

Gazette
officielle
DU Québec

Part

2

No. 13

27 March 2019

Laws and Regulations

Volume 151

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2019

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 is available at 0:01 a.m. each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

The *Gazette officielle du Québec* published on the Internet is available to all free of charge.

Contents

Part 2 contains:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) Orders in Council, decisions of the Conseil du trésor and minister’s orders whose publication is required by law or by the Government;
- (5) regulations made by courts of justice and quasi-judicial tribunals;
- (6) drafts of the texts referred to in paragraphs 3 and 5 whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (7) any other document whose publication is required by the Government.

Rates*

- | | |
|--------------------------------|-----------------|
| 1. Annual subscription: | Printed version |
| Partie 1 “Avis juridiques”: | \$519 |
| Partie 2 “Lois et règlements”: | \$711 |
| Part 2 “Laws and Regulations”: | \$711 |
2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$11.11 per copy.
 3. Publication of a notice in Partie 1: \$1.79 per agate line.
 4. Publication of a notice in Part 2: \$1.19 per agate line. A minimum rate of \$260 is applied, however, in the case of a publication of fewer than 220 agate lines.

* Taxes not included.

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

For a subscription to the paper version of the *Gazette officielle du Québec*, please contact the customer service.

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

200-2019 Bus Transportation (Amend.)	451
--	-----

Draft Regulations

Collective agreement decrees, An Act respecting... — Automotive services industry – Drummond and Mauricie (Amend.)	453
Highway Safety Code — Sound emission control produced by the exhaust system of motorcycles and mopeds	454

Regulations and other Acts

Gouvernement du Québec

O.C. 200-2019, 13 March 2019

Transport Act
(chapter T-12)

Bus Transportation — Amendment

Regulation to amend the Bus Transportation Regulation

WHEREAS, under paragraph *c* of section 5 of the Transport Act (chapter T-12), the Government may, by regulation, determine what activities require a permit for the transport of persons, provide exceptions to the activities requiring a permit as regards types of persons transported, kinds of carriers, and, where such is the case, as regards the place of the main establishment of such carrier, the kinds of services, the means of transport or transport systems used and the territory or distance covered, and prescribe conditions for the carrying on of such an activity or the availing of such an exception and fix the duration of such exception;

WHEREAS the Government made the Bus Transportation Regulation (chapter T-12, r. 16);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Bus Transportation Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 August 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Bus Transport Regulation

Transport Act
(chapter T-12, s. 5, par. *c*)

1. The Bus Transport Regulation (chapter T-12, r. 16) is amended in section 3 by inserting the following after paragraph 2:

“(2.1) transport under a contract granted by an institution to which the Act respecting health services and social services (chapter S-4.2) applies for the beneficiaries under the contract;”.

2. Section 7 is revoked.

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

103856

Draft Regulations

Notice

An Act respecting collective agreement decrees
(chapter D-2)

Automotive services industry – Drummond and Mauricie — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister responsible for Labour was petitioned by the contracting parties to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree increases the minimum hourly wage rates provided for in the Decree.

Further information may be obtained by contacting Steven Brooks, Policy Development Advisor, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1; telephone: 418 528-9738; fax: 418 643-9454; email: steven.brooks@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister for Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1.

BRIGITTE PELLETIER,
*Deputy Minister for Labour, Employment
and Social Solidarity*

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

An Act respecting collective agreement decrees
(chapter D-2, ss. 4 and 6.1)

1. The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended by replacing section 9.01 by the following:

“**9.01.** The minimum hourly wage rates are the following:

Trades	As of [insert the date of coming into force of this Decree]	As of [insert the date that occurs 12 months after the date of coming into force of this Decree]	As of [insert the date that occurs 24 months after the date of coming into force of this Decree]
1 Apprentice			
1st year	\$13.57	\$13.84	\$14.11
2nd year	\$13.86	\$14.14	\$14.42
3rd year	\$14.44	\$14.73	\$15.02
4th year	\$15.53	\$15.76	\$16.00
2 Journeyman			
A	\$22.67	\$23.13	\$23.59
B	\$20.96	\$21.38	\$21.81
C	\$19.26	\$19.55	\$19.85
3 Parts clerk			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$13.06	\$13.32	\$13.58
Grade 3	\$13.94	\$14.22	\$14.51
Grade 4	\$14.72	\$15.01	\$15.31
Grade 5	\$15.54	\$15.86	\$16.17
Grade 6	\$16.53	\$16.86	\$17.20
Grade 7	\$17.45	\$17.71	\$17.98

Trades	As of [insert the date of coming into force of this Decree]	As of [insert the date that occurs 12 months after the date of coming into force of this Decree]	As of [insert the date that occurs 24 months after the date of coming into force of this Decree]
4 Messenger	note 1	note 1	note 1
5 Dismantler			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$12.79	\$13.18	\$13.51
Grade 3	\$13.76	\$14.03	\$14.32
6 Washer	note 1	note 1	note 1
7 Semiskilled worker			
Grade 1	\$13.40	\$13.67	\$13.94
Grade 2	\$14.55	\$14.84	\$15.13
Grade 3	\$15.69	\$16.00	\$16.32
8 Pump attendant	note 1	note 1	note 1
9 Service attendant			
Grade 1	\$12.47	\$12.84	\$13.28
Grade 2	\$13.06	\$13.32	\$13.58
Grade 3	\$13.83	\$14.11	\$14.39
Grade 4	\$14.64	\$14.93	\$15.23
Grade 5	\$15.38	\$15.69	\$16.00

Note 1: The minimum wage rate not provided for the trades of messenger, washer and pump attendant corresponds to the rate of the minimum wage payable to an employee, in accordance with section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3), increased by \$0.25 per hour as of the date of adjustment of the minimum wage rate.”

2. Section 12.01 is amended by replacing “31 December 2018” by “[insert the date that occurs 36 months after the date of coming into force of this Decree]” and by replacing “June 2018” and “June”, respectively, by “[insert the month and year that precedes by 6 months the date that occurs 36 months after the date of coming into force of this Decree]” and “[insert the month that precedes by 6 months the date that occurs 36 months after the date of coming into force of this Decree]”, with the necessary modifications.

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

103858

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Motorcycles and mopeds — Sound emission control

Notice is hereby given, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 212 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), that the Regulation respecting the sound emission control produced by the exhaust system of motorcycles and mopeds, appearing below, may be made by the Government on the expiry of 15 days following this publication.

The draft Regulation is proposed following amendments made to the Highway Safety Code (chapter C-24.2) by the Act to amend the Highway Safety Code and other provisions, assented to on 18 April 2018. The draft Regulation sets the maximum sound emission values that may be produced by a motorcycle’s or moped’s exhaust system and prescribes the measurement methods and technical standards of sound level meters and other instruments used to measure them.

Further information may be obtained by contacting Alexandre Guay, engineer, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, E-4-34, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone : 418 528-3080; fax : 418 643-0828; email : alexandre.guay@saaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 15-day period to François Fortin, Directeur général de l’expertise légale et de la sécurité des véhicules, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, E-4-34, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6. The comments will be sent by the Société to the Minister of Transport.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting the sound emission control produced by the exhaust system of motorcycles and mopeds

(chapter C-24.2, ss. 484.1, 484.2, 484.3 and 621, 1st par., subpars. 27.1 and 27.2; 2018, chapter 7, s. 126 and s. 164, par. 3)

CHAPTER I DEFINITIONS

1. In this Regulation,

“constant speed motor” means the engine speed where the rotational speed of the engine is maintained at a set value during measurement; (*moteur à vitesse constante*)

“dBA” (decibel on the A-frequency weighting network) means the value of the overall noise level measured on the A-frequency weighting network established in accordance with the standards and methods prescribed in publication No. 179 (second edition, 1973) of the Central Office of the International Electrotechnical Commission; (*dBA*)

“engine speed” or “rotational speed of the engine” means the rotational speed of the engine expressed in revolutions per minute (RPM); (*régime moteur*) (*vitesse de rotation du moteur*)

“idle speed” means the engine speed established where the engine is started and the throttle is not activated; (*moteur au ralenti*)

“series of measurements” means a set of measurements taken with the same sound level meter, on the same premises, on the same day, by the same peace officers and in similar conditions; that set of measurements may concern a number of motorcycles and mopeds; (*série de mesures*)

“variable speed motor” means the engine speed where the rotational speed of the engine is increased progressively to a final value predetermined during measurement. (*moteur à vitesse variable*)

CHAPTER II MAXIMUM SOUND EMISSION VALUES

2. The sound emission values that may be produced by a motorcycle’s or moped’s exhaust system above which no owner of the vehicle may drive the vehicle or allow it to be driven are determined according to the classes of road vehicles and measurement methods used, as indicated in the table below :

Classes of road vehicles and measurement methods	Values measured in dBA (decibels on the A-frequency weighting network)	
motorcycle	methods where the engine rotates at a constant or variable speed	100
	method where the engine is idle	92
moped	methods where the engine rotates at a constant or variable speed	90
	method where the engine is idle	82

CHAPTER III MEASUREMENT METHODS

3. The measurement of sound emissions produced by a motorcycle’s or moped’s exhaust system is carried out while the vehicle is stationary and the engine is started and by applying the method where the engine rotates at a constant speed.

If it is impossible to maintain the rotational speed of the engine as indicated in paragraph 4 of section 4, the measurement is carried out by applying the method where the engine rotates at a variable speed.

If it is impossible to increase the rotational speed of the engine as indicated in paragraph 5 of section 4, the measurement is carried out by applying the method where the engine is idle.

CHAPTER IV PROCEDURE FOR THE MEASUREMENT

4. When required to do so by a peace officer, the driver of a motorcycle or moped must help in measuring the sound emissions produced by the exhaust system of the driver’s vehicle by performing the following :

(1) in the case of a motorcycle with a transmission having a neutral position,

(a) sit on the vehicle’s seat;

(b) put the transmission in the neutral position;

(c) ensure the stability of the vehicle in the upright position;

(2) in the case of a motorcycle with an automatic transmission having no neutral position and a moped,

- (a) let the vehicle rest on its centre stand;
 - (b) ensure the stability of the vehicle in the upright position;
 - (c) lift the back wheel from the ground so that it can turn freely;
 - (d) straddle the vehicle without sitting on it or, if the driver is unable to do so, stand beside the vehicle on the opposite side from where the measurement is carried out;
- (3) in the case where the vehicle has a control system that may affect the sound emissions of the exhaust system, adjust the system in the position giving the maximum noise;

(4) where the measurement method where the engine rotates at a constant speed is applied, activate the throttle of the vehicle in order to reach and maintain for at least 2 seconds the rotational speed of the engine to the value determined in section 6;

(5) where the measurement method where the engine rotates at a variable speed is applied, activate the throttle of the vehicle in order to increase progressively for at least 2 seconds the rotational speed of the engine from the idle engine speed, to the value determined in section 6;

(6) where the measurement method where the engine is idle is applied, let the engine of the vehicle idle.

5. Where the measurement method with the engine at a constant speed or the measurement method with the engine at a variable speed is applied, the rotational speed of the engine must be verified with an external tachometer that complies with the requirements described in paragraph 3 of section 9. If it is impossible to use an external tachometer, in particular because the environment or configuration of the vehicle does not allow it, the tachometer of the vehicle may be used.

6. For the purposes of paragraphs 4 and 5 of section 4, the value of the rotational speed of the engine to be reached is determined as follows:

(1) the rotational speed of the engine of a motorcycle with a transmission having a neutral position is, according to the number of cylinders:

Values expressed in revolutions per minute (RPM) according to the number of cylinders of the engine

1, 2 or 6 cylinders	2,500 (± 250)
3 or 4 cylinders	5,000 (± 250)

(2) the rotational speed of the engine of a motorcycle with an automatic transmission having no neutral position and a moped is, according to the class of road vehicle:

Values expressed in revolutions per minute (RPM) according to the class of road vehicle

motorcycle	4,000 (± 250)
moped	5,000 (± 250)

7. The measurement of sound emissions produced by a motorcycle's or moped's exhaust system is carried out using a sound level meter that complies with the requirements described in paragraph 1 of section 9.

8. The calibration of the sound level meter used to measure sound emissions produced by a motorcycle's or moped's exhaust system must be verified using a sound calibrator that complies with the requirements described in paragraph 2 of section 9 immediately before and after a series of measurements and, in the case where a series of measurements lasts more than 1 hour, it must also be verified so that not more than 1 hour has elapsed since the last verification.

CHAPTER V SOUND LEVEL METERS AND OTHER MEASURING INSTRUMENTS TO BE USED

DIVISION I TECHNICAL STANDARDS

9. Sound emissions produced by a motorcycle's or moped's exhaust system are measured using the following instruments:

(1) a class 1 sound level meter that complies with IEC Standard 61672-1: 2002 published by the International Electrotechnical Commission or a type 1 or type 2 sound level meter that complies with the requirements of ANSI Standard S1.4-1983 (R2006) (including amendment S1.4a-1985) published by the American National Standards Institute, having the A-frequency weighting and F-time weighting and having the capacity to memorize the maximum value of sound emissions happening during measurement;

(2) a class 1 sound calibrator that complies with IEC Standard 60942: 2003 published by the International Electrotechnical Commission or a class 1 sound calibrator that complies with the requirements of ANSI Standard S1.40-2006 published by the American National Standards Institute, allowing to calibrate the sound level meter. A pistonphone or the internal device of a sound level meter may not be used to calibrate a sound level meter;

(3) an external tachometer allowing measurement of the rotational speed of the engine having a precision of more or less 3% and equipped with a mechanical, electromagnetic or acoustic sensor.

DIVISION II

VERIFICATION OF THE PROPER FUNCTIONING OF SOUND LEVEL METERS AND SOUND CALIBRATORS

10. The proper functioning of the sound level meters and sound calibrators described in Division I of this Chapter must be verified by a laboratory performing traceable calibrations at the intervals determined by the manufacturer. Failing the indication by the manufacturer of such verification, the proper functioning of those instruments must be verified as follows :

(1) for a sound level meter, in the 24 months preceding its last use;

(2) for a sound calibrator, in the 12 months preceding its last use.

CHAPTER VI

FINAL

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

103857

Index

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

	Page	Comments
Automotive services industry – Drummond and Mauricie (An Act respecting collective agreement decrees, chapter D-2)	453	Draft
Bus Transportation (Transport Act, chapter T-12)	451	M
Collective agreement decrees, An Act respecting . . . — Automotive services industry – Drummond and Mauricie (chapter D-2)	453	Draft
Highway Safety Code — Motorcycles and mopeds — Sound emission control produced by the exhaust system. (chapter C-24.2)	454	Draft
Motorcycles and mopeds — Sound emission control produced by the exhaust system. (Highway Safety Code, chapter C-24.2)	454	Draft
Transport Act — Bus Transportation. (chapter T-12)	451	M

