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**2**

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**Laws and Regulations**

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**Summary**

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### Contents

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- (2) proclamations of Acts;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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## Regulations and other Acts

Gouvernement du Québec

**O.C. 26-2012**, 19 January 2012

Professional Code  
(R.S.Q., c. C-26)

### **Professional activities that may be engaged in within the framework of pre-hospital emergency services and care**

Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Collège des médecins du Québec made the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting such an order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care was published in Part 2 of the *Gazette officielle du Québec* of 8 June 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care, attached to this Order in Council, be approved.

GILLES PAQUIN,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care**

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *h*)

#### **DIVISION I GENERAL**

**1.** The purpose of this Regulation is to determine, among the professional activities that physicians may engage in, the professional activities that, pursuant to the terms and conditions set out in the Regulation, may be engaged in by a first responder, an ambulance technician, an ambulance technician trained in advanced care and by other persons within the framework of pre-hospital emergency services and care, with a person who has a health problem that requires an emergency intervention.

**2.** In the absence of a first responder or ambulance technician, any person who has received training in cardiopulmonary resuscitation that complies with the standards of the American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care or recognized by the Fondation des maladies du coeur du Québec and including the use of a defibrillator, may use an automated external defibrillator when performing cardiopulmonary resuscitation.

**3.** In the absence of a first responder or an ambulance technician, any person having received training in the administration of adrenalin approved by the regional or national medical director of pre-hospital emergency services may administer adrenalin with an auto-injector device to a person in the case of a severe anaphylactic allergic reaction.

**4.** In the absence of a first responder or an ambulance technician, any person having received training in the administration of glucagon, given by a physician or nurse, may administer glucagon to a person in a hypoglycemic state who is unconscious, convulsing, unable to swallow or confused.

**5.** Any person having received training in the administration of oxygen may administer that substance to a person while awaiting the arrival of pre-hospital emergency services.

**6.** The professional activities determined by this Regulation are engaged in under the clinical intervention protocols determined and approved, after consultation with the Collège des médecins du Québec, by the Minister of Health and Social Services, in accordance with the third paragraph of section 3 of the Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2).

## DIVISION II FIRST RESPONDER

**7.** A first responder may

- (1) use the automated external defibrillator for cardiopulmonary resuscitation;
- (2) administer adrenalin with an auto-injector device in the case of a severe anaphylactic allergic reaction;
- (3) assist ventilation with a bag valve mask;
- (4) insert a nasopharyngeal airway;
- (5) administer glucagon in a case of severe hypoglycemia to a person who is unconscious, convulsing, unable to swallow or confused.

In this Regulation, “first responder” means any person whose name is on the list of first responders drawn up by an agency referred to in section 339 of the Act respecting health services and social services (R.S.Q., c. S-4.2) or by the Corporation d’urgences-santé referred to in section 87 of the Act respecting pre-hospital emergency services.

## DIVISION III AMBULANCE TECHNICIAN

**8.** To engage in the professional activities determined in section 9, an ambulance technician must be registered in the national workforce registry of ambulance technicians established pursuant to subparagraph 10 of the second paragraph of section 3 of the Act respecting pre-hospital emergency services and have obtained an ambulance technician qualification certificate allowing the ambulance technician to engage in those activities.

**9.** In addition to the activities referred to in section 7, an ambulance technician may

- (1) assess the presence of signs or symptoms allowing the application of the protocols referred to in section 6;
- (2) insert a double lumen esophageal-tracheal tube or a supraglottic device in a person experiencing cardiopulmonary arrest or with an impaired state of consciousness;
- (3) administer the necessary substances or medications via sublingual, oral, intranasal, subcutaneous, intramuscular, transdermal or inhalation route;
- (4) introduce an intravenous solution not containing medication using a short peripheral catheter at the request and in the presence of an ambulance technician trained in advanced care;
- (5) use the semi-automatic defibrillator monitor for cardiopulmonary resuscitation;
- (6) provide clinical monitoring of the condition of a person;
- (7) mechanically assist ventilation, including through an endotracheal tube already in place;
- (8) suction secretions from a person with a tracheotomy.

## DIVISION IV AMBULANCE TECHNICIAN TRAINED IN ADVANCED CARE

**10.** In order to engage in the professional activities determined in sections 12 and 13, an ambulance technician trained in advanced care must

- (1) have experience relating to the practice of those activities totalling 24 months full time;

(2) hold a university diploma in advanced emergency pre-hospital care issued by a Québec university under an undergraduate study program that includes a minimum of 60 credits or have received an equivalence by the national medical director, pursuant to subparagraph 8 of the first paragraph of section 6 of the Act respecting pre-hospital emergency services;

(3) be registered in the national workforce registry of ambulance technicians and have obtained an ambulance technician qualification certificate authorizing the ambulance technician to practise advanced pre-hospital care.

**11.** An ambulance technician trained in advanced care who, on or before 1 April 2002, has passed the advanced care training recognized by the Corporation d'urgences-santé and approved by the Collège des médecins du Québec and who

(1) is registered in the national workforce registry of ambulance technicians with an active status authorizing the ambulance technician to engage in advanced pre-hospital care;

(2) has successfully completed, as part of a training program in pre-hospital care recognized by the national medical director of pre-hospital emergency services, pursuant to subparagraph 8 of the first paragraph of section 6 of the Act respecting pre-hospital emergency services, supplementary training of 175 hours involving

- (a) cardiology;
- (b) neurology;
- (c) pharmacology;
- (d) pneumology;
- (e) physiology;
- (f) pre-hospital protocols;

may also engage in the professional activities determined in sections 12 and 13.

**12.** An ambulance technician in advanced care may, in addition to the activities determined in Divisions II and III,

- (1) assess the condition of a person;
- (2) administer intravenously or endotracheally the required substances and medications;

(3) perform a direct laryngoscopy of a person whose respiratory tract is obstructed by a foreign body and proceed to withdraw it;

- (4) perform a manual defibrillation.

An ambulance technician may also, as part of a research project designed to evaluate advanced pre-hospital emergency care, proceed with the endotracheal intubation of an adult person experiencing cardiopulmonary arrest or with an impaired state of consciousness.

**13.** An ambulance technician in advanced care may, in addition to the activities determined in Divisions II and III, further to an individual prescription,

(1) introduce an intravenous solution via intraosseous route and administer the required substances or medications;

- (2) use the following invasive techniques:

(a) perform a thoracentesis using a needle technique in a patient in a preterminal state, receiving ventilation support;

(b) apply external cardiac stimulation;

(c) perform cardioversion;

(d) perform a percutaneous cricothyroidotomy.

In the absence of an individual prescription and where communication with a physician is impossible, an ambulance technician in advanced care may, for an unstable patient, use those invasive techniques.

## DIVISION V STUDENT

**14.** A student registered in a training program leading to a diploma of college studies in pre-hospital emergency care or an attestation of college studies in ambulance techniques recognized by the Ministère de l'Éducation, du Loisir et du Sport may, in the presence of a physician, another qualified professional, a medical resident or an ambulance technician recognized as an instructor by an institution of college studies, engage in the professional activities determined in sections 7 and 9 insofar as they are required for the completion of the program.

**15.** A student registered in a training program leading to a diploma referred to in paragraph 2 of section 10 may, in the presence of a physician, another qualified professional, a medical resident or an ambulance technician

in advanced care recognized as an instructor by the university training program, engage in the professional activities determined in sections 12 and 13 insofar as they are required for the completion of the program.

**16.** The ambulance technician in advanced care referred to in section 11 may, in the presence of a physician, another qualified professional, a medical resident or an ambulance technician in advanced care recognized as an instructor by the university training program, engage in the professional activities determined in sections 12 and 13 insofar as they are required for the completion of the additional training of 175 hours referred to in paragraph 2 of section 11.

**17.** This Regulation replaces the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care (c. M-9, r. 2).

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

1891

Gouvernement du Québec

## O.C. 27-2012, 19 January 2012

Professional Code  
(R.S.Q., c. C-26)

### Specialist's certificates of professional orders — Diplomas issued by designated educational institutions which give access to permits or specialist's certificates — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational

institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the required consultation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 21 September 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des ingénieurs forestiers du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GILLES PAQUIN,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code  
(R.S.Q., c. C-26, s. 184, 1st par.)

**1.** The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended by replacing section 1.08 by the following:

“**1.08.** The following diplomas awarded by the educational institution designated below give access to the permit issued by the Ordre des ingénieurs forestiers du Québec:



(1) bachelier en Sciences appliquées (B. Sc. A) from Université Laval, upon completion of the programme de baccalauréat en aménagement et environnement forestiers;

(2) bachelier en Sciences appliquées (B. Sc. A) from Université Laval, upon completion of the programme de baccalauréat coopératif en opérations forestières; and

(3) bachelier en ingénierie (B. Ing.) from Université Laval, upon completion of the programme de baccalauréat coopératif en génie du bois.”.

**2.** Section 1.08 replaced by section 1 of this Regulation remains applicable to persons who, on 16 February 2012, hold the diplomas referred to in the replaced section.

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

1890

## Notice of adoption

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

### Taxi owners

#### — Maximum number of permits per taxi servicing area and certain conditions of operation — Amendment

CONCERNING the Regulation amending the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation

Notice is given, pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), that the Commission des transports du Québec has adopted the Regulation amending the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation of which the text is reproduced below.

This regulation reduces to eight (8) the maximum number of taxi owner’s permits that can be issued in Les Îles-de-la-Madeleine servicing area. According to the Commission’s assessment, this number takes into account a balance between the demand for taxi services in this servicing area and the profitability of the concerned companies holding taxi owner’s permits. This amendment is further to a consultation, among others with the

concerned permit holders, pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01).

Pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation was published in Part 2 of the *Gazette officielle du Québec* of November 9, 2011, with a notice that it could be adopted upon expiry of a 45-day period following its publication. Following its publication, the Commission did not receive any comment.

Pursuant to section 17 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation amending the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation, attached hereto, comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

CHRISTIAN DANEAU,  
*Secretary of the Commission  
des transports du Québec*

## Regulation amending the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation

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

**1.** The schedule of the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation is amended with the replacement of the number 13 by the number 8 in the Taxi Owner’s Permits column for Les Îles-de-la-Madeleine servicing area (administrative number: 200101).

**2.** This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

1893



## Draft Regulations

### Draft Regulation

Transport Act  
(R.S.Q., c. T-12)

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

#### Commission des transports du Québec — Arbitration costs

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 arbitration costs of the Commission des transports, the text of which appears below, may be enacted by the Commission des transports upon the expiry of 45 days following this publication.

The purpose of the draft regulation is to set the costs payable to the Commission for the arbitration by an arbitrator appointed by it of a dispute between the holder of a bulk trucking service brokerage permit and one of its subscribers or between the holder of a taxi transportation service intermediary permit and a taxi owner or driver to whom the former provides services.

For more information concerning the draft regulation, contact Mr. Christian Daneau, lawyer, Secretary and Director of the Direction des services juridiques et secrétariat, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1, telephone: 514 906-0350, ext. 3014, fax: 514 873-5947.

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period mentioned above, to Mr. Christian Daneau, lawyer, Secretary and Director of the Direction des services juridiques et secrétariat, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1. All comments will be analyzed by the Commission des transports du Québec.

CHRISTIAN DANEAU,  
*Secretary of the Commission  
des transports du Québec*

### Regulation respecting arbitration costs of the Commission des transports du Québec

Transport Act  
(R.S.Q., c. T-12, s. 47.22)

An Act respecting transportation services by taxi  
(R.S.Q., c. S-6.01, s. 84.4.1)

#### DIVISION I COSTS PAYABLE TO THE COMMISSION

**1.** The arbitration cost payable to the Commission for any dispute decided by an arbitrator appointed by it is \$1,000 for each dispute.

#### DIVISION II ABANDONMENT AND AMICABLE SETTLEMENT

**2.** Where the party who requests arbitration abandons his request or where the parties agree to an amicable settlement of the dispute between them before an arbitration decision in settlement thereof is rendered, no arbitration cost is payable.

#### DIVISION III ADJUSTMENT

**3.** The costs provided for in this Regulation are automatically adjusted each year, on the first day of April, in accordance with the rate provided for in section 83.3 of the Financial Administration Act (R.S.Q., c. A-6.001). The rate may not be less than zero.

The Regulation respecting the rounding off of adjusted fees (R.R.Q., c. A-6.001, r. 0.1) applies, *mutatis mutandis*, to the indexation.

The Commission publishes the result of the adjustment in the *Gazette officielle du Québec*.

#### DIVISION IV FINAL PROVISION

**4.** The provisions of this Regulation come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

### Health and safety — Forest development work

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Regulation respecting health and safety in forest development work, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), on the expiry of 45 days following this publication.

The draft Regulation, which is to replace the Regulation respecting forestry operations (R.R.Q., 1981, c. S-2.1, r. 22) due to greater knowledge about occupational health and safety in the forest sector, ensures the health, safety and physical well-being of workers.

The draft Regulation establishes rules and standards pertaining in particular to transportation, forest roads, equipment, forestry machines and the maintenance of such machines, felling, brush cutting, hauling and individual protective equipment.

Study of the matter has shown no impact on enterprises, particularly enterprises in the forest sector, because most of the proposed changes actually reflect the current health and safety practices and habits in forest development work.

Further information may be obtained by contacting Christian Fortin, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2015; fax: 418 266-4698.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President, Partnership and Expert Consulting, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MICHEL DESPRÉS,  
*Chairman of the Board and Chief Executive Officer,  
Commission de la santé et de la sécurité du travail*

## Regulation respecting health and safety in forest development work

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 7, 8, 19 and 42, 2nd par. and 3rd par.)

### DIVISION I DEFINITIONS

1. In this Regulation,

“back cut (felling cut)” means a cut made with a saw on the backside of the tree, i.e. the opposite side from the direction in which the tree is to fall;

“BNQ” means the Bureau de normalisation du Québec;

“brush cutting” means a silvicultural treatment consisting in the removal of undesirable herbaceous and woody vegetation by manual or mechanical means;

“CSA” means the Canadian Standards Association or the Association canadienne de normalisation;

“EN” means a European standard issued by the European Committee for Standardization;

“felling area” means an area having a radius equal to at least the length of the tree to be felled, but not less than 22.5 metres;

“forest development” means all activities related to timber felling and harvesting, the establishment, improvement, maintenance or closure of infrastructures, the carrying out of silvicultural treatments, including reforestation and the use of fire, the control of insect infestations, cryptogamic diseases and competing vegetation, and any other activity that affects the productivity of a forest site;

“forest road” means any road used during forest development work;

“forestry machine” means any self-propelled vehicle used for forest development work, such as a feller, delimber, slasher, log loader or skidder;

“hauling (skidding)” means the transporting of whole trees, roundwood or logs from the cutblock to a landing;

“ISO” means the International Organization for Standardization;

“log” means a piece of round wood resulting from the slashing of a roundwood;

“roundwood” means a trunk or section of trunk of a felled tree after limbing, with or without bark;

“skidder” means any forestry machine designed for hauling operations, such as a cable, grapple or tracked skidder, a forwarder or a loader-transporter;

“snag” means a standing dead tree;

“undercut” means, in manual felling, a notch cut into the trunk of a tree to control the direction in which the tree is to fall;

“whole tree” means a felled tree separated from its stump;

## **DIVISION II** **SCOPE AND GENERAL**

**2.** Scope: This Regulation applies to all forest development work.

**3.** Purpose: The purpose of this Regulation is to establish standards pertaining in particular to transportation, forest roads, equipment, forestry machines and the maintenance of such machines, felling, brush cutting, hauling and individual protective equipment to safeguard the health of workers and to ensure their safety and physical well-being.

**4.** Employer’s obligations: Employers must comply with the standards set out in this Regulation.

**5.** Worker’s obligations: Workers must wear or use, as the case may be, the individual or collective protective means and equipment provided for in this Regulation.

**6.** The presence of the employer or a person appointed by the employer for this purpose is required on work sites.

**7.** No worker may work alone unless a safe, effective means of supervision is assured. Supervision must involve either visual or hearing contact or verbal communication with the worker at least once every half working day.

**8.** First aid must be provided on work sites in accordance with the First-aid Minimum Standards Regulation (c. A-3.001, r. 10). In addition:

(1) one backboard with straps, one rigid cervical collar and one blanket must be available and placed as near as possible to the work site;

(2) one rigid stretcher must be available and placed near work sites where workers are concentrated;

(3) backboards and rigid cervical collars must be used by a qualified person.

## **DIVISION III** **FOREST ROAD**

**9.** Every forest road must be

(1) built and maintained such that any road vehicle used for forest development work can circulate without danger;

(2) wide enough to allow safe usage;

(3) designed for passing areas if there is only one lane.

**10.** Every bridge on a forest road must be

(1) built, inspected and maintained so as to be safe;

(2) equipped on each side of the deck with a longitudinal piece at least 20 centimetres in height and firmly fixed to the deck;

(3) used according to its load-carrying capacity, which must be indicated by way of signs and, where applicable, signals installed near the road at a distance of 30 metres from each end of the bridge and that are visible day and night.

The signs and signals must comply with the standards set out in Chapter 2 of Volume V of the manual entitled Traffic Control Devices, as determined by the Minister of Transport pursuant to the second paragraph of section 289 of the Highway Safety Code (R.S.Q., c. C-24.2).

**11.** Bends, steep grades, railway crossings, narrow surfaces such as bridges, truck crossings and reduced visibility or sight distance must be indicated by way of signs and, where applicable, signals placed near the forest road and that are visible day and night.

The signs and signals must comply with the standards set out in Chapter 3 of Volume V of the manual entitled Traffic Control Devices, as determined by the Minister of Transport pursuant to the second paragraph of section 289 of the Highway Safety Code.

## DIVISION IV FOREST DEVELOPMENT EQUIPMENT

### §1. General

**12.** Equipment used for forest development purposes must be used, maintained and kept in good condition in accordance with the manufacturer's instructions or, failing such instructions, standards offering equivalent safety.

### §2. Hand tools and portable power tools

**13.** Spiked or sharp-edged hand tools, such as hooks, lifting tongs, axes or peaveys, must be inspected regularly and, if necessary, sharpened or, if broken, replaced.

**14.** An extinguisher or other device capable of controlling the beginning of a fire must be within reach of a worker using a chain saw or brush cutter.

**15.** Wire cutters or other suitable equipment must be used to cut steel wire.

**16.** Chain saws must comply with CSA standard CAN/CSA-Z62.1-03, Chain Saws, and be Type 1, Class 1A.

**17.** The chain of a chain saw must comply with CSA standard CSA Z62.3-04, Chain Saw Kickback.

**18.** A portable container must comply with CSA standard CSA B376-M1980, Portable Containers for Gasoline and Other Petroleum Fuels.

### §3. Brush cutting

**19.** A brush cutter, its parts and harness must not be modified.

**20.** A portable container referred to in section 18 must never be attached to a worker during brush cutting.

### §4. Forestry machine

**21.** A forestry machine must be

(1) equipped with a lighting system when used for night work;

(2) equipped with an extinguisher placed within the operator's reach;

(3) maintained and cleaned so as to prevent any risk of fire;

(4) equipped, in the case of a skidder, with a parking brake;

(5) equipped with a roof if there is a risk of falling objects;

(6) equipped with a cab with full doors and a protective screen if the operator risks being hit by an object;

(7) equipped with a rollover protective structure where there is a risk of rollover;

(8) equipped with a seat in good condition that is suitable for the work performed and the forestry machine, as well as with a safety belt.

The wearing of a safety belt is mandatory for forestry machine operators, except for the operator of a cable skidder when salvaging and piling timber.

One year from (*insert the date of coming into force of this Regulation*), forestry machines acquired new must be equipped with an adjustable seat;

(9) equipped with grip handles, non-slip steps or ladders installed so as to enable safe access by the driver and facilitate maintenance;

(10) equipped, where it has catwalks or platforms, with a non-skid floor and guardrails.

**22.** An operator must not leave the controls of a forestry machine without first securing the blade or lifting arms on the ground so as to prevent inadvertent movement and without applying the parking brake.

**23.** Traction chains mounted on forestry machines must be adjusted to fit the tires.

### §5. Truck or trailer

**24.** A truck or trailer must be

(1) used for loads that do not exceed its capacity;

(2) used according to conditions on the work site;

(3) equipped with a protective screen between the cab and the load, fastened so as to ensure the driver's safety in case the load shifts.

**25.** All loads must be secured in accordance with the Cargo Securement Standards Regulation (c. C-24.2, r. 30).

## DIVISION V FOREST DEVELOPMENT WORK

**26.** During forest development work, no person must be in the forestry machine's danger zone.

### §1. Hand felling

**27.** Every worker who fells a tree manually using a chain saw must

(1) have received and passed theoretical and hands-on occupational health and safety training according to the content of the course entitled *Santé et sécurité en abattage manuel* (234-361) of the Ministère de l'Éducation, du Loisir et du Sport; and

(2) hold a certificate issued by a body designated by the Commission de la santé et de la sécurité du travail attesting that the worker received such training and passed the required examination.

**28.** Employers must ensure that every worker demonstrates the competencies acquired during the training referred to in section 27 by means of the most recent version of the record entitled *Abattage manuel – Fiche de suivi* published by the Commission de la santé et de la sécurité du travail.

**29.** When a tree is being felled by hand, only the worker performing the task may be in the felling area. A minimum distance of 45 metres must be maintained between 2 fellers.

**30.** The following elements must be considered in manual tree felling:

(1) before felling:

(a) identify dangers in the felling area;

(b) make sure the worker referred to in section 29 is the only person in the felling area;

(c) remove snags 3 metres or more in height from the felling area, preferably mechanically, but otherwise manually. If a snag cannot be hand felled, hand felling of trees that include the snag in the felling area must be prohibited;

(d) choose a suitable felling technique;

(e) clear a safe-size working area around the base of the tree;

(f) trim the trunk of the tree to be felled;

(g) in the opposite direction of the fall, clear at least 1 skid trail at a 45-degree angle and at least 2 metres from the trunk of the tree;

(2) prohibit hand felling if there are more than 50 snags over 3 metres in height per hectare;

(3) a tree with the following characteristics may not be felled by hand:

(a) its trunk is broken and its crown is lodged;

(b) it supports a lodged tree, a snag or a tree that has fallen over;

(c) it is joined to another tree from which it separates at a height of over 1.3 metres;

(d) it is located on a site with no possible skid trail;

(e) it has a split crotch at a height of over 1.3 metres.

**31.** A notch must be used to control the direction of fall of any tree with a diameter at stump height of 15 centimetres or more.

The notch, made with an undercut and a back cut, must be made to a depth of approximately 1/10 the diameter of the tree to be felled such that the fall can be guided and controlled.

The undercut must be made at a minimum 45-degree angle, to a depth of approximately 1/3 the diameter of the tree to be felled.

The back cut must be made at a point at least 2.5 centimetres higher than the tip of the undercut.

**32.** A suitable method must be used for limbing or slashing a whole tree with a chain saw so as to make the work easier and reduce the risk of accidents caused by kickback, jumps or jamming of the blade of the chain saw, or swivelling of the trunk.

In addition, it is prohibited to stand or walk on the trunk of a tree to be limbed or slashed.

### §2. Hauling

**33.** Hauling on an inclined plane must be done in the axis of the slope or in such a way as to prevent skidder tip-over.

**34.** If a hauling winch is used, the winch must be attached between 30 and 60 centimetres from the end of the roundwood or whole tree.

**35.** When the winch of a cable skidder is in use, the skidder must be kept aligned with the winch cable.

**36.** The winch cable of a cable skidder must remain wound on the drum when the skidder is moving without a load.

**37.** The cable must never be completely unwound from the drum of the winch of a cable skidder.

**38.** If hauling is done with horses, the following safety measures must be taken:

- (1) attach the load from the side;
- (2) walk behind moving loads.

**39.** Only loads suitable for the capacity of a forestry machine or the strength of the horses used, according to terrain conditions, must be hauled.

### *§3. Maintenance and repairs*

**40.** Forestry machines with a hydraulic operating system must be equipped with a device that locks clamps, blades or other equipment into a fixed position for maintenance, cleaning and repairs.

**41.** For the maintenance, cleaning or repair of the head of a mechanized feller,

- (1) a working procedure must be established;
- (2) the worker performing the work must have received the proper training;
- (3) the worker must lock off or control all sources of energy in order to avoid any motion of the forestry machine, the felling head or its parts.

The procedure for locking off or controlling sources of energy must be approved, in writing, by a qualified person. A “qualified person” is a person who understands how a complex system such as an electrical, pneumatic or hydraulic system works and, where applicable, is able to make recommendations or take action in complete safety.

**42.** When a forestry machine or its moveable parts are raised, the machine or parts must be blocked, using such means as a jack or braces, in either of the following situations:

- (1) before undertaking maintenance or repairs;
- (2) if no one is watching the machine.

**43.** Where mechanical maintenance and repairs are performed in a permanent forest camp, the employer must provide

(1) a shop for servicing and repairing chain saws, brush cutters and other similar portable power tools;

(2) a sheltered place if major maintenance and repairs are done on heavy equipment.

### **DIVISION VI** **INDIVIDUAL PROTECTIVE EQUIPMENT** **AND TEMPORARY SHELTER**

**44.** Subject to the second paragraph, the wearing of a safety hat in compliance with CSA standard CAN/CSA Z94.1-05, Industrial Protective Headwear - Performance, Selection, Care, and Use, is mandatory for every worker exposed to head injuries.

From (*insert the date of coming into force of this Regulation*), new safety hats must comply with CSA standard CAN/CSA Z94.1, Industrial Protective Headwear - Performance, Selection, Care, and Use.

**45.** The wearing of eye protectors or a face protector in compliance with CSA standard CAN/CSA Z94.3-07, Eye and Face Protectors, is mandatory for every worker who is exposed to a danger that may cause injury to his or her eyes or face from

- (1) particles or objects;
- (2) dangerous substances or molten metals;
- (3) intense radiation.

However, when work is carried out using a chain saw or brush cutter, workers may wear a mesh visor.

**46.** The wearing of protective shoes with flexible, non-slip soles and complying with CSA standard CAN/CSA Z195-02, Protective Footwear, is mandatory for every worker exposed to foot injuries incurred in the following cases:

- (1) by perforation;
- (2) by the falling of heavy, burning or sharp objects;
- (3) by contact with molten metal or hot or corrosive liquids.

When a chain saw is being used, the wearing of protective footwear for chain saw operators must comply with either of the following standards: CAN/CSA Z195-02, Protective Footwear, or NF EN ISO 17249, Safety Footwear with Resistance to Chain Saw Cutting.



**47.** The wearing of unaltered forest pants providing frontal protection from flying objects and obstacles and a protective surface meeting Class B standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users, is mandatory for every worker using a brush cutter.

**48.** The wearing of pants meeting Class A standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users, is mandatory for every worker using a chain saw.

**49.** The wearing of gloves or mitts ensuring a good grip on handles is mandatory for every worker using a chain saw or brush cutter.

**50.** The wearing of gloves or mitts that are resistant to barbs is mandatory for every worker handling steel wire.

**51.** Temporary shelter

Where warranted, employers must provide forestry workers with a temporary heated shelter.

The shelter must be of an appropriate size for the number of forestry workers and be equipped with tables. It must not be used as a dormitory.

**DIVISION VII**  
FINAL

**52.** This Regulation replaces the Regulation respecting forestry operations (R.R.Q., 1981, c. S-2.1, r. 22).

**53.** Section 332 of the Regulation respecting occupational health and safety (O.C. 885-2001, *G.O.* 2, 3888) is amended by replacing “Regulation respecting forestry operations (R.R.Q., 1981, c. S-2.1, r. 22)” by “Regulation respecting occupational health and safety in forest development work”.

**54.** Sections 5 and 9 of the Regulation respecting prevention programs (O.C. 1282-82, 1982, *G.O.* 2, 1781; Suppl. 1167) are amended by striking out subparagraph 1 of subparagraph 1 of the first paragraph.

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

**56.** The provisions of the Regulation respecting occupational health and safety apply to the extent that they are compatible with the provisions of this Regulation.

**Draft Regulation**

An Act respecting safety in sports  
(R.S.Q., c. S-3.1)

**Combat sports licensing**  
— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting combat sports licensing, appearing below, may be made by the Régie des alcools, des courses et des jeux and approved by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting combat sports licensing (R.R.Q., c. S-3.1, r. 7) to allow officials who are domiciled in Canada without being domiciled in Québec to obtain an official’s annual licence without additional training in accordance with the Ninth Protocol of Amendment to the Agreement on Internal Trade, which pertains to labour mobility, implemented by the Act respecting the implementation of the Ninth Protocol of Amendment to the Agreement on Internal Trade (2009, c. 43).

Study of the matter has shown no impact on the public and enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Johanne Lamontagne, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2<sup>e</sup> étage, Québec (Québec) G1K 3J3; telephone: 418 528-7225, extension 23003 or 1 800 363-0320; fax: 418 644-0116; email: johanne.lamontagne@racj.gouv.qc.ca

Any person wishing to comment on the draft Rules is requested to submit written comments within the 45-day period to Johanne Lamontagne, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2<sup>e</sup> étage, Québec (Québec) G1K 3J3.

ROBERT DUTIL,  
*Ministre de la Sécurité publique*

**Regulation to amend the Regulation respecting combat sports licensing**

An Act respecting safety in sports  
(R.S.Q., c. S-3.1, s. 55.3, 1st par., subpars. 2 and 13)

**1.** The Regulation respecting combat sports licensing (c. S-3.1, r. 7) is amended by adding the following after section 24:

“**24.1.** A person who is domiciled in Canada without being domiciled in Québec who is applying for an official’s annual licence must

(1) fulfill the requirements of section 24 except paragraph 5;

(2) submit a document from an athletic commission or a similar government-established agency certifying the person’s competency.”.

**2.** Section 25 is amended by replacing “Québec” by “Canada”.

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

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## Draft Regulation

An Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001)

### Transport infrastructure partnerships — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to exempt from the payment of the toll, for their passages on bridge P-15020 on autoroute 25, road vehicles for which a registration plate was issued by the Department of National Defence (Canada) and emergency vehicles within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2). Emergency vehicles are already exempted from the payment of such a toll, but only where a transponder registered for the vehicle is in the vehicle and is functioning.

Further information may be obtained by contacting Sandra Sultana, Director, Bureau des partenariats public-privé, Ministère des Transports, 500, boulevard René-Lévesque Ouest, bureau 13.40, Montréal (Québec) H2Z 1W7; telephone: 514 873-4377, extension 2200; fax: 514 873-6108; email: sandra.sultana@mtq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

PIERRE MOREAU,  
*Minister of Transport*

## Regulation to amend the Regulation respecting toll road infrastructures operated under a public-private partnership agreement

An Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001, s. 11, 2nd par.)

**1.** The Regulation respecting toll road infrastructures operated under a public-private partnership agreement (R.R.Q., c. P-9.001, r. 3) is amended by adding the following after section 2, before section 3:

“**2.2.** The following road vehicles are exempted from payment of the toll for their passages on bridge P-15020 on autoroute 25:

(1) emergency vehicles within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2);

(2) road vehicles for which a registration plate was issued by the Department of National Defence (Canada).

Subparagraph 2 of the first paragraph does not operate to limit the exemption provided for in section 261 of the National Defence Act (R.S.C. 1985, c. N-5).”.

**2.** Section 3 is amended by striking out paragraph 2.

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

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## Decisions

### Decision MPTC12-00022, January 13, 2012

#### Redress decision MPTC12-00026, January 16, 2012

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

#### Commission des transports du Québec — General fixing of rates for private transportation by taxi

Please note that the Commission des transports du Québec, by its decision MPTC12-00022 of January 13, 2012, and its redress decision MPTC12-00026 of January 16, 2012, in accordance with section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), has fixed the rates for private transportation services by taxi and their conditions of application, in force on January 28, 2012, as contained in the Compendium of tariffs of private transportation by taxi, the text of which follows.

Please note that the Compendium of tariffs of private transportation by taxi established by these decisions replaces the Compendium of tariffs of private transportation by taxi established by decision MPTC11-00085 rendered by the Commission on March 3, 2011.

CHRISTIAN DANEAU,  
*Secretary of the Commission  
des transports du Québec*

#### Compendium of tariffs of private transportation by taxi

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

#### DIVISION I GENERAL PROVISIONS

**1.** This tariff is applicable to private transportation by taxi except for transportation provided under a specialized taxi permit.

**2.** When the vehicle used by the holder of a taxi permit is not equipped with a taximeter, the distance covered with a customer is measured by the odometer.

**3.** A taxi driver cannot claim for the price of a trip a price higher than the one calculated in accordance with this tariff.

**4.** For the purpose of this tariff, the term “hour or fraction of an hour wait” designates the time during which the taxi is not running or is running at less than 22.382 km per hour during a trip.

The number 22.382 is calculated from the hourly tariff divided by the tariff per km specified in section 6.

#### DIVISION II GENERAL TARIFFS

**5.** General tariffs are applicable to private transportation provided by holders of taxi owner’s permits throughout Québec, subject to the application of special tariffs.

**6.** The price of a trip calculated by the taximeter is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$3.00	\$1.48	\$33.09
5% GST	<u>\$0.15</u>	<u>\$0.07</u>	<u>\$1.65</u>
Price including GST	\$3.15	\$1.55	\$34.74
9.5% QST	<u>\$0.30</u>	<u>\$0.15</u>	<u>\$3.31</u>
Taximeter rate	\$3.45	\$1.70	\$38.05

**7.** The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.48	\$33.09
5% GST	<u>\$0.00</u>	<u>\$0.07</u>	<u>\$1.65</u>
Price including GST	\$0.00	\$1.55	\$34.74
9.5% QST	<u>\$0.00</u>	<u>\$0.15</u>	<u>\$3.31</u>
Odometer rate	\$0.00	\$1.70	\$38.05

### DIVISION III SPECIAL TARIFFS

**§1.** *Tariffs applicable to transportation for which the starting point or destination is Montréal Trudeau Airport*

**8.** The price of a trip between the airport and downtown Montréal, whatever the number of passengers, is as follows:

Basic flat rate	\$34.79
5% GST	<u>\$1.74</u>
Price including GST	\$36.53
9.5% QST	<u>\$3.47</u>
Total flat rate	\$40.00

This price applies when the trip has only one pick-up point and one drop-off point.

For the purpose of this section, downtown Montréal is bounded as follows:

— westward: Avenue Atwater to the Lachine Canal; the Lachine Canal to the foot of Rue de Condé; Rue de Condé to Rue Saint-Patrick; Rue Saint-Patrick eastward to Rue Bridge; Rue Bridge to the Victoria Bridge;

— eastward: Avenue Papineau;

— southward: the buildings located on Avenue Pierre-Dupuy to the De la Concorde bridge

— northward: Avenue des Pins; Rue Saint-Denis, from Avenue des Pins to Rue Cherrier; Rue Cherrier, from Rue Saint-Denis to Rue Sherbrooke; Rue Sherbrooke, from Rue Cherrier to Avenue Papineau.

Houses and buildings on either side of bordering streets are part of downtown Montréal.

**9.** When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

**10.** The minimum price for a trip starting at the main terminal of Montréal Trudeau Airport is \$17.00, including GST and QST.

Any lower taximeter reading is assumed to be \$17.00.

**§2.** *Tariffs applicable to Québec Jean-Lesage Airport*

**11.** The price of a trip between the main terminal of Jean-Lesage Airport and downtown Québec, whatever the number of passengers, is as follows:

Basic flat rate	\$29.79
5% GST	<u>\$1.49</u>
Price including GST	\$31.28
9.5% QST	<u>\$2.97</u>
Total flat rate	\$34.25

For the purpose of this section, downtown Québec is bounded as follows:

— northward: Autoroute Félix-Leclerc;

— eastward: Avenue d'Estimauville and its extension to the St. Lawrence River;

— southward: St. Lawrence River;

— westward: Autoroute Laurentienne; Rue Saint-Anselme to Rue des Commissaires; Rue des Commissaires; Boulevard Langelier; Côte-de-Salaberry; Avenue de Salaberry and its extension to the St. Lawrence River.

Houses and buildings on either side of bordering streets are part of downtown Québec.

**12.** The price of a trip from the main terminal of Jean-Lesage Airport to the Sainte-Foy area, whatever the number of passengers, is as follows:

Basic flat rate	\$13.05
5% GST	<u>\$0.65</u>
Price including GST	\$13.70
9.5% QST	<u>\$1.30</u>
Total flat rate	\$15.00

These tariffs are applicable when there are only one pick-up point and one drop-off point.

For the purpose of this section, the Sainte-Foy area is bounded as follows:

— northward: Rang Sainte-Anne; Route de l'Aéroport; Avenue Sainte-Geneviève;

— eastward: Autoroute Henri IV;

— southward: Autoroute Charest;

— westward: Avenue Jean-Gauvin; Boulevard Wilfrid-Hamel; Rue des Champs-Élysés and its extension between Boulevard Wilfrid-Hamel and Autoroute Charest.

Houses and buildings on either side of bordering streets are part of the Sainte-Foy area.

**13.** When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

*§3. Tariffs applicable to the Fermont 297201 and James Bay (Radisson) 299101 servicing areas*

**14.** The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$2.05	\$33.09
5% GST	<u>\$0.00</u>	<u>\$0.10</u>	<u>\$1.65</u>
Price including GST	\$0.00	\$2.15	\$34.74
9.5% QST	<u>\$0.00</u>	<u>\$0.20</u>	<u>\$3.31</u>
Odometer rate	\$0.00	\$2.35	\$38.05

**15.** The minimum price of a trip with an origin or destination in one of these servicing areas is \$6.40, including GST and QST.

Any lower reading is assumed to be \$6.40.

*§4. Tariffs applicable to the Saint-Augustin 298206 (Lower North Shore) servicing area*

**16.** The price of a trip between Saint-Augustin Airport or pier and the Saint-Augustin servicing area as well as between Saint-Augustin Airport and Pakuashipi Reservation is \$8.00, including GST and QST, per customer per trip.

#### DIVISION IV FINAL PROVISIONS

**17.** This tariff replaces Tariffs of private transportation by taxi set by decision MPTC11-00085 rendered by the Commission on March 3, 2011, considering decision MPTC12-00022 rendered by the Commission on January 13, 2012.



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

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Transportation services by taxi, An Act respecting... — Commission des transports du Québec — General fixing of rates for private transportation by taxi . . . . . (R.S.Q., c. S-6.01)	401	Decision
Transportation services by taxi, An Act respecting... — Taxi owner — Maximum number of permits per taxi servicing area and certain conditions of operation . . . . . (R.S.Q., c. S-6.01)	391	M