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**DU Québec**

**Part**

**2**

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**Laws and Regulations**

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**Summary**

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## Regulations and other Acts

Gouvernement du Québec

**O.C. 643-2017**, 28 June 2017

Education Act  
(chapter I-13.3)

### **School tax — Computation of the maximum yield for the 2017-2018 school year**

Regulation respecting computation of the maximum yield of the school tax for the 2017-2018 school year

WHEREAS, under subparagraphs 1, 2 and 3 of the first paragraph of section 455.1 of the Education Act (chapter I-13.3), the Government must, by regulation, determine the rules for establishing the allowable number of students for computing the maximum yield of the school tax that may be imposed by the school board and the Comité de gestion de la taxe scolaire de l'île de Montréal and the rates of increase of the amounts per student and of the base amount referred to in section 308 of the Act;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation respecting computation of the maximum yield of the school tax for the 2017-2018 school year, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

### **Regulation respecting computation of the maximum yield of the school tax for the 2017-2018 school year**

Education Act  
(chapter I-13.3, s. 455.1, 1st par., subpars. 1, 2 and 3)

**1.** For the computation of the maximum yield of the school tax provided for in section 308 of the Education Act (chapter I-13.3) for a school year, the allowable number of students must be determined by

(1) calculating the number of 4-year-old preschool students who may be taken into account, by

(a) multiplying by 1.00 the number of students legally enrolled for a minimum of 144 half days, but for less than 180 days, on 30 September of the preceding school year in the schools under the jurisdiction of the school board;

(b) multiplying by 1.80 the number of students legally enrolled for a minimum of 180 days on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(c) adding the products obtained under subparagraphs *a* and *b*;

(2) calculating the number of 5-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such students legally enrolled for a minimum of 180 days on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students

referred to in paragraphs 7 and 10. Students admitted, following Secondary 3, to a program of study leading to a secondary school vocational diploma who pursue their general education concurrently with their vocational studies may not be taken into account for the purposes of this paragraph;

(5) calculating the number of students admitted to a program of study leading to a secondary school vocational diploma or to an attestation of vocational specialization who may be taken into account, by multiplying by 3.40 the sum of the following numbers:

(a) the number of full-time students admitted to a program of study leading to a secondary school vocational diploma, except students referred to in subparagraph *b*, or to an attestation of vocational specialization, legally enrolled 2 school years before in the vocational training centres under the jurisdiction of the school board that were then recognized by the Minister for the purposes of budgetary rules;

(b) the number of full-time students admitted, following Secondary 3, to a program of study leading to a secondary school vocational diploma who pursue their general education concurrently with their professional studies, legally enrolled on 30 September 2 school years before in the vocational training centres under the jurisdiction of the school board that were then recognized by the Minister for the purposes of budgetary rules;

(c) the number of new places available to welcome students in vocational training centres under the jurisdiction of the school board during the school year for which the maximum yield of the school tax is calculated. Those places must have been authorized by the Minister within the framework of the allocation for the addition or the rearrangement of space for vocational training provided for in the budgetary rules for one or more vocational programs of study;

(6) calculating the number of students admitted to adult education services, by multiplying by 2.40 the number of full-time students who may be taken into account for the school year in accordance with the Schedule to this Regulation;

(7) calculating the number of handicapped 4-year-old and 5-year-old preschool, elementary school and secondary school students who may be taken into account, by multiplying by 6.40 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board;

(8) calculating the number of 5-year-old preschool students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.25 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(9) calculating the number of elementary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(10) calculating the number of secondary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 3.40 the number of such full-time students legally enrolled on 30 September of the preceding school year in the schools under the jurisdiction of the school board, except students referred to in paragraph 7;

(11) calculating the number of preschool and elementary school students enrolled in school day care services who may be taken into account, by multiplying by 0.05 the number of such students;

(12) calculating the number of students enrolled in the school board's student transportation services who may be taken into account, by

(a) multiplying by 0.75 the number of students enrolled on 30 September of the preceding school year in a transportation service employing vehicles used exclusively to transport such students;

(b) multiplying by 0.40 the number of students enrolled on 30 September of the preceding school year in a transportation service employing vehicles that have specific public transit routes and are not reserved exclusively to transport such students;

(c) adding the products obtained under subparagraphs *a* and *b*;

(13) adding the numbers obtained under paragraphs 1 to 12.

## 2. For the purposes of section 1,

(1) students admitted to a program of study leading to a secondary school vocational diploma or to an attestation of vocational specialization are students who were admitted to a vocational training centre under the jurisdiction of

the school board to receive educational services in vocational training, in vocational education programs authorized in accordance with the first paragraph of section 467 of the Education Act;

(2) the number of full-time students is obtained by adding the number of students enrolled full-time who participate in the minimum number of hours of activities prescribed by the basic school regulation applicable to them and the number of students enrolled part-time converted into a number of full-time students by

(a) using the following equation to calculate the proportion of full-time attendance per student enrolled part-time:

$$\frac{\text{the student's number of hours of activities per school year}}{\text{the minimum number of hours of activities per school year prescribed by the basic school regulation applicable to the student}}$$

(b) adding, for each of the categories of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph *a*;

(3) students who may be taken into account by a school board for the purposes of paragraph 11 of section 1 are 4-year-old and 5-year-old preschool students and elementary school students enrolled on 30 September of the preceding school year in the day care services of the school board for a minimum of 2 periods per day, at least 3 days per week;

(4) students who may be taken into account by a school board for the purposes of paragraph 12 of section 1 are students for whom the school board provides transportation at the beginning and end of classes each day.

**3.** The allowable number of students determined under section 1 must be adjusted by adding the number of additional students to take into account the reduction in the school population.

The number of additional students is determined by

(1) calculating the number of students who may be taken into account for the purpose of calculating the reduction in the number of students at every level of education by

(a) multiplying by 0.99 the total of the numbers obtained for the preceding school year under paragraphs 2 to 4 and 7 to 10 of section 1, to which is added, where applicable, the number obtained under subparagraph 1 of this paragraph for the same school year;

(b) subtracting from the product obtained under subparagraph *a*, the sum of the numbers obtained under paragraphs 2 to 4 and 7 to 10 of section 1 for the school year for which the maximum yield of the school tax is calculated, as they read taking into account the application of section 4, if applicable;

(2) calculating the number of 5-year-old preschool students and elementary school students who may be taken into account for the purpose of calculating the reduction in the number of students by

(a) multiplying by 0.99 the number of 5-year-old preschool students and elementary school students determined for the preceding school year under paragraph 7 of section 1 and under paragraphs 2, 3, 8 and 9 of section 1, to which is added, where applicable, the number obtained under subparagraph 2 of this paragraph for the same school year;

(b) subtracting from the product obtained under subparagraph *a*, the total of the numbers of 5-year-old preschool students and elementary school students obtained under paragraphs 2, 3, 7, 8 and 9 of section 1 for the school year for which the maximum yield of the school tax is calculated, as they read taking into account the application of section 4, if applicable;

(3) calculating the number of secondary school students who may be taken into account for the purpose of calculating the reduction in the number of students by

(a) multiplying by 0.99 the number of secondary school students determined for the preceding school year under paragraphs 4, 7 and 10 of section 1, to which is added, where applicable, the number obtained under subparagraph 3 of this paragraph for the same school year;

(b) subtracting from the product obtained under subparagraph *a*, the total number of secondary school students determined under paragraphs 4, 7 and 10 of section 1 for the school year for which the maximum yield of the school tax is calculated, taking into account the application of section 4, where applicable;

(4) subtracting from the sum of the numbers obtained under paragraphs 2 and 3, the number obtained under paragraph 1 and multiplying by 0.37 the resulting number;

(5) adding the numbers obtained under subparagraphs 1 and 4.

In the operations prescribed by this section, when a number is lower than zero, it is deemed to be zero.

**4.** Where the total number of full-time students determined under paragraphs 2 to 4 and 7 to 10 of section 1 exceeds by 200 or 2% the total number of full-time students determined for the preceding school year under the same paragraphs of section 1 and is at least 200 or 2% lower than the total number of full-time students in the categories referred to in paragraphs 2 to 4 and 7 to 10 of section 1, established according to the Minister's school enrolment estimates for the school year for which the maximum yield of the school tax is computed, paragraphs 2 to 4 of section 1 are to be read as follows:

“(2) calculating the number of 5-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such full-time students, established according to the Minister's school enrolment estimates for the school year for which the maximum yield of the school tax is computed, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students, established according to the Minister's school enrolment estimates for the school year for which the maximum yield of the school tax is computed, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students, established according to the Minister's school enrolment estimates for the school year for which the maximum yield of the school tax is computed, except students referred to in paragraphs 7 and 10;”.

**5.** For the computation of the maximum yield of the school tax for the 2017-2018 school year, the amount per student is \$834.12 or \$1,085 if the allowable number of students is less than 1,000, and the base amount is \$250,229, namely the amounts established for the 2016-2017 school year indexed by 1.36%.

**6.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

### Schedule

(s.1, par 6)

**NUMBER OF EQUIVALENT  
FULL-TIME ADULT STUDENTS  
IN GENERAL EDUCATION FOR  
THE 2017-2018 SCHOOL YEAR**

Code	School board	Number of full-time students
711000	Monts-et-Marées, CS des	512.4
712000	Phares, CS des	338.1
713000	Fleuve-et-des-Lacs, CS du	335.8
714000	Kamouraska—Rivière-du-Loup, CS de	275.2
721000	Pays-des-Bleuets, CS du	449.7
722000	Lac-Saint-Jean, CS du	653.3
723000	Rives-du-Saguenay, CS des	942.8
724000	De La Jonquière, CS	457.4
731000	Charlevoix, CS de	93.4
732000	Capitale, CS de la	2,275.9
733000	Découvreurs, CS des	447.6
734000	Premières-Seigneuries, CS des	899.6
735000	Portneuf, CS de	144.8
741000	Chemin-du-Roy, CS du	738.0
742000	Énergie, CS de l'	429.6
751000	Hauts-Cantons, CS des	214.9
752000	Région-de-Sherbrooke, CS de la	1,193.3
753000	Sommets, CS des	246.2
761000	Pointe-de-l'Île, CS de la	3,484.3
762000	Montréal, CS de	7,724.0
763000	Marguerite-Bourgeoys, CS	2,721.4
771000	Draveurs, CS des	803.7
772000	Portages-de-l'Outaouais, CS des	787.3
773000	Cœur-des-Vallées, CS au	402.1



Code	School board	Number of full-time students
774000	Hauts-Bois-de-l'Outaouais, CS des	196.6
781000	Lac-Témiscamingue, CS du	105.1
782000	Rouyn-Noranda, CS de	244.5
783000	Harricana, CS	125.8
784000	Or-et-des-Bois, CS de l'	289.2
785000	Lac-Abitibi, CS du	95.9
791000	Estuaire, CS de l'	217.3
792000	Fer, CS du	136.6
793000	Moyenne-Côte-Nord, CS de la	14.5
801000	Baie-James, CS de la	74.4
811000	Îles, CS des	27.3
812000	Chic-Chocs, CS des	383.5
813000	René-Lévesque, CS	430.8
821000	Côte-du-Sud, CS de la	406.6
822000	Appalaches, CS des	279.4
823000	Beauce-Etchemin, CS de la	893.2
824000	Navigateurs, CS des	661.5
831000	Laval, CS de	1,745.2
841000	Affluents, CS des	1,733.3
842000	Samares, CS des	838.1
851000	Seigneurie-des-Mille-Îles, CS de la	1,015.0
852000	Rivière-du-Nord, CS de la	846.6
853000	Laurentides, CS des	250.6
854000	Pierre-Neveu, CS	177.3
861000	Sorel-Tracy, CS de	463.5
862000	Saint-Hyacinthe, CS de	469.9
863000	Hautes-Rivières, CS des	430.8
864000	Marie-Victorin, CS	1,486.8
865000	Patriotes, CS des	507.2
866000	Val-des-Cerfs, CS du	509.6

Code	School board	Number of full-time students
867000	Grandes-Seigneuries, CS des	684.8
868000	Vallée-des-Tisserands, CS de la	284.5
869000	des Trois-Lacs, CS des	344.3
871000	Riveraine, CS de la	228.0
872000	Bois-Francs, CS des	330.0
873000	Chênes, CS des	343.5
881000	Central Québec, CS	46.3
882000	Eastern Shores, CS	41.3
883000	Eastern Townships, CS	175.5
884000	Riverside, CS	515.5
885000	Sir-Wilfrid-Laurier, CS	338.6
886000	Western Québec, CS	243.9
887000	English-Montréal, CS	4,030.3
888000	Lester-B.-Pearson, CS	1,596.7
889000	New Frontiers, CS	159.4

103030



## Draft Regulations

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### Draft Regulation

Education Act  
(chapter I-13.3)

#### Student transportation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting student transportation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the maximum duration of a contract for the transportation of students from 5 to 8 school years.

Further information on the draft Regulation may be obtained by contacting André Doré, Director, Direction des politiques budgétaires, Ministère de l'Éducation et de l'Enseignement supérieur, 1035, rue De La Chevrotière, 14<sup>e</sup> étage, Québec (Québec) G1R 5A5; telephone: 418 643-1497, extension 2475.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Education, Recreation and Sports, Sébastien Proulx, 675, boulevard René-Lévesque Est, 3<sup>e</sup> étage, Québec (Québec) G1R 6C8.

SÉBASTIEN PROULX,  
*Minister of Education,  
Recreation and Sports*

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### Regulation to amend the Regulation respecting student transportation

Education Act  
(chapter I-13.3, ss. 453 and 454)

**1.** The Regulation respecting student transportation (chapter I-13.3, r. 12) is amended in section 33 by replacing “5 school years” in the second paragraph by “8 school years”.

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

103028

### Draft Regulation

General and Vocational Colleges Act  
(chapter C-29)

#### Tuition fees that a general and vocational college must charge — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the tuition fees that a general and vocational college must charge, 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 no longer charge tuition fees to students who attend on a part-time basis a program leading to an attestation of college studies.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Esther Blais, Director General, Direction générale des affaires collégiales, Ministère de l'Éducation et de l'Enseignement supérieur, 1035, rue De La Chevrotière, 12<sup>e</sup> étage, Québec (Québec) G1R 5A5; telephone: 418 643-6671, extension 2564.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister responsible for Higher Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec) G1R 5A5.

HÉLÈNE DAVID,  
*Minister responsible for  
Higher Education*

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### Regulation to amend the Regulation respecting the tuition fees that a general and vocational college must charge

General and Vocational Colleges Act  
(chapter C-29, s. 24.4)

**1.** The Regulation respecting the tuition fees that a general and vocational college must charge (chapter C-29, r. 2) is amended in section 2 by adding “for a program of studies leading to a Diploma of College Studies” after “period of instruction”.

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

103029

## Draft Regulation

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions  
(2016, chapter 23)

### Limit on the number of credits and confidentiality of some information

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides that, where a motor vehicle manufacturer has accumulated credits in a number greater than the number required for a particular period of 3 consecutive calendar years provided for in section 8 of the Act, the manufacturer may only use up to 25% of the total number of credits that the manufacturer must accumulate for a later period. It also provides that those credits may be used for any of the model years covered by the later period.

The draft Regulation also provides that some information declared by a motor vehicle manufacturer and entered in the register provided for in the Act is not public.

Further information on the draft Regulation may be obtained by contacting Valérie Vendette, Direction des programmes, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6<sup>e</sup> étage, boîte 31, Québec (Québec) G1R 5V7; telephone: 418 521-3868, extension 4618; email: valerie.vendette@mddelcc.gouv.qc.ca; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Valérie Vendette at the above-mentioned contact information.

DAVID HEURTEL,  
*Minister of Sustainable Development,  
the Environment and the  
Fight Against Climate Change*

## Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions  
(2016, chapter 23, s. 9, 2nd par., and s. 15, 2nd par.)

### CHAPTER I LIMIT ON THE NUMBER OF EXCESS CREDITS

**1.** A motor vehicle manufacturer that, at the end of a period referred to in section 8 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23), has accumulated a number of credits greater than the number it had to accumulate, may use them for a later period, up to 25% of the total of the credits it must accumulate for that period.

The motor vehicle manufacturer must, to that end, submit an application to the Minister not later than 15 days before the date set in the first paragraph of section 8 of the Act, indicating the number of credits it wishes to use and the category in which each credit is classified.

**2.** The accumulated excess credits may be used by a motor vehicle manufacturer for any of the model years of a later period.

### CHAPTER II CONFIDENTIALITY OF SOME INFORMATION

**3.** The following information entered in the name of a motor vehicle manufacturer in the register provided for in section 11 of the Act is not public:

(1) the contact information of the person responsible for the report of a motor vehicle manufacturer made under section 10 of the Act;

(2) for each model year covered by the report, the number of new motor vehicles sold or leased by the manufacturer, by type of model of those vehicles;

(3) the information on each type of motor vehicle model covered by the report, including its trademark, model, type of model, specifications, model year, gross weight rating and, if applicable, the quantity of carbon dioxide, methane and nitrous oxide emitted by the vehicle by kilometre, when travelling in the city or on a highway;

(4) in addition to the information referred to in paragraph 3, for each low-speed, low-emission and zero-emission motor vehicle sold or leased by the motor vehicle manufacturer,

(4.1) the number allocated to it in the list published by the Minister under section 5 of the Act;

(4.2) the motor vehicle's identification number;

(4.3) whether the vehicle was new or reconditioned at the time of its initial sale or lease;

(4.4) in the case of a reconditioned motor vehicle, the number of kilometres at the time of its sale or lease;

(4.5) the date of its initial sale or lease to an automobile dealership;

(4.6) the date of its initial sale or lease by an automobile dealership and the date of its first registration in Québec; and

(4.7) the contact information of the automobile dealership referred to in subparagraph 4.5;

(5) the credits entered periodically by the Minister during the calendar year, before the deadline provided for in section 10 of the Act.

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

103026

## Draft Regulation

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions  
(2016, chapter 23)

### Regulation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides for parameters, calculation method and conditions allowing to determine the number of credits that a motor vehicle manufacturer must accumulate, under the Act, for a particular model year, where the average of the manufacturer's sales and leases of new motor vehicles applicable for that model year is greater than 4,500.

The draft Regulation also provides for a classification of motor vehicle manufacturers by category and sets, for each category, separate parameters, calculation method and conditions with respect to the requirements related to the credits that motor vehicle manufacturers must accumulate. It specifies the cases where it is possible to reclassify a motor vehicle manufacturer in a category other than the category in which the manufacturer was initially classified.

In addition, the draft Regulation determines the calculation method to establish, according to the electric range of motor vehicles, the number of vehicles propelled either solely or in conjunction with another means of propulsion, by an electric motor, a hydrogen internal combustion engine or another means of propulsion that emits no pollutants, whether new or reconditioned, that a motor vehicle manufacturer may sell or lease to meet the requirements related to the credits that the manufacturer must accumulate under the Act. It provides for that purpose, in the calculation method, the number of credits to which the sale or the lease of each of the vehicles gives entitlement.

It also provides for additional conditions which the motor vehicles must meet so that their sale or lease gives entitlement to credits, including the characteristics they must possess.

It determines the calculation method, the conditions and terms of payment of the charge to be paid by a motor vehicle manufacturer that has not accumulated the number of credits that it should have accumulated at the end of a period of 3 consecutive calendar years, and it sets the value of a credit at \$5,000 for the purpose of calculating the charge.

The draft Regulation also provides for the terms pertaining to a report on alienation of credits between motor vehicle manufacturers and the annual report provided for in the Act, and the information that must be transmitted for each.

The draft Regulation prescribes monetary administrative penalties for certain failures to comply with any of the provisions and the amounts of the penalties, and it determines certain provisions of the Regulation the violation of which constitutes an offence and renders the offender liable to a fine, the minimum and maximum amounts of which are set by the Regulation.

Lastly, it provides for transitional provisions respecting motor vehicles whose model years are prior to model year 2018, sold or leased by a motor vehicle manufacturer before and after the coming into force of the Act so that the rules applicable to those motor vehicles with respect to the accumulation of credits are specified.

The draft Regulation will have a positive financial impact on consumers, particularly because the price of the motor vehicles contemplated by the draft Regulation should go down and the number of models offered on the Québec market should go up. The draft Regulation should also have a positive impact on sales and on the number of charging stations installed by the enterprises that manufacture them. However, it is expected that motor vehicle manufacturers and automobile dealerships will sustain losses when the new measure comes into force. The same will probably be true for refiners and service stations, due to the decrease in gasoline sales. In addition, garages may see a reduction in the number of oil changes they perform.

Further information on the draft Regulation may be obtained by contacting Valérie Vendette, Direction des programmes, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6<sup>e</sup> étage, boîte 31, Québec (Québec) G1R 5V7; telephone: 418 521-3868, extension 4618; email: valerie.vendette@mddelcc.gouv.qc.ca; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Valérie Vendette at the above-mentioned contact information.

DAVID HEURTEL,  
*Minister of Sustainable Development,  
the Environment and the  
Fight Against Climate Change*

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## **Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions**

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23, s. 3, s. 4, s. 6, s. 7, 2nd par., s. 8, 2nd and 3rd pars., s. 10 and s. 64, 3rd par.)

### **CHAPTER I DEFINITIONS AND CLASSIFICATION OF MOTOR VEHICLE MANUFACTURERS**

**1.** In this Regulation, unless the context indicates otherwise,

“low-emission motor vehicle” means a vehicle propelled, as the case may be,

(1) by the association of an electric motor or another means of propulsion that emits no pollutants with an engine that emits pollutants;

(2) solely by a hydrogen internal combustion engine; or

(3) solely by an electric motor whose battery used to supply the motor is recharged from a source that is not on board the vehicle or by a motor that emits pollutants;

and that meets the conditions provided for in section 3; (*véhicule automobile à faibles émissions*)

“low-speed motor vehicle” means a zero-emission four-wheel motor vehicle that, on a plane paved surface and over a distance of 1.6 km, reaches a maximum speed between 32 and 40 km/h, whose electric range, when it travels without interruption at its maximum speed with a charge of 150 kg, is not less than 40 kilometres, and whose gross weight rating is less than 1,361 kg; (*véhicule automobile à basse vitesse*)

“reconditioned motor vehicle” means a motor vehicle that, in addition to the conditions set in paragraphs 1 and 2 of section 6 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23), meets, at the time of its sale or lease by a motor vehicle manufacturer, the following conditions:

(1) the capacity of the battery which supplies the electric motor used to propel the vehicle is equal to not less than 90% of the capacity of a battery of a new motor vehicle of the same model and the same model year;

(2) the vehicle has the same equipment as a new motor vehicle of the same model and the same model year, or a more recent model year, offered for sale or lease in Québec; the equipment may be of higher quality than the original equipment;

(3) the equipment is in a condition comparable to the condition of the original equipment of a new motor vehicle of the same model and the same model year;

(4) whichever comes first

(a) when subtracting the number representing the calendar year during which the motor vehicle was registered for the first time in Québec from the number representing the model year of the vehicle, the result obtained does not exceed 4; or

(b) the number of kilometres indicated on the vehicle's odometer does not exceed 40,000 km;

(5) it is covered by the same conventional warranty as that offered by the motor vehicle manufacturer for a new motor vehicle of the same model and the same model year, for the unexpired term of the warranty for such a vehicle; (*véhicule automobile remis en état*)

“zero-emission motor vehicle” means a motor vehicle propelled solely by an electric motor, including a motor vehicle whose motor is supplied by a hydrogen fuel cell, or another means of propulsion that emits no pollutants and whose sole element emitting pollutants is the vehicle's air conditioner. (*véhicule automobile zéro émission*)

**2.** The requirements of this Regulation respecting the number of kilometres indicated on the motor vehicle's odometer refer to the number of kilometers that, following a mechanical inspection by the Société de l'assurance automobile du Québec, is entered in the register kept by the Société for entering information on the motor vehicle and its owner.

**3.** To be considered a low-emission motor vehicle, a motor vehicle must, in addition to what is provided for in the definition in section 1, meet the following conditions:

(1) the maximum quantity of each of the following gases, that is, formaldehyde, non-methane volatile organic compounds, carbon monoxide and nitrogen oxide, as well as particulates produced by the fuel combustion process, emitted into the atmosphere by the motor vehicle through its exhaust pipe, must not exceed as of the 2020 model year the values corresponding, according to the quantity of gas and particulates emitted by the vehicle exhaust pipe, to the SULEV20 or SULEV30 category, provided for in section 1961.2(a)(1) of Title 13 of the California

Code of Regulations, those values being calculated by using the methods provided for in section 1961.2(d) of the same Title;

(2) the maximum quantity of hydrocarbon contained in the gases emitted by evaporation by the motor vehicle, that is, the gases emitted otherwise than by the exhaust pipe, must not exceed as of the 2020 model year the values provided for in section 1976(b)(1)(G) of Title 13 of the California Code of Regulations, those values being calculated using the methods provided for in section 1976(c) of the same Title.

**4.** Motor vehicle manufacturers are classified according to the following categories:

(1) category A “large volume manufacturer” includes motor vehicle manufacturers whose average sales and leases of new motor vehicles, for the model year for which a classification is established, is greater than 20,000;

(2) category B “intermediate volume manufacturer” includes motor vehicle manufacturers whose average sales and leases of new motor vehicles, for the model year for which a classification is established, is between 4,501 and 20,000;

(3) category C “small volume manufacturer” includes motor vehicle manufacturers whose average sales and leases of new motor vehicles, for the model year for which a classification is established, is equal to or less than 4,500.

For the purpose of classifying a motor vehicle manufacturer, the average of its sales and leases of new motor vehicles for a particular model year is obtained by adding the number of new motor vehicles sold or leased by the manufacturer for each of the 3 consecutive model years whose last model year immediately precedes the model year for which a classification is established, and by dividing the total by 3.

The data used to calculate the average used to classify a motor vehicle manufacturer are those registered in its name in the register kept under section 11 of the Act.

**5.** The initial classification of a motor vehicle manufacturer that is required to submit a report under section 10 of the Act is established by the Minister for the 2018 model year.

The initial classification of a motor vehicle manufacturer that is not required to submit such report is established by the Minister for the first model year covered by the manufacturer's first report under section 10 of the Act.

**6.** The classification of a large or intermediate volume manufacturer is established within 30 days of the deadline provided for in section 10 of the Act, and for a small volume manufacturer, within 30 days of the date on which the Minister receives the manufacturer's first report under that same section.

**7.** Where the classification of a motor vehicle manufacturer is established, the Minister enters it in the register kept under section 11 of the Act and so informs the manufacturer in writing within 15 days of that entry.

**8.** For each model year following the model year for which the initial classification of a motor vehicle manufacturer has been established, the Minister re-evaluates the classification within the same period as the period provided for in section 6, and the Minister informs the manufacturer in writing of the results of the evaluation within 15 days of the evaluation.

The evaluation referred to in the first paragraph does not result in a change of category for a motor vehicle manufacturer, except in the cases provided for in section 9.

**9.** A motor vehicle manufacturer may be reclassified in a new category if

(1) for a model year, the average of the manufacturer's sales and leases of new motor vehicles, calculated in accordance with the second paragraph of section 4, is greater than the maximum value provided for the category in which the manufacturer is classified, and the situation occurs for the 2 following consecutive model years. The same applies if the value of the average is less than the minimum value provided for the category in which the manufacturer is classified;

(2) the manufacturer has reported incomplete or inaccurate information; or

(3) a change occurs in the control of the manufacturer.

**10.** A motor vehicle manufacturer that finds itself in either of the situations referred to in paragraph 1 of section 9 may be reclassified as of the model year immediately following the third of the model years for which any of the situations re-occurs, in the category just above or, as the case may be, just below the category in which the manufacturer is classified.

A motor vehicle manufacturer that finds itself in the situation referred to in paragraph 2 of section 9 may be reclassified as of the oldest model year for which incomplete or inaccurate information has been provided, in the

category corresponding to the real average of its sales and leases for that model year, calculated in accordance with the second paragraph of section 4. In such a situation, the manufacturer will also have to pay to the Minister any sum that would have been paid if its credits had been calculated on the basis of complete and accurate information, and that is claimed by the Minister in accordance with section 47 of the Act.

A motor vehicle manufacturer that finds itself in the situation referred to in paragraph 3 of section 9

(1) if the change occurs following a merger of its enterprise with one or more motor vehicle manufacturers, the motor vehicle manufacturer resulting from the merger will initially be classified as of the second model year following the model year whose year corresponds to the calendar year during which the change occurred; the classification will be established on the basis of the average, for each model year used for its calculation, of the total of the sales and leases of new motor vehicles of all the manufacturers concerned, calculated in accordance with the second paragraph of section 4; or

(2) if the change occurs because the motor vehicle manufacturer concerned divested itself of part of its assets for the benefit of one or more motor vehicle manufacturer that acquire them or that are constituted for that purpose, the reclassification of the motor vehicle manufacturer that divested itself of part of its assets and the manufacturers that acquire them as well as the initial classification of those that are constituted for that purpose will be established, for each of them, as of the second model year following the model year whose year corresponds to the calendar year during which the change occurred; the classification will be established, for each of them, on the basis of the average, for each model year used for the calculation, of the sales and leases of new motor vehicles of the motor vehicle models hence sold or leased by the motor vehicle manufacturer concerned by the calculation, the average being calculated in accordance with the second paragraph of section 4.

**11.** Where a change occurs in the control of a motor vehicle manufacturer, the manufacturer must so inform the Minister in writing within 30 days of the change.

In the case referred to in subparagraph 2 of the third paragraph of section 10, the manufacturer must also, in the same document, inform the Minister of the agreements entered into with the other motor vehicle manufacturers regarding the distribution of credits entered in its name in the register on the date of the change, so that the Minister may make the necessary modifications.



## CHAPTER II CREDITS

### DIVISION I NUMBER AND ACCUMULATION OF CREDITS

**12.** Within 30 days of the deadline provided for in section 10 of the Act, the Minister determines the number of credits that a motor vehicle manufacturer must accumulate for the model year covered by the report and so notify the manufacturer in writing within the same period.

**13.** The number of credits that a large or intermediate volume motor vehicle manufacturer must accumulate for a particular model year is determined by means of a percentage of the average of its sales and leases of new motor vehicles for the same model year, using the following equation:

$$N_c = P \times A$$

where

$N_c$  = the number of credits that the motor vehicle manufacturer must accumulate;

$P$  = the percentage of the average of the sales and leases of new motor vehicles of the manufacturer for the model year concerned;

$A$  = the average of the sales and leases of new motor vehicles of the manufacturer for the model year concerned.

For the purpose of calculating the number of credits that must be accumulated by a motor vehicle manufacturer for a particular model year, the average of its sales and leases of new motor vehicles is obtained by adding the number of new motor vehicles sold or leased by the manufacturer for each of the 3 consecutive model years the last of which precedes by 1 model year the model year for which the number of credits must be determined, and by dividing the total by 3.

The value of the percentage referred to in the first paragraph is determined in the table below, based on the model year concerned by the calculation.

Model year	Value of the percentage (P)
2018	3.50%
2019	6.00%
2020	8.75%
2021	12.00%
2022	14.50%
2023	17.00%
2024	19.50%
2025 and subsequent	22.00%

**14.** Among the credits that a large volume motor vehicle manufacturer must accumulate for a particular model year, a certain number of the credits must be accumulated by means of the sale or lease of new or reconditioned zero-emission motor vehicles or by the acquisition, from another motor vehicle manufacturer, of NZEV or RZEV credits as defined in section 16.

The number of credits referred to in the first paragraph is determined using a fraction of the total percentage of the average of its sales and leases of new motor vehicles, using the following equation:

$$N_c \text{ ZEV} = P_f \text{ ZEV} \times A$$

where

$N_c \text{ ZEV}$  = the number of credits that the motor vehicle manufacturer must accumulate by means of the sale or lease of new or reconditioned zero-emission motor vehicles or by the acquisition of NZEV or RZEV credits;

$P_f \text{ ZEV}$  = a fraction of the total percentage of the average used in the equation in section 13;

$A$  = the same average as the average used in the equation in section 13.

The other part of the credits that a large volume motor vehicle manufacturer must accumulate for the model year referred to in the first paragraph may be accumulated by the sale or lease of any type of new or reconditioned motor vehicle defined in section 1 or by the acquisition of credits belonging to any of the categories provided for in section 16.

The fraction of the total percentage of the average referred to in the equation in the second paragraph is determined below, based on the model year concerned by the calculation.

Model year	Total percentage (P) applicable to intermediate and large volume motor vehicle manufacturers subject to the Regulation	Fraction of the total percentage (Pf ZEV) applicable for the part of the credits referred to in the first paragraph	Fraction of the total percentage (Pf) applicable for the part of the credits referred to in the third paragraph
2018	3.50%	1.25%	2.25%
2019	6.00%	3.00%	3.00%
2020	8.75%	5.25%	3.50%
2021	12.00%	8.00%	4.00%
2022	14.50%	10.00%	4.50%
2023	17.00%	12.00%	5.00%
2024	19.50%	14.00%	5.50%
2025 and subsequent	22.00%	16.00%	6.00%

**15.** A motor vehicle manufacturer may accumulate a maximum of 30% of the total of the credits it must accumulate for a period of 3 consecutive model years, established under section 8 of the Act, by means of the sale or lease of reconditioned motor vehicles.

A large volume motor vehicle manufacturer may accumulate a maximum of 25% of the total of the credits it must accumulate for a period of 3 consecutive model years, established under section 8 of the Act, by means of the sale or lease of low-speed motor vehicles, whether new or reconditioned.

**16.** The credits accumulated by a motor vehicle manufacturer are, in the register kept under section 11 of the Act, classified by periods of 3 model years corresponding to the model years referred to in section 8 of the Act, according to the following categories:

(1) NZEV credits, that is, the credits accumulated by means of the sale or lease of new zero-emission motor vehicles, excluding low-speed vehicles;

(2) RZEV credits, that is, the credits accumulated by means of the sale or lease of reconditioned zero-emission motor vehicles, excluding low-speed vehicles;

(3) NLEV credits, that is, the credits accumulated by means of the sale or lease of new low-emission motor vehicles;

(4) RLEV credits, that is, the credits accumulated by means of the sale or lease of reconditioned low-emission motor vehicles;

(5) NLSV credits, that is, the credits accumulated by means of the sale or lease of new low-speed motor vehicles;

(6) RLSV credits, that is, the credits accumulated by means of the sale or lease of reconditioned low-speed motor vehicles.

**17.** The credits accumulated by means of the sale or lease of a low-speed motor vehicle, whether new or reconditioned, may not be used for the purposes of the requirement provided for in the first paragraph of section 14.

**18.** On a written request by a motor vehicle manufacturer, the Minister may determine the number of credits that it must accumulate for a particular model year by replacing, in the equations in sections 13 and 14, the average provided for therein by the total number of new motor vehicles of that same model year, entered in the register on the date of the calculation, that the manufacturer sold or leased.

For the Minister to follow up on the motor vehicle manufacturer's request, the manufacturer must demonstrate, to the Minister's satisfaction, that the total number of new motor vehicles of the model year covered by its request, that it sold or leased, has, for circumstances beyond its control and that it could not foresee, diminished by not less than 30% in relation to the preceding model year.

The motor vehicle manufacturer's request must be submitted not later than 30 days before the date provided for in the first paragraph of section 10 of the Act.

A request made under the first paragraph may only be submitted for 2 model years of a series of 8 consecutive model years.

**DIVISION II**  
**CREDITS TO WHICH THE SALE OR LEASE OF**  
**A MOTOR VEHICLE GIVES ENTITLEMENT**

**§1. Zero-emission motor vehicles**

**19.** The number of credits to which the sale or lease, by a motor vehicle manufacturer, of a new zero-emission motor vehicle gives entitlement is determined using the following equation:

$$Nc\ ZEV = (0.01 \times R \times 0.6214) + 0.50$$

where

Nc ZEV = the number of credits to which the sale or lease of a new zero-emission motor vehicle gives entitlement;

R = the electric range of the motor vehicle, in kilometres.

The electric range of a zero-emission motor vehicle is determined according to the standards and by using the following methods:

(a) the EPA Light-duty Urban Dynamometer Driving Schedule (UDDS) method provided for in U.S. 40 CFR Appendix I to Part 86, used here to measure, for that type of vehicle, the distance it may travel without recharging the battery when travelling in the city without interruption;

(b) for 2014 to 2017 model years, the standards and other methods provided for in the document entitled California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, published by the California Air Resources Board;

(c) for 2018 and subsequent model years, the standards and other methods provided for in the document entitled California Exhaust Emission Standards and Test Procedures for 2018 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes, published by the California Air Resources Board.

**20.** The number of credits to which the sale or lease of a reconditioned zero-emission motor vehicle gives entitlement is determined by means of a percentage of the number of credits to which the sale or lease of a new zero-emission motor vehicle of the same model and the same model year gives entitlement. That percentage varies depending on the number of kilometres indicated on the odometer of the vehicle concerned, according to the values and percentages provided for in the following table.

Number of kilometres indicated on the odometer	Percentage of the number of credits to which the sale or lease of a new zero-emission motor vehicle of the same model and the same model year gives entitlement
between 0 and 10,000 km	80%
between 10,001 and 20,000 km	75%
between 20,001 and 30,000 km	60%
between 30,001 and 40,000 km	50%

**21.** The maximum number of credits to which the sale or lease of a new zero-emission motor vehicle gives entitlement is 4.

The maximum number of credits to which the sale or lease of a reconditioned zero-emission motor vehicle gives entitlement is calculated on the basis of a percentage of the maximum number of credits to which the sale or lease of a new zero-emission motor vehicle gives entitlement. The value of that percentage is set by using the same data as those provided for in the table in section 20.

**22.** A new zero-emission motor vehicle whose range is less than 80.47 km gives entitlement to no credit.

**23.** This subdivision does not apply to a low-speed motor vehicle.

**§2. Low-emission motor vehicles**

**24.** The number of credits to which the sale or lease of a new low-emission motor vehicle gives entitlement is calculated on the basis of the vehicle's electric range, according to the values and, if applicable, the equation provided for in the following table.

Vehicle's electric range, in km	Number of credits
16 km	0
between 16 and 129 km	$(0.01 \times R \times 0.6214) + 0.3$
129 km	1.1

where

R = the electric range of the motor vehicle, in kilometres.

The electric range of a low-emission motor vehicle is determined by using the UDDS method, referred to in subparagraph *a* of the second paragraph of section 19, and using the value called Equivalent all electric range (EAER) contained therein, and complying with the

standards and using the methods referred to, according to the vehicle's model year, in subparagraph *b* or *c* of the second paragraph of section 19.

**25.** A new low-emission motor vehicle whose electric range, determined by using method EPA US06 Driving Schedule for Light-Duty Vehicles and Light-Duty Trucks provided for in U.S. 40 CFR Appendix I to Part 86 and also, according to the model year, in the following sections of the documents listed below and complying with the standards and using the other methods provided for therein, is not less than 16 km, gives entitlement to 0.2 additional credits:

(a) for the model years up to 2017, section G.7.5 of the document entitled California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium Duty Vehicle Classes;

(b) for the 2018 and subsequent model years, section G.7.3 of the document entitled California Exhaust Emission Standards and Test Procedures for 2018 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium Duty Vehicle Classes.

**26.** The number of credits to which the sale or lease of a reconditioned low-emission motor vehicle gives entitlement is calculated in the same manner and by using the same values for the number of kilometres and percentage as for a motor vehicle referred to in section 20.

**27.** The maximum number of credits to which the sale or lease of a new low-emission motor vehicle gives entitlement is 1.3.

The maximum number of credits to which the sale or lease of a reconditioned low-emission motor vehicle gives entitlement is calculated on the basis of a percentage of the maximum number of credits to which the sale or lease of a new low-emission motor vehicle gives entitlement. The value of that percentage is set by using the same data as those provided for in the table in section 20.

### §3. *Low-speed motor vehicles*

**28.** A new low-speed motor vehicle gives entitlement to 0.15 credits.

The maximum number of credits to which the sale or lease of a reconditioned low-speed motor vehicle gives entitlement is calculated on the basis of a percentage of the maximum number of credits to which the sale or lease

of a new low-speed motor vehicle gives entitlement. The value of that percentage is set by using the same data as those provided for in the table in section 20.

## CHAPTER III CHARGE

**29.** The charge referred to in section 8 of the Act, payable to the Minister by every motor vehicle manufacturer that, at the end of the period provided for in that section, has not accumulated the total number of credits that it had to accumulate for the 3 model years covered by that period, is calculated using the following equation:

$$C = (Nce - Nca) \times Vc$$

where

*C* = the charge payable by the motor vehicle manufacturer concerned;

*Nce* = the number of credits that the motor vehicle manufacturer should have accumulated;

*Nca* = the number of credits accumulated by the motor vehicle manufacturer;

*Vc* = the value of a credit for calculating the charge.

For calculating the charge, the value of a credit is set at \$5,000.

The charge calculated under the first paragraph is payable in one installment.

**30.** For the purpose of establishing, under section 8 of the Act, the number of credits that a motor vehicle manufacturer should have accumulated and has accumulated at the end of a period of 3 particular model years and of determining if the manufacturer must pay or not a charge, the Minister considers the total number of credits that the manufacturer should have accumulated and has accumulated for the 3 model years concerned.

## CHAPTER IV REPORTS

**31.** The report provided for in section 7 of the Act is made under oath and is sent in writing. It must contain

(1) the contact information of the motor vehicle manufacturer that alienated the credit;

(2) the contact information of the motor vehicle manufacturer to which the credit was alienated;

(3) the contact information of the person responsible for the report for the motor vehicle manufacturer;

(4) the type of motor vehicle which gave entitlement to the credit, that is, a low-speed, low-emission or zero-emission motor vehicle;

(5) whether the motor vehicle which gave entitlement to the alienated credit was new or reconditioned;

(6) the period of 3 consecutive calendar years during which the alienated credit was accumulated;

(7) the number of alienated credits;

(8) a declaration that the alienation of the credit is evidenced in writing between the parties to the contract;

(9) the date of the alienation of the credit; and

(10) the date on which the contract between the motor vehicle manufacturers concerned was signed.

**32.** The report provided for in section 10 of the Act is sent to the Minister in writing. It must contain

(1) the contact information of the motor vehicle manufacturer submitting the report;

(2) the contact information of the person responsible for the report for the motor vehicle manufacturer;

(3) for each model year covered by the report,

(3.1) the number of new motor vehicles sold or leased by the manufacturer; and

(3.2) the number of new motor vehicles sold or leased by the manufacturer, by type of model of those vehicles;

(4) for each type of model of motor vehicle covered by the report,

(4.1) its trademark;

(4.2) its model;

(4.3) the type of model;

(4.4) its specifications;

(4.5) its gross weight rating; and

(4.6) if applicable, the quantity of carbon dioxide, methane and nitrous oxide emitted by the vehicle, per kilometre, in the city or on the highway, calculated in accordance with section 33; and

(5) in addition to the information referred to in paragraph 4, for each low-speed, low-emission and zero-emission motor vehicle sold or leased by the motor vehicle manufacturer,

(5.1) the number allocated to it in the list published by the Minister under section 5 of the Act;

(5.2) the motor vehicle's identification number;

(5.3) whether the vehicle was new or reconditioned at the time of its initial sale or lease;

(5.4) in the case of a reconditioned motor vehicle, the number of kilometres at the time of its sale or lease and a declaration that it meets the conditions set in the definition of such a vehicle in section 1;

(5.5) the date of its initial sale or lease to an automobile dealership;

(5.6) the date of its initial sale or lease by an automobile dealership or the date of its first registration in Québec; and

(5.7) the contact information of the automobile dealership referred to in subparagraph 5.5.

**33.** The values of the carbon dioxide, methane and nitrous oxide emissions, in grams, emitted by the motor vehicle, per kilometre, when travelling in the city, are determined according to the quantitative evaluation methods provided for in the regulatory provisions, Emission Regulations for 1977 and Later model Year New Light-Duty Vehicles and New light-Duty Trucks and New Otto-Cycle Complete Heavy-Duty Vehicles; Test Procedures, U.S. 40 CFR, Part 86, Subpart B, and the emissions of such a vehicle, per kilometre, when travelling on the highway, are measured according to the technical requirements of the method Highway Test Procedure provided for in the regulatory provisions Fuel Economy and Carbon-Related Exhaust Emission Test Procedures, U.S. 40 CFR, Part 600, Subpart B.

The values of the methane and nitrous oxide emissions referred to in the first paragraph may be replaced by 1.2 grams equivalent carbon dioxide per kilometre.

**34.** Motor vehicle manufacturers that submit a report under this Regulation must keep every supporting document used to submit that report for not less than 8 years as of the date on which the report was sent, and they must provide those supporting documents to the Minister on request.

## CHAPTER V MONETARY ADMINISTRATIVE PENALTIES

**35.** A monetary administrative penalty of \$1,000 may be imposed to a motor vehicle manufacturer that fails to keep every supporting document referred to in section 34 for the period prescribed therein.

**36.** A monetary administrative penalty of \$1,500 may be imposed to a motor vehicle manufacturer that

(1) fails to send to the Minister any information or document required under this Regulation or necessary for its application; or

(2) fails to inform the Minister, as soon as possible, of a change in the control of its enterprise.

## CHAPTER VI OFFENCES

**37.** Every motor vehicle manufacturer that fails to keep any supporting document referred to in section 34 during the period prescribed therein is liable to a fine of not less than \$3,000 nor more than \$600,000.

**38.** Every motor vehicle manufacturer that

(1) fails to send to the Minister any information or document required under this Regulation or necessary for its application; or

(2) fails to inform the Minister, as soon as possible, of a change in the control of its enterprise

is liable to a fine of not less than \$6,000 nor more than \$600,000.

**39.** Every motor vehicle manufacturer that sends to the Minister false or misleading information is liable to a fine of not less than \$30,000 nor more than \$1,500,000.

## CHAPTER VII MISCELLANEOUS, TRANSITIONAL AND FINAL

**40.** The data required from the motor vehicle manufacturers under this Regulation must be provided in metric units.

**41.** A motor vehicle manufacturer may accumulate credits for the sale and lease of new motor vehicles and of reconditioned motor vehicles of the 2014 to 2017 model years that, in addition to the requirements provided for in the Act, meet any of the definitions in section 1. Division II of Chapter II then apply to them.

The credits accumulated under the first paragraph are recorded for the first period for which the Minister establishes the credits accumulated by a motor vehicle manufacturer under section 8 of the Act and they may be used by that manufacturer for any of the model years covered by that period.

**42.** Taking into account the provisions of sections 64 and 65 of the Act, the first report of a motor vehicle manufacturer must contain the total number of new motor vehicles sold or leased for each of the 5 consecutive model years the last of which immediately precedes the model year whose year corresponds to the calendar year during which the report is submitted.

**43.** 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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## Notices

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### Notice

#### **Aigle-Royal-de-la-Gatineau Nature Reserve — Recognition**

Natural Heritage Conservation Act  
(chapter C-61.01)

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of Sustainable Development, Environment and the Fight Against Climate Change has recognized as a nature reserve a private property situated on the territory of the municipality of Lac-Sainte-Marie, Regional County Municipality of Vallée-de-la-Gatineau, known and designated as a part of the lot number 5 279 711 of the Quebec cadastre, Gatineau registry division. This property covering an area of 31 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,  
*Assistant Deputy Minister  
for Sustainable development  
and Environmental quality*

103018





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

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