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Laws and Regulations

Volume 140

Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 82-2008, 6 February 2008

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Amendment to the plan of the proposed Harrington Harbour shore biodiversity reserve and to its conservation plan

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks may, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS, under section 31 of the Act, the Minister may, on the same conditions, amend, replace or revoke the plan of land set aside under section 27 or the conservation plan established for that land, and no amendment to or replacement of a plan may affect the period of time for which the land has been set aside;

WHEREAS, in accordance with section 90 of the Act, the proposed Harrington Harbour shore biodiversity reserve was established on 19 June 2003, the plan of the area and the conservation plan being those approved by the Government by Order in Council 1269-2003 dated 3 December 2003 and published in the *Gazette officielle du Québec* of 17 December 2003;

WHEREAS, in accordance with section 28 of the Act, the extension of the setting aside of the area for an additional term of four years beginning on 19 June 2007 was authorized by the Government by Order in Council 132-2007 dated 14 February 2007;

WHEREAS the permanent protection status that will be assigned to the proposed biodiversity reserve at the end of the term is that of national park;

WHEREAS the proposed Harrington Harbour shore biodiversity reserve includes installations for the development of hydraulic resources and the production of energy;

WHEREAS the Government has agreed to extend Route 138 in order to link the villages of the Lower North Shore and enhance their development;

WHEREAS the proposed extension of Route 138 runs through the proposed Harrington Harbour shore biodiversity reserve, and earthwork and construction work are prohibited in a proposed biodiversity reserve;

WHEREAS there is a potential for one or more quarries that are to have a major economic impact for the region at the eastern boundary of the proposed Harrington Harbour shore biodiversity reserve;

WHEREAS mining exploration must be carried on in the area to confirm its economic potential, and mining exploration is prohibited in a proposed biodiversity reserve;

WHEREAS the exclusion of portions of the land for earthwork and construction work required for the extension of Route 138 and mining exploration does not reduce the biodiversity of the national park to be established from the proposed biodiversity reserve;

WHEREAS it is expedient to modify the boundaries of the proposed Harrington Harbour shore biodiversity reserve to exclude the installations for the development of hydraulic resources and the production of energy in the reserve, and to permit earthwork and construction work required for the extension of Route 138 and mining exploration;

WHEREAS, to introduce the modifications, the Minister of Sustainable Development, Environment and Parks has prepared a revised plan of the proposed Harrington Harbour shore biodiversity reserve and has made changes to the conservation plan, those amended plans being attached to this Order in Council;

WHEREAS it is advisable for the amended plans to be approved and to come into force on the date of their publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the plan of the proposed Harrington Harbour shore biodiversity reserve and its conservation plan, attached to this Order in Council, be approved as amended;

THAT the amended plans have effect on the date of their publication in the *Gazette officielle du Québec* with this Order in Council.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS



**Proposed
Harrington
Harbour shore
biodiversity
reserve**

Conservation plan



November 2007

1. Plan and description

1.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Harrington Harbour shore biodiversity reserve are shown on the map attached as a Schedule.

The proposed Harrington Harbour shore biodiversity reserve is located in the Côte-Nord administrative region, between 50°15' and 51°00' north latitude and 58°57' and 60°01' west longitude.

The major part of the protected area lies within the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent, the eastern sector being part of Municipalité de Gros-Mécatina. The municipalities are situated outside the regional county municipality.

The proposed Harrington Harbour shore biodiversity reserve covers a total area of 1,221.2 km². It is made up of three distinct sub-sectors forming a continuum along the shore of the Gulf of St. Lawrence between Monger lake to the north-east and Volant lake to the south-west.

1.2. Ecological overview

The area is in the Lower North Shore Plateau natural province. It protects a rocky shore characteristic of the Mécatina hills natural region.

1.2.1. Representative elements

Climate: The littoral of Harrington Harbour is subject to hemi-arctic conditions, characterized by a marine nordic boreal climate. According to the Litynski classification, the climate is subpolar and humid, with a middle growing season. The protected area belongs to the bioclimatic field of forest tundra.

Geology and geomorphology: The territory is wholly within the Grenville geologic province of the Canadian Shield. The bedrock is metamorphic rock, mainly gneiss and paragneiss, although the more significant landforms are linked to the presence of syenite and monzonite, intermediate rocks that are not very common in the natural province. In terms of geomorphology, the dominant landscape is that of knolls that are bare or covered with organic deposits. The plains are covered with clay loam marine sediments. The altitude varies from 5 m to 250 m.

Hydrography: The drainage system is well developed. The reserve has some 120 lakes totalling 133.5 km² which cover approximately 10.4% of the total of the protected area. Several watercourses flow through the

territory before emptying into the Gulf of St. Lawrence, including the Petit Mécatina river, a Strahler 6 river, and the Nétagamiou and Gros Mécatina rivers, both Strahler 3 rivers.

Vegetation: Over half (55%) of the protected rocky shore is covered by dry heathland with krummholz, a plant formation constituted of stunted trees, grasses, mosses and lichens. Some one-quarter (25%) of the area is occupied by a softwood forest. The forest stands, most of which are over 90 years old, are dominated by black spruce (*Picea mariana*) or balsam fir (*Abies balsamea*). The central area of the protected area is covered by large peat bogs over almost 10% of its total area.

1.2.2. Outstanding elements

The Étamamiou, Porc-Épic and Gros Mécatina rivers, which run through the territory from west to east, are populated by Atlantic salmon (*Salmo salar*) and have salmon river status.

1.3. Occupation and main land uses

Several fishing communities are found in villages located in the periphery of the proposed biodiversity reserve, including the villages of Chevery, Tête-à-la-Baleine, Mutton Bay, Harrington Harbour and La Tabatière.

Two land rights have been granted within the perimeter of the protected area, one for personal vacation purposes, the other for cross-country ski trails.

Two outfitting operations having exclusive rights are established within the proposed biodiversity reserve: Pourvoirie Mécatina inc. on the lower portion of the Gros Mécatina river and Pourvoirie Étamiamiou inc. on the river of the same name.

The proposed biodiversity reserve is wholly within fur-bearing animal management unit (FAMU) 66.

The boundaries of the proposed biodiversity reserve on the edge of the Robertson lake reservoir are at an elevation of 161 metres.

2. Protection status

Proposed biodiversity reserve status would allow the pursuit of the following conservation objectives:

— the conservation of a rocky shore characteristic of the Lower North Shore;

— the protection of essential habitat for Atlantic salmon;

— the preservation of biodiversity in hemi-arctic ecosystems;

— the acquisition of new knowledge concerning natural and cultural heritage.

3. Activities framework

Activities carried on within the proposed Harrington Harbour shore biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

This conservation plan does not specify any prohibited activity other than those prohibited in a proposed biodiversity reserve by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

3.1. Prohibited activities

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity reserve has been assigned are:

— mining, and gas or petroleum development;

— mining, gas and petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where the activities necessitate stripping, the digging of trenches, excavation or deforestation;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis;

— any new allocation of a right to occupy land for vacation resort purposes; and

— earthwork or construction work.

3.2. Activities governed by other statutes

Certain activities likely to be carried on within the proposed Harrington Harbour shore biodiversity reserve are also governed by other legislative and regulatory provisions, including provisions that require the issue of a permit or authorization or the payment of fees. Certain activities may also be prohibited or limited by other Acts or regulations that are applicable within the proposed biodiversity reserve.

A special legal framework may govern permitted activities within the proposed biodiversity reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;

— Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

— Development and conservation of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and its regulations, including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular the fishery regulations;

— Archæological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Access and land rights related to the domain of the State: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the Watercourses Act (R.S.Q., c. R-13);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T8.1) and in the regulation respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2);

— Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the Natural Heritage Conservation Act, and is therefore responsible for the proposed biodiversity reserves established under that Act. The Minister will supervise and monitor the measures contained in the Act with regard to permitted activities in protected areas.

All other government departments and bodies will retain their responsibilities as set out in all legislative and regulatory texts that apply within a proposed biodiversity reserve.

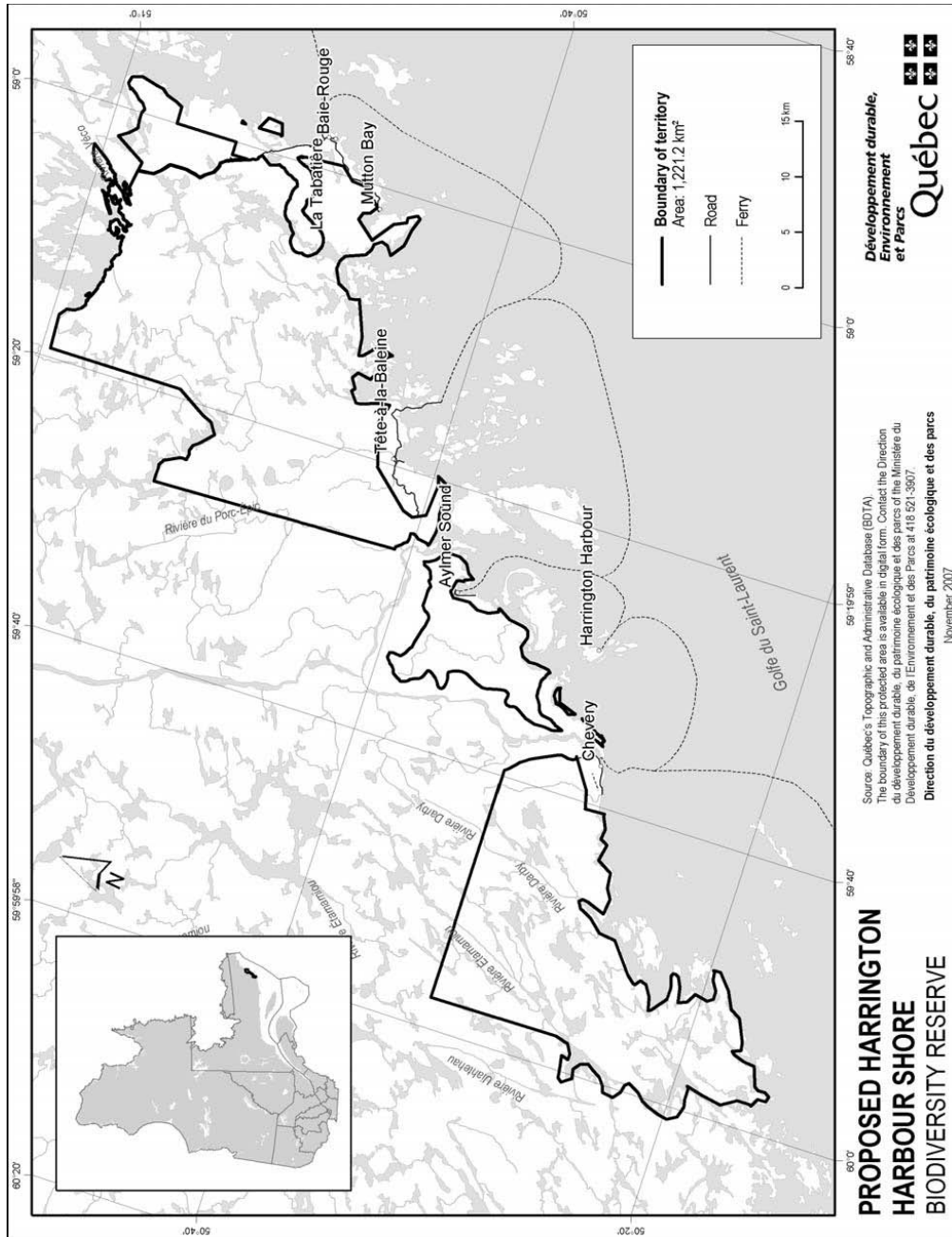
The Minister of Natural Resources and Wildlife will supervise all activities subject to the Minister's authority within the territory of the proposed Harrington Harbour shore biodiversity reserve, in particular as regards permitted forms of land occupation, and wildlife protection and management.

4. Permanent protection status

The permanent protection status sought is to be that of "national park" under the Parks Act (R.S.Q., c. P-9).

SCHEDULE

PLAN OF THE PROPOSED HARRINGTON HARBOUR SHORE BIODIVERSITY RESERVE



Gouvernement du Québec

O.C. 84-2008, 6 February 2008

Environment Quality Act
(R.S.Q., c. Q-2)

Reuse of water containers with a capacity exceeding 8 litres

Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

WHEREAS subparagraphs *c* and *e* of the first paragraph of section 31, section 53.28 and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2) empower the Government to make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2007 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres without amendment following the publication in the *Gazette officielle du Québec* after which comments were received;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation respecting the reuse of water containers with a capacity exceeding 8 litres, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the reuse of water containers with a capacity exceeding 8 litres

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *c* and *e*, and ss. 53.28 and 109.1)

1. In this Regulation, “to market” means to offer for sale, sell, distribute or otherwise make available to consumers.

2. To reduce the volume of residual materials and facilitate reclamation by reuse, containers with a capacity exceeding 8 litres used to market water intended for human consumption must satisfy the following conditions:

(1) be designed and manufactured to be refilled a number of times during their useful life for the purposes of the marketing;

(2) be handled by a recovery system with a view to their reuse; and

(3) bear a clear indication that they are returnable and reusable.

3. Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres who does not comply with any of the conditions in section 2 is liable,

(1) in the case of a natural person, to a fine of \$2,000 to \$25,000;

(2) in the case of a legal person, to a fine of \$5,000 to \$150,000.

The fines are doubled in the case of a subsequent offence.

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

8564

M.O., 2008

Order number 2008-003 of the Minister of Health and Social Services for the designation of a breast cancer detection centre dated 7 February 2008

Health Insurance Act
(R.S.Q., c. A-29)

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING subparagraph *b.3* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29);

CONSIDERING subparagraph *ii* of paragraph *o* of section 22 of the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1);

ORDERS:

That the following breast cancer detection centre is designated for the Québec region:

“Clinique Quatre-Bourgeois
3220, chemin Quatre-Bourgeois
Québec (Québec)
G1W 2K8”

Québec, 7 February 2008

PHILIPPE COUILLARD,
Minister of Health and Social Services

8565

Draft Regulations

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Hazardous materials Land protection and rehabilitation — Amendments

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting hazardous materials and the Land Protection and Rehabilitation Regulation, appearing below, may be made by the Government on the expiry of 30 days following this publication.

The shorter publication timeframe rather than the 60-day period referred to in section 124 of the Environment Quality Act is warranted by the necessity of implementing as soon as possible the measures that replace those existing in the Regulation respecting petroleum products and equipment made by Order in Council 753-91 dated 29 May 1991.

The proposed amendments to both regulations are consequential to the passage on 8 June 2005 of the Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions (2005, c. 10), which came into force on 1 April 2007. That Act transferred the responsibilities for petroleum equipment to the Régie du bâtiment du Québec and the responsibilities for storage of used oil and response action in the event of petroleum product spills to the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP). Those responsibilities were previously assumed by the Minister of Natural Resources and Wildlife. It also amended the Environment Quality Act (R.S.Q., c. Q-2) so that the MDDEP has the authority to provide a regulatory framework for its new responsibilities.

The amendments to the Regulation respecting hazardous materials consist chiefly in incorporating the monitoring measures in section 70 of the Regulation respecting petroleum products and equipment concerning petroleum product leaks or spills. Those measures called for a written report and a characterization study. The other amendments exclude used oil tanks in service

stations and service centres from certain requirements of the Regulation respecting hazardous materials. Formerly governed by the Regulation respecting petroleum products and equipment, such tanks will now be governed by the standards in the Regulation respecting hazardous materials.

Since the monitoring measures drafted into the Regulation respecting hazardous materials already existed in the Regulation respecting petroleum products and equipment, the new provisions will have no additional impact on enterprises. As regards used oil tanks in service stations and service centres, maintaining the same standards as those previously in effect under the Regulation respecting petroleum products and equipment will preclude any appreciable economic impact for the enterprises concerned.

The amendments to the Land Protection and Rehabilitation Regulation propose to continue the existence of the monitoring and intervention measures in various sections of the Regulation respecting petroleum products and equipment that regulate how the presence of contamination is to be dealt with if detected at the time high-risk petroleum equipment is replaced, removed or abandoned. The amendments also define permanent cessation of operation as it applies to service stations and bulk plants, and adjustments have been made to accommodate the provisions of the Environment Quality Act.

Since the regulatory amendments repeat existing requirements in the Regulation respecting petroleum products and equipment and the Environment Quality Act, no significant economic impacts are involved. As well, the reduction in the number of government stakeholders and the integration of all intervention procedures into one department will enhance environmental protection and intervention monitoring.

For information on the draft Regulation to amend the Regulation respecting hazardous materials and the Land Protection and Rehabilitation Regulation, please contact Robert Bertrand, Direction des politiques du secteur industriel, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 9^e étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone 418 521-3950, extension 4963; fax: 418 644-3386; e-mail: robert.bertrand@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit comments in writing to the Direction des politiques du secteur industriel, Ministère du Développement durable, de l'Environnement et des Parcs at the above address, within the 30-day period.

LINE BEAUCHAMP,
Minister of Sustainable Development,
Environment and Parks

Regulation to amend the Regulation respecting hazardous materials¹ and the Land Protection and Rehabilitation Regulation²

Environment Quality Act
(R.S.Q., c. Q-2, s. 31.69, pars. 1 to 2.2 and s. 70.19;
2005, c. 10, s. 71)

1. The Regulation respecting hazardous materials is amended in section 9

(1) by inserting “or is responsible for leaky equipment” in the part before subparagraph 1 of the first paragraph after “into the environment”;

(2) by inserting “leak or” in subparagraph 1 of the first paragraph after “stop the”;

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

“Contaminated materials that have been removed must be shipped to a site authorized to receive them under the Environment Quality Act.”.

2. The following is added after section 9:

“**9.1.** In addition to the requirements in section 9, the person responsible for high-risk petroleum equipment within the meaning of section 8.01 of the Construction Code approved by Order in Council 953-2000 dated 26 July 2000, or the person responsible for an under-

ground used oil tank shall, within 60 days of finding that the content of the equipment has leaked or spilled, send to the Minister a characterization study to ascertain whether the materials that have leaked or spilled have been recovered or treated in accordance with subparagraph 3 of the first paragraph of section 9.

The provisions of section 31.58 of the Environment Quality Act do not apply if the characterization study shows that the materials have been recovered or treated in accordance with subparagraph 3 of the first paragraph of section 9.

Despite the foregoing, section 31.58 of the Act applies if the characterization study reveals the presence of residual contamination exceeding the limit values set in the Land Protection and Rehabilitation Regulation made by Order in Council 216-2003 dated 26 February 2003. In such a case, the person responsible for contamination shall, as soon as possible, submit for the Minister's approval a rehabilitation plan together with an implementation schedule setting out the measures that will be implemented to remedy the situation.

The requirement to perform a characterization study does not apply if the leak or spill has occurred on an impermeable surface and the soil and groundwater have not been contaminated.”.

3. Section 31 is amended by striking out paragraph 3.

4. The following is inserted after section 58:

“**58.1.** The requirements in sections 57 and 58 to equip tanks with an automatic continuous inventory device and a spill prevention device do not apply to used oil tanks installed in service stations and service centres within the meaning of section 8.01 of the Construction Code.”.

5. The following is inserted after section 148:

“**148.1.** Section 56 requiring an impermeable basin is applicable as of (*insert the date that occurs 6 months after the coming into force of this section*) to single-wall used oil tanks already installed on (*insert the date of coming into force of this section*) that were governed before 1 April 2007 by the Regulation respecting petroleum products and equipment.”.

6. The Land Protection and Rehabilitation Regulation is amended by inserting the following after section 2:

“**2.1.** For the purposes of sections 2.2 to 2.4, “owner” means an owner within the meaning of section 30 of the Building Act (R.S.Q., c. B-1.1).

¹ The Regulation respecting hazardous materials, made by Order in Council 1310-97 dated 8 October 1997 (1997, G.O. 2, 5199), was last amended by the regulations made by Orders in Council 451-2005 dated 11 May 2005 (2005, G.O. 2, 1182) and 808-2007 dated 18 September 2007 (2007, G.O. 2, 2581). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

² The Land Protection and Rehabilitation Regulation, made by Order in Council 216-2003 dated 26 February 2003 (2003, G.O. 2, 1153), has never been amended.

2.2. For the purposes of section 31.51 of the Environment Quality Act, an industrial or commercial activity permanently ceases in respect of the sale or storage of petroleum products if,

(1) in the case of an owner of a service station or a motor fuel dispensing outlet, the owner decides to no longer sell motor fuel at retail, or has not sold motor fuel for six months; or

(2) in the case of an owner of a petroleum products bulk plant or terminal, the owner decides to no longer add petroleum products to or take petroleum products from a petroleum equipment installation, or has not added petroleum products to or taken petroleum products from such an installation for six months.

The owner must immediately notify the Minister in writing of a situation referred to in the first paragraph.

2.3. An owner of a petroleum equipment installation within the meaning of the Construction Code approved by Order in Council 953-2000 dated 26 July 2000 must, when repairing, replacing or removing a tank that is part of the installation, immediately notify the Minister of the presence of petroleum products in the ground. The owner must then perform a characterization study in the affected part. On completion and not later than within 60 days after the owner becomes aware of the presence of petroleum products in the ground, the study must be sent to the Minister and to the owner of the land.

If the characterization study reveals the presence of contaminants in a concentration exceeding the regulatory limit values, the owner of the installation is required to send for the Minister's approval, as soon as possible after being informed of the presence of the contaminants, a rehabilitation plan together with an implementation schedule setting out the measures that will be implemented to protect human beings, the other living species and the environment in general, as well as the measures taken to protect property.

2.4. Where an owner of a petroleum equipment installation abandons an underground tank on its site because removal would be impracticable for one of the reasons described in section 8.45 of the Construction Code, the owner must immediately notify the Minister of that fact and is subject to the provisions of section 31.51 of the Environment Quality Act. Despite the foregoing, the owner must perform a characterization study of the potentially affected part of the ground and send the study to the Minister within 60 days after sending the notice of abandonment to the Minister."

7. Section 14 is amended by replacing "section 3" in the second paragraph by "sections 2.2. to 3".

8. Schedule III is amended,

(1) in respect of the 41211 NAICS Code, by replacing "(Petroleum Products Station or Terminal governed by the Petroleum Products Regulation)" by "(Bulk Plant as defined in the Construction Code and governed by that Code)";

(2) by replacing "(Airport Outlets, Marine Outlets and User Outlets governed by section 274 of the Petroleum Products Regulation)" in the element that follows the 811199 NAICS Code by "(Self-Serve Facilities, Unattended Self-Serve Facilities, Airport Outlets, User Outlets, Marina Outlets and Service Stations) as defined in section 8.01 of the Construction Code and governed by that Code. In the case of user outlets, the only user outlets concerned are those where high-risk petroleum products are dispensed within the meaning of section 8.01 of that Code."

9. Schedule IV is amended, in respect of the 41211 NAICS Code, by replacing "(Petroleum Products Station or Terminal governed by the Petroleum Products Regulation)" by "(Bulk Plant as defined in the Construction Code and governed by that Code)".

10. This Regulation comes into force fifteen days after the date of its publication in the *Gazette officielle du Québec*.

8560

Draft Regulation

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

Sums payable to the custodian of an impounded road vehicle — Revocation

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 revoke the Regulation respecting sums payable to the custodian of an impounded road vehicle, made by the Société de l'assurance automobile du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation revokes the payment of the lump sum in compensation for the increase in impounding charges in the draft Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code, a portion of which is to cover the loss incurred by a custodian when a vehicle is transferred.

Further information may be obtained by contacting André Létourneau, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-3239.

Any interested person wishing to comment on the matter may submit written comments to the President of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C. P. 19600, Québec (Québec) G1K 8J6, within the 45-day period.

JOHN HARBOUR,
President and Chief Executive Officer
Société de l'assurance automobile du Québec

Regulation to revoke the Regulation respecting sums payable to the custodian of an impounded road vehicle

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par., subpar. 20)

1. The Regulation respecting sums payable to the custodian of an impounded road vehicle, approved by Order in Council 549-2000 dated 3 May 2000, is revoked on the fifteenth day following the publication of this Regulation in the *Gazette officielle du Québec*.

8562

Draft Regulation

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

Towing and impounding charges for road vehicles seized under section 209.1 or 209.2

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 respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes to adopt the main rates of exclusive towing contracts granted by the Minister of Transport for the towing of damaged or disabled vehicles on certain roads. The new rates reflect the rates charged outside the seizure program, and will apply on the entire road network, except for a difference arising from the requirements imposed on towing enterprises working within the exclusive network.

The draft Regulation also proposes to increase the daily impounding charges to support the loss incurred by a custodian when a vehicle not claimed by its owner is transferred to the custodian by the Société de l'assurance automobile du Québec in payment of the custodian's claim. In return, the Société will no longer be required to pay the additional lump sum provided for in the Regulation respecting sums payable to the custodian of an impounded road vehicle, approved by Order in Council 549-2000 dated 3 May 2000. That Regulation is to be revoked accordingly.

The draft Regulation has an impact on vehicle owners since the increases will be charged directly to them. As for the impact on enterprises, the adjustment in towing and daily impounding charges will cover the increase in the towing industry's operating costs and compensate for any loss incurred when a vehicle is transferred to the custodian in payment of the latter's claim.

Further information may be obtained by contacting André Létourneau, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-3239.

Any interested person wishing to comment on the matter may submit written comments to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1, within the 45-day period.

JULIE BOULET,
Minister of Transport

Regulation respecting towing and impounding charges for road vehicles seized under section 209.1 or 209.2 of the Highway Safety Code

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 50)

1. The maximum towing charges, for a distance of 10 kilometres or less, for a road vehicle seized under section 209.1 or 209.2 of the Highway Safety Code (R.S.Q., c. C-24.2), in a location not referred to in the

Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures, approved by Order in Council 987-98 dated 21 July 1998, are those appearing in the following table according to vehicle class:

Vehicle class	Towing charges
road vehicle with a net weight of 3,000 kg or less	\$75
road vehicle with a net weight of more than 3,000 kg but 8,000 kg or less	\$116
road vehicle with a net weight of more than 8,000 kg	\$175

Where the towing distance exceeds 10 kilometres, the towing charges for a road vehicle with a net weight of 3,000 kg or less are the sum of the charges appearing in the table in the first paragraph for that vehicle class and the product obtained by multiplying \$2.50 by the number of additional towing kilometres.

2. The maximum towing charges, for a distance of 10 kilometres or less, for a road vehicle seized under section 209.1 or 209.2 of the Code on parts of public highways referred to in the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures, made by Order in Council 987-98 dated 21 July 1998, are those appearing in the following table according to vehicle class:

Vehicle class	Towing charges
road vehicle with a net weight of 3,000 kg or less	\$105
road vehicle with a net weight of more than 3,000 kg but 8,000 kg or less	\$146
road vehicle with a net weight of more than 8,000 kg	\$205

Where the towing distance exceeds 10 kilometres, the towing charges for a road vehicle with a net weight of 3,000 kg or less are the sum of the charges appearing in the table in the first paragraph for that vehicle class and the product obtained by multiplying \$2.50 by the number of additional towing kilometres.

3. An hourly rate of \$110, charged per 30 minutes, is added for towing a road vehicle of more than 3,000 kg but 8,000 kg or less after the first 30 minutes spent on the towing premises.

An amount at an hourly rate of \$170, charged per 30 minutes, is added for towing a road vehicle of more than 8,000 kg after the first 30 minutes spent on the towing premises.

4. The daily impounding charges for a road vehicle seized under section 209.1 or 209.2 of the Code are

(1) \$15 for a vehicle with a net weight of 3,000 kg or less;

(2) \$25 for a vehicle with a net weight of more than 3,000 kg but 8,000 kg or less; and

(3) \$35 for a vehicle with a net weight of more than 8,000 kg.

5. The daily impounding charges for a seized road vehicle referred to in this Regulation apply to seizures of road vehicles as of the coming into force of this Regulation.

6. This Regulation replaces the Regulation respecting towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code, made by Order in Council 1426-97 dated 29 October 1997.

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

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

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