurance contributions and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

To retain the right to operate more than one road vehicle in one of those categories, the person must each year, for each vehicle, pay the fees prescribed in section 148, the annual insurance contribution determined under the Regulation respecting insurance contributions and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects during the 3-month period ending on 31 March for as long as the registration has not been cancelled.

The first and second paragraphs do not apply to road vehicles transported by other vehicles using the saddle-mount method or the drive-away method, in accordance with section 146.

161. A person who has obtained the registration of a road vehicle in a category of road vehicle covered by section 149 and who wishes to obtain the right to operate more than one vehicle in the category must apply for as many registration certificates and detachable licence plates bearing the prefix “X” as there are vehicles to be operated and for each vehicle pay the fees prescribed in section 147 according to the vehicle’s net mass, the insurance contribution determined under the Regulation respecting insurance contributions and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

To retain the right to operate more than one road vehicle in one of those categories, the person must each year, for each vehicle, pay the fees prescribed in sections 155 to 157 according to the vehicle’s net mass, the annual insurance contribution determined under the Regulation respecting insurance contributions and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects during the 3-month period ending on 31 March for as long as the registration has not been cancelled.”

23. Section 162 is replaced by the following:

“**162.** An owner who informs the Société that he or she elects not to operate the road vehicle until the end of the payment period for the fees and duties is entitled to a reimbursement, in accordance with sections 166, 167, 169, 170, 170.1, 173 to 176, 179 and 180, of a portion of the duties, additional duties and contribution of motorists to public transit already paid for in relation to the period during which the election has effect.

However, no reimbursement may be made if the election applies to a vehicle subject to an exemption under this Regulation from payment of the fees to retain the right to operate the vehicle 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).”

24. Section 163 is amended by replacing “171, 171.1, 173 to 175, 177” by “170.1, 173 to 176”.

25. Section 164 is amended by replacing “172 to 175 and 178 to” by “170, 170.1, 173 to 176, 179 and”.

26. Sections 170 to 170.2 are replaced by the following:

“**170.** Subject to sections 173 to 175, the amount of the reimbursement of fees is the product obtained by multiplying the monthly fees applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.

170.1. The amount of the reimbursement of the additional duty in respect of a road vehicle in the category of road vehicles referred to in section 2.1 is the product obtained by multiplying the additional monthly duty applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.

170.2. The amount of the reimbursement of the additional duty in respect of a road vehicle in the category of road vehicles referred to in the first paragraph of section 2.1.1 is the product obtained by multiplying the additional monthly duty applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.”

27. Section 176 is replaced by the following:

“**176.** The amount of the reimbursement of the contribution of motorists to public transit is the product obtained by multiplying the monthly contribution of \$2.50 by the number of calendar months, less two, from the date of the event or the date of the new registration, to the date of expiry of the period for which the contribution of motorists to public transit had been paid.”

28. This Regulation comes into force on 1 January 2008.

8083

Gouvernement du Québec

O.C. 266-2007, 28 March 2007

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

Licences — Amendments

Regulation to amend the Regulation respecting licences

WHEREAS, under section 93.1, paragraphs 4, 4.1, 4.2, 5 to 5.2 and 6 of section 619 and sections 619.2 and 619.3 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may, by regulation, prescribe the duties exigible for a licence, establish the calculation method, the intervals and method of payment of duties, fees and insurance contribution related to the licence and provide for any other related conditions;

WHEREAS the Government made the Regulation respecting licences by Order in Council 1421-91 dated 16 October 1991;

WHEREAS it is expedient to amend the Regulation to establish the intervals of payment for a driver's licence on an annual basis and to provide for the methods of payment for a driver's licence, probationary licence and restricted licence on an instalment basis;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting licences was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting licences, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale Region:

THAT the Regulation to amend the Regulation respecting licences, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences*

Highway Safety Code
(R.S.Q., c. C-24.2, ss. 93.1, 619, pars. 4, 4.1, 4.2, 5 to 5.2 and 6, ss. 619.2 and 619.3)

1. The Regulation respecting licences is amended by replacing sections 57 and 58 by the following:

“**57.** The duties payable for a probationary licence are \$32.

However, the amount of the duties payable for the issue of a probationary licence is the product obtained by multiplying \$1.33 by the number of months, including parts of a month, less one, between the date of issue of the licence and the date of expiry, if

(1) the applicant is in the case referred to in section 92.0.1 of the Highway Safety Code;

(2) the applicant’s previous probationary licence was cancelled at the applicant’s request or revoked; or

(3) the applicant is 23 years of age or older.

58. In the case of a person whose previous probationary licence was revoked and the person did not apply for reimbursement of the part of the duties to which the person was entitled, an amount is subtracted from the duties payable for a new probationary licence in accordance with the provisions of the second paragraph.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of revocation of the previous probationary licence and the date on which it was to expire is subtracted from the amount calculated under the second paragraph of section 57.”

2. The Regulation is amended by revoking Division IV of Chapter VIII.

3. Sections 60 and 61 are replaced by the following:

“**60.** The annual duties to be paid under the first paragraph of section 93.1 of the Highway Safety Code are \$16 for a driver’s licence, except a licence exclusively in class 6D or 8 for which the annual duties are \$21.

61. If, on the issue of a licence, the authorization to drive is valid for less or more than 12 months, the amount of the duties payable is the product obtained by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, during which the licence holder is authorized to drive.

61.1. Where a person’s probationary licence has expired and the person has not paid the duties under section 61 and the fees prescribed in 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, for a first driver’s licence, or informed the Société of his or her intent not to obtain a first driver’s licence before the expiry of the probationary licence must, to obtain a first driver’s licence during the period in which payment is required, pay those amounts and the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

A person referred to in the first paragraph whose right to obtain a licence was suspended for part of the period for which payment was required must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period not covered by the suspension, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to obtain a first driver’s licence until the end of that period.”

4. Section 62 is revoked.

5. Section 63 is replaced by the following:

“**63.** A driver’s licence holder who has not paid, on the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of his or her licence and informed the Société by that date of his or her intent not to renew it must pay those amounts and the additional fees prescribed in the Regulation respecting fees exigible under

* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by the regulation made by Order in Council 948-2002 dated 21 August 2002 (2002, *G.O.* 2, 4507). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

the Highway Safety Code and the return of confiscated objects, to obtain authorization to again drive a road vehicle until the end of the 12-month period for which the amounts are payable.

If the amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the amounts for the 12-month period during which authorization to drive is applied for are payable, in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.”.

6. Section 64 is revoked.

7. Sections 65 and 66 are replaced by the following:

“**65.** An amount is subtracted from the duties payable for a new driver’s licence in accordance with the second paragraph if the person did not apply for reimbursement of part of the duties paid for the previous driver’s licence while entitled thereto.

The product obtained by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, excluding parts of a month, between the date of revocation of the previous driver’s licence and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been revoked is subtracted from the amount calculated under section 61.

66. A driver’s licence holder who has not paid, on the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of the licence and informed the Société by that date of his or her intent not to renew it, but whose licence was cancelled or revoked during the 12-month period for which the annual payment was to be made, must pay, on cancellation or on the issue of a new driver’s licence if it is issued during the 12-month period, the duties for the part of the 12-month period preceding the cancellation or revocation of the licence, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

If the amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the licence was cancelled or revoked is considered and only the amounts for the part of that period preceding the cancellation or

revocation are payable in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

The duties payable are calculated by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, within the part of the 12-month period preceding the cancellation or revocation of the licence.”.

8. Section 67 is revoked.

9. Sections 68 to 70 are replaced by the following:

“**68.** A driver’s licence holder who has not paid, by the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of the licence and informed the Société by that date of his or her intent not to renew the licence, but whose licence was suspended for part of the 12-month period for which payment was to be made, must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period not covered by the suspension, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to again drive a road vehicle until the end of that period.

If the annual amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the suspension was lifted is considered and only the amounts for the part of that period not covered by the suspension are payable in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

69. A holder of a driver’s licence that was suspended during a payment period under section 73.5 is exempt from paying the annual duties for the duration of the suspension. If the suspension is lifted during the part of the 12-month period for which payment was to be made, the licence holder must pay, when the suspension is lifted, the duties for the part of that period not covered by the suspension and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to again drive a road vehicle until the end of that period.

70. A holder of a driver's licence that was suspended for part of the 12-month period for which the annual duties were to be paid who has obtained reimbursement of those amounts must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period following the end of the suspension, to be authorized to again drive a road vehicle until the end of that period.

70.1. The amount of the duties payable under sections 68 to 70 is the product obtained by multiplying \$1.33 in the case of a driver's licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver's licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, within the 12-month period considered.”.

10. Sections 71 to 73.2 are revoked.

11. Sections 73.3 and 73.4 are replaced by the following:

“**73.3.** The amount of the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code, except a licence exclusively in class 8, is the product obtained by multiplying \$1.33 by the number of months, including parts of a month, less one, between the date of issue and the expiry date.

The amount of the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code where the licence is exclusively in class 8 is the product obtained by multiplying \$1.75 by the number of months, including parts of a month, less one, between the date of issue and the expiry date.

73.4. An amount is subtracted from the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code if the person did not apply for reimbursement of part of the duties paid for the previous driver's licence while entitled thereto.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date on which the probationary licence is revoked and the date on which it was to expire is subtracted from the amount calculated under section 73.3, if the previous licence was a probationary licence.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date on which the driver's licence is revoked and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code, had the licence not been revoked, is subtracted

from the amount calculated under section 73.3, if the previous licence was a driver's licence other than a licence exclusively in class 6D or 8. The product obtained by multiplying \$1.75 by the number of months, excluding parts of a month, between the date on which the driver's licence is revoked and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code, had the licence not been revoked, is subtracted from the amount calculated under section 73.3, if the previous licence was a driver's licence exclusively in class 6D or 8.”.

12. The following Division is inserted after section 73.4:

“**DIVISION V.2**
TERMS OF PAYMENT”

73.5. The amounts to be paid under the first paragraph of section 93.1 of the Highway Safety Code must be paid every year within the 3-month period ending on the birthday of the driver's licence holder.

Despite the first paragraph, if, on the issue of a licence, no more than 3 months remain before the expiry date, the payment due date for the annual fees, duties and insurance contribution is postponed for 12 months.

A licence holder who elects to pay by direct debit pursuant to section 73.6 is deemed to comply with the first paragraph of section 93.1 of the Highway Safety Code if he or she complies with this Division.

73.6. Direct debit payments may be made if the total of the amounts to be paid pursuant to the first paragraph of section 93.1 of the Highway Safety Code and the tax on the insurance contribution is equal to or greater than \$48, provided that

(1) no cheque or debit transaction for amounts owed to the Société under the Highway Safety Code has been refused by a financial institution in the two preceding years;

(2) the licence holder authorizes the financial institution and the Société to make the transactions on a single account and provides the details of that account; and

(3) the licence holder has obtained all the signatures and authorizations required.

73.7. Direct debit payments may be made within 12 months of the due date determined in section 73.5, according to one of the following schedules:

(1) annually: one debit transaction on the due date;

(2) bimonthly or monthly: a debit transaction on the due date and the others every two months or every month according to the schedule chosen.

73.8. A person to whom a probationary licence, a restricted licence under section 76 of the Highway Safety Code or a driver's licence is issued may pay the duties, fees, insurance contribution and tax on the contribution by direct debit within 15 months following the issue or in the period between the date of issue and the due date determined in section 73.5, whichever is shorter, on the conditions set out in sections 73.6 and 73.9 to 73.11.

A licence holder who elects to pay by direct debit pursuant to this section is deemed to comply with the second paragraph of section 93.1 of the Highway Safety Code if the licence holder complies with this Division.

73.9. A person to whom a driver's licence, a restricted licence under section 76 of the Highway Safety Code or a probationary licence is issued must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date on which the licence is issued;

(2) bimonthly or monthly:

(a) for a driver's licence holder, according to the conditions established in paragraph 2 of section 73.7 provided that the debit transactions are concurrent with or subsequent to the date of issue;

(b) for a restricted licence or a probationary licence holder, a first debit transaction on the day following the date of issue of the licence and the others every two months or every month according to the schedule chosen.

73.10. A driver's licence holder electing for direct debit payment for the duties, the insurance contribution prescribed in the Regulation respecting insurance contributions made by the Société de l'assurance automobile du Québec by Resolution AR-2380 dated 1 November 2006 and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, who has not paid them on the due date determined in section 73.5 and has not applied for the cancellation of his or her licence and informed the Société by that date of his or her intent not to renew it must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date of authorization to drive a road vehicle;

(2) bimonthly or monthly: a first debit transaction on the day following the date of authorization to drive a road vehicle and the others on the dates determined in paragraph 2 of section 73.7.

73.11. The following rules apply to direct debit transactions:

(1) the minimum amount of a transaction is \$4;

(2) the number of transactions may not be changed before the next due date, except a change required to comply with paragraph 1;

(3) the amounts of the transactions must be equal except for the last, which may be less;

(4) other amounts payable to the Société related to the driving of road vehicles may be added to the amount payable by direct debit, provided that the transaction dates remain the same; such amounts may not, however, be paid by direct debit if all the transactions of amounts payable for a licence have been made;

(5) an amount that is added to or subtracted from the amount payable by direct debit following the issue of a licence or the addition or removal of a class is apportioned over all the transactions;

(6) if the authorized financial institution is not open on the scheduled day of a transaction, the transaction is postponed to the next business day;

(7) if the due date determined in section 73.5 falls on the 31st day of January, March, May, July, August, October or December and a debit transaction is scheduled for February, April, June, September or November, the transaction is made on the last day of the month;

(8) if the due date determined in section 73.5 is the 29th or 30th day of a month and a debit transaction is scheduled in February, the transaction is made on the last day of February;

(9) unless the licence holder gives notice to the contrary, the method of payment and the debit transaction schedule chosen by the licence holder are automatically renewed on the next due date determined in section 73.5;

(10) a licence holder who terminates direct debit payments must so inform the Société and pay the balance owing at that time;

(11) direct debit payments are interrupted and the balance owing becomes payable if

(a) a transaction cannot be made, in particular because there are insufficient funds or the account identified by the licence holder under paragraph 2 of section 73.6 has been closed, and the default is not remedied 10 days after notice thereof is given to the licence holder by the Société; or

(b) two debit transactions cannot be made during the annual payment period; and

(12) if the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code, the debit transactions continue to be made unless the licence holder informs the Société that they are terminated, in which case the balance owing becomes payable.”.

13. Sections 79 to 84.3 are replaced by the following:

“**79.** Where a probationary licence is cancelled or revoked, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the date on which the licence was to expire.

80. Where the holder of a probationary licence dies, the amount of the reimbursement of duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death or revocation, whichever occurs first, and the date on which the licence was to expire.

81. Where a probationary licence is suspended, the amount of the reimbursement of duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

82. Where a driver’s licence other than a licence exclusively in class 6D or 8 is cancelled or revoked, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been cancelled or revoked.

83. Where the holder of a driver’s licence other than a licence exclusively in class 6D or 8 dies, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death and the

payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been cancelled or revoked.

84. Where a driver’s licence other than a licence exclusively in class 6D or 8 is suspended, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

84.1. In the case of cancellation or revocation of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the date on which the licence was to expire.

84.2. In the case of death of a holder of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death and the date on which the licence was to expire.

84.3. In the case of suspension of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

84.4. The amount of a reimbursement applicable to a licence exclusively in class 6D or 8, in the cases referred to in sections 82 to 84.3, is calculated by applying the rules in those sections, with the reference to “\$1.33” replaced by “\$1.75”.

14. Despite section 60, as enacted by section 3, sections 73.5 to 73.7 and 73.11, enacted by section 12, and section 10:

(1) sections 59 and 61 of the Regulation respecting licences, as they read on 30 September 2007, continue to apply to payments due before 1 January 2008, and sections 73.6 to 73.11, as enacted by section 12, do not apply to such payments;

(2) a driver’s licence holder born in an odd-numbered year is exempt from paying the duties that would otherwise become due on the holder’s birthday in 2008;

(3) sections 60, 73.1 and 73.2 of the Regulation respecting licences, as they read on 30 September 2007, continue to apply to payments for a driver's licence issued before 1 January 2008.

15. The holder of a driver's licence must pay, in addition to the amounts payable under section 73.5, introduced by section 12, any due amount referred to in section 59 of the Regulation respecting licences, as it read on 30 September 2007, to obtain authorization to again drive a road vehicle during the 24-month period following the due date.

Despite the foregoing, the amounts corresponding to a period during which the driver's licence is suspended, revoked or cancelled are not payable.

16. This Regulation comes into force on 1 January 2008, except section 2, section 3 to the extent that it concerns section 60, section 12 to the extent that it concerns sections 73.5 to 73.7 and 73.11, section 13 to the extent that it concerns sections 82 to 84 and 84.4, and section 14, which come into force on 1 October 2007.

8084

Gouvernement du Québec

O.C. 267-2007, 28 March 2007

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

Fees exigible and return of confiscated objects — Amendments

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS, under subparagraphs 1, 1.1, 3 and 3.1 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation determine the amount of the fee exigible for obtaining the registration of a road vehicle, for retaining the right to drive a registered vehicle, for the issue of a licence authorizing the driving of a vehicle and for maintaining the authorization to drive, and establish the terms and conditions of payment of such fees;

WHEREAS, the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was approved by Order in Council 646-91 dated 8 May 1991;

WHEREAS, at its sitting held on 16 October 2006, the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS, under section 625 of the Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS it is expedient to amend the Regulation to provide for fees for the payment in instalments of the registration of a road vehicle and of a driver's licence, a probationary licence and a restricted licence, and for consequential amendments;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, at the sitting of the board of directors held on 1 December 2006, the Société made amendments to the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale Region:

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par., subpars. 1, 1.1, 3 and 3.1)

1. The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended by substituting “68 and 72 to 75” for “67 to 69 and 72 to 77” in subparagraphs 3.2 and 3.3 of section 2.

2. Section 2.1 is revoked.

3. The following is substituted for section 3:

“**3.** The supplementary fee exigible for failure to pay, during more than 26 days, the registration fee, the additional registration fee, the motorist’s contribution to public transit and the fees covered by sections 68, 72 and 73 of the Regulation respecting road vehicle registration, and the insurance contribution covered by section 10 of the Regulation respecting insurance contributions, made by resolution AR-2380 of the Société de l’assurance automobile du Québec dated 1 November 2006, corresponds to the higher of:

(1) 10\$;

(2) the amount calculated using the following formula:

$$F = S \times I \times J/360$$

where:

F: is the supplementary fee;

S: is the total of unpaid fees set under subparagraphs 3.2 and 3.3 of section 2 of this regulation and the unpaid registration fee, the unpaid additional registration fee and the motorist’s contribution to public transit covered by sections 68, 72 and 73 of the Regulation respecting

road vehicle registration, and the unpaid insurance contribution covered by section 10 of the Regulation respecting insurance contributions;

I: is the interest rate corresponding 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);

J: is the number of days during which the owner of a road vehicle is prohibited under the third paragraph of section 31.1 of the Highway Safety Code from putting his vehicle back into operation.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year.”.

4. Section 4 is amended by substituting “61.1, 63, 66 and 68” for “62 to 64, 66 to 69 and 71 to 73” in subparagraphs 3.2 and 3.3.

5. The following is inserted after Division 3.1:

“DIVISION 3.1.1 FEE FOR INSTALMENT PAYMENT BY PRE-AUTHORIZED DEBITS

4.1.1. A person who uses pre-authorized debits for instalment payment of vehicle registration or driver’s licence fees must, in addition to the fees exigible under the Regulation, pay interest charges.

The interest charge on each debit is calculated using this formula:

$$F = S \times I \times J/360$$

where:

F: is interest;

S: is the outstanding balance;

I: is the interest rate corresponding to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu, in force:

(1) on the 60th day preceding the due date for the first debit payment, with respect to the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code;

* 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. 229-2005 dated 23 March 2005 (2005, *G.O.* 2, 779). For prior amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2006, updated to 1 September 2006.

(2) on the day of issue of a probationary licence, of a restricted licence issued under section 76 of the Highway Safety Code or of a driver's licence, with respect to the fees exigible upon issue of that licence;

(3) on the first day of the month preceding the month of the due date under sections 19 and 21 to 24 of the Regulation respecting road vehicle registration:

(a) with respect to the fees exigible to retain the right to operate a registered vehicle and the fees exigible for the apportioned registration of a vehicle, on condition there not be any other payments by pre-authorized debit due on the same date for other amounts exigible;

(b) with respect to the fees exigible upon issue of a vehicle's registration or the fees exigible for a change to a vehicle's registration, where the period for which the fees are payable ends on the due date for debit payment of the fees exigible to retain the right to operate another of the owner's vehicles for which payment is made by pre-authorized debit;

(4) on the day of issue of a vehicle's registration, with respect to the fees exigible upon issue of the registration of a vehicle other than one covered by subparagraph *b* of paragraph 3 and with respect to the fees exigible for any subsequent registration and with respect to the fees exigible to retain the right of travel with a vehicle for which payment by pre-authorized debit is done subsequently, where the period for which the latter amounts are payable ends on the due date for payment of the first amounts;

J: represents:

(1) 0, for the first debit payment, with respect to the fees exigible to retain the right to operate a registered vehicle and the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code;

(2) for the first debit payment, with respect to the fees exigible upon issue of a vehicle's registration, for a change to a vehicle's registration, on issue of a probationary licence, of a restricted licence under section 76 or of a driver's licence, the number of days from the date of registration issue or change or licence issue through the date of the next debit payment;

(3) for the second debit payment, with respect to the fees exigible to retain the right of travel with a vehicle and the fees exigible under section 93.1 of the Highway Safety Code for which payment is in default for no more than 26 days, the number of days from the payment due date through the date of the second debit payment;

(4) for debit payments not covered by subparagraphs 1 to 3, the number of days from the date of the last debit payment through the date of the next debit payment.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year;

(3) days entering into the calculation of the supplementary fee for default of payment under sections 3 and 4.2 shall not be considered.”

6. The following is substituted for section 4.2:

“4.2. The supplementary fee exigible for failure to pay, during more than 26 days, the fees and the insurance premium covered by sections 61.1, 63, 66 and 68 of the Regulation respecting licences, and the insurance contribution covered by sections 18 to 21 of the Regulation respecting insurance contributions, corresponds to the higher of:

(1) 10\$;

(2) the amount calculated using the following formula:

$$F = S \times I \times J/360$$

where:

F: is the supplementary fee;

S: is the total of unpaid fees set under subparagraph 3.2 and 3.3 of section 4 of this regulation, the unpaid fees set under by sections 61.1, 63, 66 and 68 of the Regulation respecting licences and the unpaid insurance contribution covered by sections 18 to 21 of the Regulation respecting insurance contributions;

I: is the interest rate corresponding to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu;

J: is the number of days during which the holder of a licence is prohibited from driving under the third paragraph of section 91.1 of the Highway Safety Code.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year.”.

7. A driver’s licence holder born in an uneven year is exempt from payment of the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code that would otherwise come due on his birthday in 2008.

8. Notwithstanding section 9, section 5 does not apply to licences issued before 1 January 2008 nor to amounts exigible under section 93.1 of the Highway Safety Code for which the payment due date is prior to 1 January 2008.

9. This regulation comes into force on 1 January 2008 except for section 5, in matters of a licence to drive vehicles, which comes into force on 1 October 2007.

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Gouvernement du Québec

O.C. 268-2007, 28 March 2007

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

Taxi transportation — Amendments

Regulation to amend the Taxi Transportation Regulation

WHEREAS, under subparagraph 2 of the first paragraph of section 88 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Government may make regulations fixing the annual duties payable to obtain, maintain or renew a taxi owner’s permit or a taxi driver’s permit, and prescribing any other conditions pertaining thereto;

WHEREAS, by Order in Council 690-2002 dated 5 June 2002, the Government made the Taxi Transportation Regulation;

WHEREAS it is expedient to determine the terms and conditions for the payment in instalments of a taxi owner’s permit and a taxi driver’s permit;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Taxi Transportation Regulation was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Taxi Transportation Regulation, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale region:

THAT the Regulation to amend the Taxi Transportation Regulation, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Taxi Transportation Regulation *

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01, s. 88, 1st par., subpar. 2)

1. The Taxi Transportation Regulation is amended in section 4 by adding the following paragraph at the end:

“If the fee to obtain or replace a taxi driver’s permit and the amounts required under the Highway Safety Code (R.S.Q., c. C-24.2) for licences to drive road vehicles paid to the Société at the same time total \$48 or more, the person may pay the total amount by direct debit within 12 months of the issue of the taxi driver’s permit or within the period between the date of issue and the date of expiry determined in section 16, whichever is shorter, on the conditions set out in sections 73.6, 73.7, 73.9 and 73.11 of the Regulation respecting licences made by Order in Council 1421-91 dated 16 October 1991, with

(1) the reference to “driver’s licence” in section 73.9 replaced by “taxi driver’s permit”; and

* The Taxi Transportation Regulation, made by Order in Council 690-2002 dated 5 June 2002 (2002, *G.O.* 2, 2602), was last amended by the regulation made by Order in Council 363-2003 dated 5 March 2003 (2003, *G.O.* 2, 1186). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

(2) the reference to “section 73.5” in sections 73.7 and 73.11 replaced by “section 16 of the Taxi Transportation Regulation”.”.

2. The following is added at the end of section 13:

“If the Société de l’assurance automobile du Québec is designated under section 16 of the Act respecting transportation services by taxi to collect the fee payable to renew a taxi owner’s permit, the permit holder may pay the fee by direct debit by choosing one of the schedules established in section 25.2 of the Regulation respecting road vehicle registration made by Order in Council 1420-91 dated 16 October 1991, without the reference to “determined in sections 19 and 21 to 24” in that section.

A permit holder who elects to pay by direct debit is subject to the conditions set out in sections 25.1 and 25.7 of the Regulation respecting road vehicle registration,

(1) with the reference to “road vehicle” in sections 25.1 and 25.7 replaced by “taxi”;

(2) without reference to “determined in sections 19 and 21 to 24” in section 25.7; and

(3) with the reference to “the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation” in paragraph 13 of section 25.7 replaced by “the taxi owner’s permit is revoked”.”.

3. Section 15 is amended by adding the following paragraphs at the end:

“If the fee to renew a taxi driver’s permit and the amounts required for licences to drive road vehicles paid to the Société at the same time total \$48 or more, the person may pay the total amount by direct debit within 12 months of the issue of the taxi driver’s permit by choosing one of the schedules established in section 73.7 of the Regulation respecting licences, with the reference to “section 73.5” in that section replaced by “section 16 of the Taxi Transportation Regulation”.

A person who elects to pay by direct debit is subject to the conditions set out in sections 73.6 and 73.11 of the Regulation respecting licences.”.

4. Section 16 is replaced by the following:

“**16.** The due date for renewal of a taxi driver’s permit is the permit holder’s birthday falling in an even-numbered year if the permit holder was born in an even-numbered year, or falling in an odd-numbered year if the permit holder was born in an odd-numbered year. The permit may be renewed within the three-month period ending on that date.

Despite the first paragraph, if, on the issue of a permit, no more than three months remain before the permit holder’s birthday, the renewal due date is postponed for 24 months.”.

5. Despite the third and fourth paragraphs of section 15 of the Taxi Transportation Regulation, as enacted by section 3, payment of the amounts required to renew a taxi driver’s permit with an expiry date prior to 1 January 2008 cannot be made by direct bank debit.

6. This Regulation comes into force on 1 January 2008, except sections 3 to 5, which come into force on 1 October 2007.

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

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