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Laws and Regulations

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Summary

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Regulations and other Acts

M.O., 2015

Order 2015-13 of the Minister of Transport dated 9 November 2015

An Act respecting transportation services by taxi
(chapter S-6.01)

Pilot project to promote taxi transportation services
requested using a mobile application

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 89.1 of
the Act respecting transportation services by taxi (chap-
ter S-6.01) under which the Minister of Transport may,
by order,

(1) authorize pilot projects designed to experiment or
innovate in the area of taxi transportation services or to
study, improve or define standards applicable to that area;
and

(2) authorize, within the scope of such pilot projects,
any person or body that is a holder of a taxi owner's permit
issued under the Act or a business partner of such a holder
to offer taxi transportation services in compliance with
standards and rules prescribed by the Minister that differ
from those set out in the Act and the regulations, for the
purpose of increasing the safety of users, improving the
quality of the services offered or fostering the develop-
ment of the taxi transportation services industry, all in
compliance with the applicable privacy protection rules;

CONSIDERING the second paragraph of that section
which provides that

(1) such pilot projects are to be conducted for a period
of up to two years, which the Minister may extend by up
to one year; and

(2) the Minister may determine the provisions of a
pilot project whose violation constitutes an offence and
determine the minimum and maximum amounts for which
the offender is liable, which may not be less than \$200 or
more than \$3,000;

CONSIDERING the third paragraph of that section which
provides that the Minister must inform the Taxi Industry
Advisory Panel 45 days before the implementation of a
pilot project, and that the Minister informed the Panel of
the implementation of the pilot project on 7 October 2015;

CONSIDERING the fourth paragraph of that section
which provides that an order made under that section is
not subject to the publication requirement set out in sec-
tion 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the taxi industry's interest in moder-
nizing its taxi transportation service capability, in particular
through the use of technological platforms integrating a
mobile application, with a view to fostering the develop-
ment of the taxi industry and meeting the needs of the
users of taxi transportation services;

CONSIDERING THAT it is expedient to authorize imple-
mentation of the pilot project to promote taxi transporta-
tion services requested using a mobile application;

ORDERS AS FOLLOWS:

DIVISION I GENERAL

1. The Pilot Project to promote taxi transportation
services requested using a mobile application ("Pilot
Project") is hereby authorized

(1) to experiment and innovate in the area of taxi trans-
portation services through authorization of a promotion
on the fare for taxi travel requested using a mobile appli-
cation; and

(2) to collect information on the results obtained from
the promotions offered.

2. For the purposes of the Pilot Project, "promotion"
means the discount granted to a user of taxi transportation
services for a trip requested using a mobile application.
The reduction in the taxi fare may be in the form of a
percentage or a set amount. The reduction may also be
a pre-determined flat-rate amount for a trip between the
pick-up point and the trip destination.

DIVISION II PROMOTION OF TAXI TRANSPORTATION SERVICES

3. The rates fixed by the Commission des transports
du Québec apply to all trips by taxi requested using a
mobile application.

4. Despite section 62 of the Act respecting transportation services by taxi (chapter S-6.01), the promotions are authorized in all areas of Québec comprising taxi areas.

5. A promotion on the fare for taxi travel requested using a mobile application may be offered by

- (1) a holder of a taxi owner's permit; and
- (2) a holder of a taxi transportation service intermediary's permit.

DIVISION III PROMOTION RULES

6. The terms under which users of taxi transportation services may avail themselves of a promotion on the fare for taxi travel requested using a mobile application must be publicized by the holder making the offer.

7. A holder of a taxi driver's permit making a trip to which a promotion offered by a holder referred to in section 5 applies is required to honour the promotion.

8. At the end of trip by taxi requested using a mobile application for which a promotion applies, the vehicle's taximeter must display the regular fare for the trip, before any reduction.

The regular fare for the trip and the amount of the promotion must appear on the receipt given by the taxi driver or on the mobile application used for the trip. The information must be retained for a period of not less than 6 months.

9. A promotion cannot be of an amount greater than the regular fare displayed on the taximeter at the end of the trip.

DIVISION IV OFFENCES

10. A holder of a taxi driver's permit who contravenes section 7 commits an offence and is liable to a fine of \$500 to \$1,000.

11. A holder of a taxi driver's permit who fails to issue a receipt or retain the information as required by section 8 commits an offence and is liable to a fine of \$300 to \$700.

DIVISION V COLLECTION OF INFORMATION

12. The Minister of Transport is responsible for collecting information on the promotion of taxi transportation services requested using a mobile application in connection with the Pilot Project.

DIVISION VI MISCELLANEOUS AND FINAL

13. The Pilot Project does not apply to the special rates determined by the Commission des transports du Québec for transportation to and from the Pierre-Elliott-Trudeau International Airport in Montréal and the Jean-Lesage International Airport in Québec.

14. The Pilot Project comes into force on 26 November 2015, except sections 10 and 11, which come into force on 26 December 2015. The Pilot Project terminates on 26 November 2017.

ROBERT POËTI,
Minister of Transport

102361

M.O., 2015

Order 2015-14 of the Minister of Transport dated 9 November 2015

An Act respecting transportation services by taxi
(chapter S-6.01)

Pilot project to promote taxi transportation services
using electric taxis

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 89.1 of the Act respecting transportation services by taxi (chapter S-6.01) under which the Minister of Transport may, by order,

(1) authorize pilot projects designed to experiment or innovate in the area of taxi transportation services or to study, improve or define standards applicable to that area; and

(2) authorize, within the scope of such pilot projects, any person or body that is a holder of a taxi owner's permit or a business partner of such a holder to offer taxi transportation services in compliance with standards and rules prescribed by the Minister that differ from those set out in the Act and the regulations, for the purpose of increasing the safety of users, improving the quality of the services offered or fostering the development of the taxi transportation services industry, all in compliance with the applicable privacy protection rules;

CONSIDERING the second paragraph of that section which provides that

(1) such pilot projects are to be conducted for a period of up to two years, which the Minister may extend by up to one year; and

(2) the Minister may determine the provisions of a pilot project whose violation constitutes an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than \$200 or more than \$3,000;

CONSIDERING the third paragraph of that section which provides that the Minister must inform the Taxi Industry Advisory Panel 45 days before the implementation of a pilot project, and that the Minister informed the Panel of the implementation of the pilot project on 7 October 2015;

CONSIDERING the fourth paragraph of that section which provides that an order made under that section is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the Government's commitment to promoting electric transportation following adoption of the Transportation Electrification Action Plan 2015-2020 and the requests put forward by the Bureau du taxi de Montréal;

CONSIDERING electrification of taxi transportation provides the potential for substantial greenhouse gas ("GHG") emission reduction, and that experimenting with electric taxi fleets would appear to be necessary in particular for the purpose of ascertaining vehicle autonomy during the winter months;

CONSIDERING THAT it is expedient to authorize implementation of the pilot project to promote taxi transportation services using electric taxis;

ORDERS AS FOLLOWS:

DIVISION I **GENERAL**

1. The Pilot Project to promote transportation services using electric taxis ("Pilot Project") is hereby authorized

(1) to establish special rules allowing taxi transportation services to be offered using fully electric vehicles, and in doing so to experiment with the use of such vehicles for the purpose of fostering development of the taxi industry;

(2) to authorize any sponsor referred to in the Schedule to the Pilot Project to offer transportation services using electric taxis in accordance with the special rules set out in

the Pilot Project and the other rules that remain applicable under the Act respecting transportation services by taxi (chapter S-6.01) and its regulations; and

(3) to collect information on the transportation services a sponsor provides using electric taxis, on the safety of users and on the ensuing consequences for the taxi industry.

2. To be authorized under the Pilot Project, a sponsor must send a project charter to the Minister of Transport describing the project, its objectives, the number of electric vehicles to be put in service and the project term.

3. Every project submitted by a sponsor in accordance with section 2 must be authorized by the Minister. An agreement between the sponsor and the Minister must be entered into and concern among other things information sharing, monitoring mechanisms and reporting requirements.

4. For the purposes of the Pilot Project, "sponsor" means any person or body that is the holder of a taxi owner's permit issued under the Act respecting transportation services by taxi or a business partner of such a holder.

DIVISION II **AUTHORIZED ELECTRIC TAXIS**

5. A sponsor authorized under the Pilot Project to offer transportation services using electric taxis must use an electric taxi of the sedan or station wagon type that

(1) is fully powered by electricity;

(2) has an electric motor and a battery that can be recharged using grid electricity;

(3) is not more than 5 years old on the date of coming into force of the Pilot Project;

(4) has at least 4 seat belts installed by the manufacturer;

(5) has at least 4 side doors;

(6) has a hard top; and

(7) has a wheelbase equal to or greater than 251 centimetres.

6. Every electric taxi must be registered in the same manner as any other taxi. It must have a registration plate bearing the prefix "T" as required by the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

DIVISION III SPECIAL RULES

7. Every electric taxi used in connection with the Pilot Project must be driven by a holder of a taxi driver's permit issued

(1) by the Bureau du taxi de Montréal if the area served is Île-de-Montréal; or

(2) by the Société de l'assurance automobile du Québec if the area served is not the area described in paragraph 1.

8. Despite section 5 of the Act respecting transportation services by taxi, a sponsor whose project involves the leasing of taxi owner's permits is authorized to lease, for the authorized term of the project which cannot exceed the term set for the Pilot Project, the maximum number of taxi owner's permits ("regular permit") set out in the Schedule to the Pilot Project in any of the areas described in the Schedule.

The sponsor must attach each regular permit to a single electric taxi.

The sponsor must immediately inform the Minister, the Commission des transports du Québec and the Bureau du taxi de Montréal of the regular permits involved in the leasing allowed under the first paragraph.

9. A holder of a taxi owner's permit may not lease, to a sponsor, a permit to which a handicapped accessible taxi is attached on the date of coming into force of the Pilot Project indicated in the *Gazette officielle du Québec*.

10. The holder of a taxi owner's permit having entered into a leasing contract with a sponsor that has become a business partner of the holder must either have the vehicle properly registered if no longer in service as a result of the partnership or put the vehicle in storage.

11. Despite any inconsistent provision, a sponsor leasing a permit held by a taxi owner is deemed to be such a holder and assumes all the rights and obligations under the Act respecting transportation services by taxi and its regulations, with the necessary modifications.

12. Despite section 11 of the Taxi Transportation Regulation, a sponsor may possess or control more than 20 regular permits during the term of the Pilot Project.

DIVISION IV SPECIAL RULES FOR ÎLE-DE-MONTRÉAL

13. To be able to offer transportation services using electric taxis under the Pilot Project on Île-de-Montréal, a sponsor must obtain authorization from the Bureau du taxi de Montréal and provide the Bureau with a copy of the project charter referred to in section 2.

A sponsor other than a holder of a taxi owner's permit must also provide the Bureau with proof of the sponsor's business partnership with such a holder.

14. A holder of a taxi owner's permit having entered into a leasing agreement with a sponsor that has become a business partner of the holder must hand over the sticker of any vehicle that will no longer be in service because of the partnership to the Bureau du taxi de Montréal.

15. Despite the By-law concerning taxi transportation (RCG 10-009) of Ville de Montréal, the following rules apply:

(1) the domelight on an electric taxi may have a display screen and be used to display advertising. Such a domelight may

(a) be less than one cubic metre in volume;

(b) have not more than 2 display screens having a total display surface that does not exceed one square metre; and

(c) show the taxi's availability status;

(2) at a private stand having recharging facilities for electric taxis, the rules concerning vehicle priority and position set out in the By-law do not apply; and

(3) public parking free of charge is permitted when an electric taxi ends its trip, except where the parking is situated less than 60 metres from a public stand, in which case the taxi driver must proceed to the stand and get into position.

The domelight referred to in subparagraph 1 of the first paragraph cannot display animated advertising or advertising using any other process that creates an illusion of movement, or display more than one time-variable message. In addition, the domelight cannot have lighting, lamps, reflectors or any other effects likely to compromise road safety.

DIVISION V

SPECIAL PERMITS FOR ELECTRIC TAXIS

16. The Commission des transports du Québec is to issue to a sponsor the number of special permits for electric taxis set out in the Schedule to the Pilot Project, those additional vehicles being required solely to enable rotation of the electric taxis in service while their respective batteries are being recharged and the required scientific electrification monitoring is being conducted for the purposes of the Pilot Project.

17. The term of a special permit cannot exceed the term set for the Pilot Project.

18. A sponsor must provide the Minister, the Commission des transports du Québec, the Bureau du taxi de Montréal, if applicable, and Contrôle routier Québec with a list of the sponsor's electric taxis and specify, for each taxi, the regular permit or special permit to which the taxi is attached.

19. The number of electric taxis put in service by a sponsor may at no time exceed the number of regular permits authorized and set out in the Schedule to the Pilot Project.

20. A sponsor must be able at all times to furnish the Minister, the Commission des transports du Québec, the Bureau du taxi de Montréal, if applicable, and Contrôle routier Québec with information concerning the number of taxis in service, being recharged, under scientific study or not in service.

DIVISION VI

OTHER PROVISIONS

21. Despite any inconsistent provision, a sponsor may equip electric taxis with a computerized taximeter having

(1) a digital display that lights up when activated and allows the user of the taxi transportation service sitting in the back seat to read the information it displays from the back seat, including the fare as the trip progresses; and

(2) a program designed to apply the rate fixed by the Commission des transports du Québec.

22. A driver of an electric taxi ending a trip in an area other than the area specified in the driver's permit is authorized to make an additional trip outside the driver's area on the condition that the trip is requested through a centralized dispatching system.

23. A driver of an electric taxi may refuse a trip if in the driver's opinion the range of the vehicle's battery is not sufficient to make the trip. In such a case, another taxi must immediately be made available to the user requesting the taxi transportation services.

DIVISION VII

OFFENCES

24. Every person who uses, or entrusts to a taxi driver the custody of, an automobile that does not meet the requirements of section 5 commits an offence and is liable to a fine of \$700 to \$2,100.

25. A person who drives an electric taxi in contravention of section 7 is liable to a fine of \$200 to \$500.

26. A holder of a taxi owner's permit who contravenes section 9 is liable to a fine of \$1,000 to \$3,000.

27. A holder or sponsor whose electric taxi has a dome-light that does not meet the requirements of section 15 commits an offence and is liable to a fine of \$200 to \$500.

28. Every person who allows the number of electric taxis in service to exceed the number of regular permits authorized by the Pilot Project under section 19 commits an offence and is liable to a fine of \$1,000 to \$3,000.

29. Every person who is unable to comply with section 20 as regards the furnishing of information on the person's taxis in service, being recharged, under scientific study or not in service commits an offence and is liable to a fine of \$1,000 to \$3,000.

DIVISION VIII

COLLECTION OF INFORMATION

30. The Minister of Transport is responsible for collecting information on the providing of transportation services using electric taxis in connection with the Pilot Project.

DIVISION IX

MISCELLANEOUS AND FINAL

31. The rules of the Pilot Project prevail over any inconsistent provision of the Act respecting transportation services by taxi and its regulations.

32. The Pilot Project comes into force on 26 November 2015, except sections 25 to 29, which come into force on 26 December 2015. The Pilot Project terminates on 26 November 2017.

ROBERT POËTI,
Minister of Transport

SCHEDULE

(ss. 1, 8, 16 and 19)

Authorized holder or business partner	Authorized urban agglomeration for leasing	Number and type of permit authorized for project
Taxelco inc.	A-5 – Est de Montréal	110 leased regular permits
	A-11- Montréal	22 special permits
	A-12 – Ouest de Montréal	

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

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