

Gazette
officielle
DU Québec

Part

2

No. 29

15 July 2020

Laws and Regulations

Volume 152

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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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

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CQLR, c. C-8.1.1, r. 1

Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (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) regulations made by courts of justice and quasi-judicial tribunals;
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\$1.21 per agate line.

A minimum rate of \$265 is applied, however, in the case of a publication of fewer than 220 agate lines.

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PROVINCE OF QUÉBEC

1ST SESSION

42ND LEGISLATURE

QUÉBEC, 12 JUNE 2020

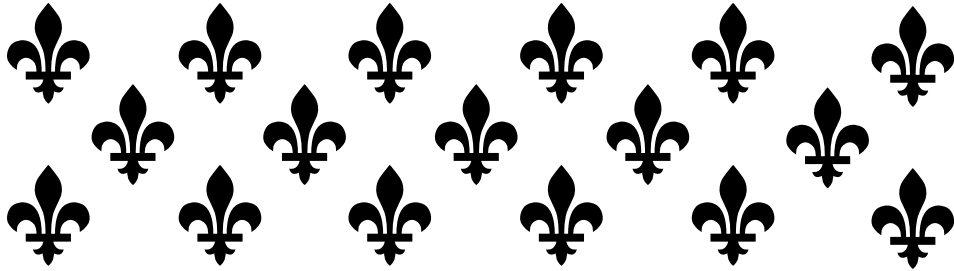
OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 12 June 2020*

This day, at five past three o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to assent to the following bills:

55 An Act to amend the Civil Code, in particular to make civil actions for sexual aggression, violence suffered during childhood and spousal violence imprescriptible

63 Appropriation Act No. 3, 2020–2021

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 55
(2020, chapter 13)

An Act to amend the Civil Code, in particular to make civil actions for sexual aggression, violence suffered during childhood and spousal violence imprescriptible

**Introduced 4 June 2020
Passed in principle 5 June 2020
Passed 12 June 2020
Assented to 12 June 2020**

**Québec Official Publisher
2020**

EXPLANATORY NOTES

Under this Act, actions for damages for bodily injury resulting from an act which could constitute a criminal offence are made imprescriptible if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse.

The Act, however, provides that an action for damages for bodily injury resulting from an act which could constitute a criminal offence directed against an heir, a legatee by particular title or a successor of the author of the act or against the liquidator of the author's succession, must, under pain of forfeiture, be instituted within three years after the author's death, unless the defendant is sued for the defendant's own fault or as a principal. Likewise, an action brought for injury suffered by the victim must be instituted within three years after the victim's death.

The Act establishes certain rules concerning apologies, including that an apology may not constitute an admission.

Lastly, the Act contains transitional measures. In particular, it provides, for a period of three years, that an action which is thus imprescriptible and which was dismissed in the past solely on the grounds of prescription being acquired may be reinstated before a court.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec.

Bill 55

AN ACT TO AMEND THE CIVIL CODE, IN PARTICULAR TO MAKE CIVIL ACTIONS FOR SEXUAL AGGRESSION, VIOLENCE SUFFERED DURING CHILDHOOD AND SPOUSAL VIOLENCE IMPRESCRIPTIBLE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. The Civil Code of Québec is amended by inserting the following article after article 2853:

“2853.1. An apology may not constitute an admission.

Furthermore, it may not be admitted into evidence, affect the determination of fault or liability, interrupt prescription or cancel or reduce the insurance coverage to which the insured or a third person is entitled.

Any express or implied expression of sympathy or regret constitutes an apology.”

2. Article 2926.1 of the Code is amended

(1) by replacing “However, the prescriptive period is 30 years” in the first paragraph by “Nevertheless, such an action cannot be prescribed”;

(2) by replacing the second paragraph by the following paragraph:

“However, an action against an heir, a legatee by particular title or a successor of the author of the act or against the liquidator of the author’s succession must, under pain of forfeiture, be instituted within three years after the author’s death, unless the defendant is sued for the defendant’s own fault or as a principal. Likewise, an action brought for injury suffered by the victim must, under pain of forfeiture, be instituted within three years after the victim’s death.”

3. Article 2930 of the Code is amended by replacing “of less than 3 years, 10 years or 30 years, as the case may be, cannot affect a prescriptive period provided for in this Book” by “that is less than that provided for in this Book, cannot defeat a prescriptive period provided for in this Book”.

TRANSITIONAL AND FINAL PROVISIONS

4. Article 2926.1 of the Civil Code, amended by section 2, applies to all actions for damages for bodily injury resulting from an act which could constitute a criminal offence if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse, regardless of any prescriptive period applicable before the coming into force of this Act.

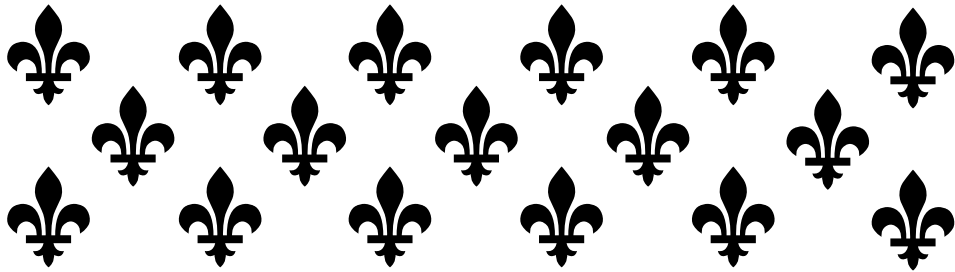
5. An action that was dismissed before 12 June 2020 solely on the grounds of prescription being acquired may be reinstated before a court within three years after that date if

(1) the action is an action for damages for bodily injury resulting from an act which could constitute a criminal offence;

(2) the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse; and

(3) the action is not prescribed under the second paragraph of article 2926.1 of the Civil Code, as amended by section 2, on the date on which it is reinstated.

6. This Act comes into force on 12 June 2020.



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 63
(2020, chapter 14)

Appropriation Act No. 3, 2020–2021

**Introduced 26 May 2020
Passed in principle 26 May 2020
Passed 26 May 2020
Assented to 12 June 2020**

**Québec Official Publisher
2020**

EXPLANATORY NOTES

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2020–2021 fiscal year, a sum not exceeding \$32,783,657,917.00, including \$225,400,000.00 for the payment of expenditures chargeable to the 2021–2022 fiscal year; representing the appropriations to be voted for each of the portfolio programs, less the appropriations already authorized.

Moreover, the Act indicates which programs are covered by a net voted appropriation. It also determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the balance of the expenditure and investment forecasts for the special funds for the 2020–2021 fiscal year, and the excess special fund expenditures and investments for the 2018–2019 fiscal year.

Bill 63

APPROPRIATION ACT NO. 3, 2020–2021

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$32,783,657,917.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2020–2021 fiscal year, for which provision has not otherwise been made, including an amount of \$225,400,000.00 for the payment of expenditures chargeable to the 2021–2022 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2, less the amounts totalling \$36,069,239,483.00 of the appropriations voted pursuant to the Appropriation Act No. 1, 2020–2021 (2020, chapter 3) and to the Appropriation Act No. 2, 2020–2021 (2020, chapter 9) and the appropriations provided by the special warrant No. 1-2020–2021, issued on 8 April 2020.

2. In the case of programs for which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation for the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with the net voted appropriation exceed revenue forecasts.

3. The Conseil du trésor may authorize the transfer between programs or portfolios of the portion of an appropriation for which provision has been made to that end, for the purposes of and, where applicable, according to the conditions described in the Expenditure Budget.

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, insofar as such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10%, excluding, where applicable, the portion of the appropriation for which provision has been made.

4. The balance of the expenditure and investment forecasts for the special funds listed in Schedule 3 is approved for the 2020–2021 fiscal year.

5. The excess special fund expenditures and investments for the 2018–2019 fiscal year listed in Schedule 4 are approved.

6. This Act comes into force on 12 June 2020.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 1

Support for Departmental Activities	29,742,650.00
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PROGRAM 2

Municipal Infrastructure Modernization	209,101,900.00
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PROGRAM 4

Development of the Regions and Territories	126,640,700.00
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PROGRAM 5

Promotion and Development of Greater Montréal	8,546,100.00
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PROGRAM 6

Commission municipale du Québec	6,015,250.00
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PROGRAM 7

Housing	416,533,550.00
	<hr/>
	796,580,150.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	137,437,850.00
---	----------------

PROGRAM 2

Government Bodies	218,584,150.00
	<hr/>
	356,022,000.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Support for the Conseil du trésor	51,449,000.00
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PROGRAM 2

Support for Government Operations	122,148,700.00
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PROGRAM 3

Commission de la fonction publique	2,955,350.00
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PROGRAM 4

Retirement and Insurance Plans	2,222,250.00
--------------------------------	--------------

PROGRAM 5

Contingency Fund	1,054,698,100.00
	<hr/>
	1,233,473,400.00

CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	379,200.00
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PROGRAM 2

Support Services for the Premier and the Conseil exécutif	50,469,850.00
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PROGRAM 3

Canadian Relations	7,532,500.00
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PROGRAM 4

Indigenous Affairs	130,801,850.00
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PROGRAM 5

Youth	26,820,300.00
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PROGRAM 6

Access to Information and Reform of Democratic Institutions	5,088,750.00
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	221,092,450.00
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CULTURE ET COMMUNICATIONS**PROGRAM 1**

Management, Administration and Mission Support	32,959,350.00
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PROGRAM 2

Support and Development of Culture, Communications and Heritage	385,042,835.00
	<hr/>
	418,002,185.00

ÉCONOMIE ET INNOVATION

PROGRAM 1

Management and Administration	16,234,550.00
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PROGRAM 2

Economic Development	167,398,300.00
----------------------	----------------

PROGRAM 3

Development of Science, Research and Innovation	110,139,750.00
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PROGRAM 4

Economic Development Fund Interventions	136,774,050.00
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PROGRAM 5

Research and Innovation Bodies	11,621,900.00
--------------------------------	---------------

	442,168,550.00
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ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1	
Administration	132,610,600.00
PROGRAM 2	
Support for Organizations	63,357,000.00
PROGRAM 3	
Financial Assistance for Education	487,358,450.00
PROGRAM 4	
Preschool, Primary and Secondary Education	5,583,479,550.00
PROGRAM 5	
Higher Education	3,109,712,500.00
PROGRAM 6	
Development of Recreation and Sports	45,162,700.00
PROGRAM 8	
School Taxes – Fiscal Balancing Subsidy	636,244,250.00
PROGRAM 9	
Status of Women	12,163,300.00
	<hr/>
	10,070,088,350.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	64,896,750.00
	<hr/> 64,896,750.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

PROGRAM 1

Environmental Protection	144,585,750.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	3,000,400.00
	<hr/>
	147,586,150.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	28,140,500.00
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PROGRAM 2

Assistance Measures for Families	56,301,700.00
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PROGRAM 3

Childcare Services	1,166,476,538.00
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PROGRAM 4

Public Curator	33,751,500.00
----------------	---------------

	1,284,670,238.00
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FINANCES

PROGRAM 1

Management and Administration	16,354,700.00
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PROGRAM 2

Economic, Taxation, Budgetary and Financial Activities	27,152,350.00
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PROGRAM 3

Contributions, Bank Service Fees and Provisions for Transferring Appropriations	47,860,350.00
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	91,367,400.00
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FORÊTS, FAUNE ET PARCS

PROGRAM 1

Management and Administration	4,288,300.00
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PROGRAM 2

Management of Forest Resources	121,704,050.00
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PROGRAM 3

Management of Wildlife Resources and Parks	74,591,850.00
---	---------------

	200,584,200.00
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IMMIGRATION, FRANCISATION ET INTÉGRATION

PROGRAM 1

Management and Support for Departmental Activities	23,842,850.00
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PROGRAM 2

Immigration, Francization and Integration	249,846,850.00
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PROGRAM 3

French Language	21,242,200.00
	<hr/>
	294,931,900.00

JUSTICE

PROGRAM 1

Administration of Justice	184,643,050.00
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PROGRAM 2

Judicial Activity	18,973,100.00
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PROGRAM 3

Administrative Justice	4,642,700.00
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PROGRAM 5

Other Bodies Reporting to the Minister	85,852,700.00
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PROGRAM 6

Criminal and Penal Prosecutions	89,681,750.00
---------------------------------	---------------

	383,793,300.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	9,202,450.00
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PROGRAM 2

The Auditor General	16,153,400.00
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PROGRAM 4

The Lobbyists Commissioner	3,175,050.00
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	28,530,900.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

Management and Administration	9,885,400.00
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PROGRAM 2

International Affairs	49,600,450.00
-----------------------	---------------

	59,485,850.00
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SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	90,551,100.00
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PROGRAM 2

Services to the Public	13,142,773,500.00
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PROGRAM 3

Office des personnes handicapées du Québec	7,029,750.00
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PROGRAM 5

Status of Seniors	17,227,000.00
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	13,257,581,350.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1	
Management and Administration	39,807,150.00
PROGRAM 2	
Services of the Sûreté du Québec	190,958,250.00
PROGRAM 3	
Management of the Correctional System	263,106,600.00
PROGRAM 4	
Security and Prevention	66,163,300.00
PROGRAM 5	
Scientific and Forensic Expertise	11,366,800.00
PROGRAM 6	
Management and Oversight	26,455,400.00
PROGRAM 7	
Promotion and Development of the Capitale-Nationale	19,144,100.00
	<hr/>
	617,001,600.00

TOURISME

PROGRAM 1

Management, Administration and Program Management	8,154,300.00
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PROGRAM 2

Tourism Development	23,158,300.00
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PROGRAM 3

Bodies Reporting to the Minister	50,726,650.00
	<hr/>
	82,039,250.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	570,525,650.00
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PROGRAM 2

Administration and Corporate Services	31,854,800.00
	<hr/>
	602,380,450.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Governance, Administration and Client Services	266,753,344.00
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PROGRAM 2

Financial Assistance Measures	1,456,895,450.00
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PROGRAM 3

Employment Assistance Measures	407,732,700.00
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	2,131,381,494.00
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	32,783,657,917.00
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SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2021–2022 FISCAL YEAR

FAMILLE

PROGRAM 3

Childcare Services	225,400,000.00	
	<hr/>	
	225,400,000.00	
		<hr/>
		225,400,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

REGIONS AND RURALITY FUND

Expenditure Forecast	<u>130,582,700.00</u>
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SUBTOTAL

Expenditure Forecast	130,582,700.00
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CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE
FUND

Expenditure Forecast	2,562,200.00
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QUÉBEC CULTURAL HERITAGE
FUND

Expenditure Forecast	<u>15,815,000.00</u>
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SUBTOTAL

Expenditure Forecast	18,377,200.00
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ÉCONOMIE ET INNOVATION

NATURAL RESOURCES AND
ENERGY CAPITAL FUND

Expenditure Forecast	85,500.00
Investment Forecast	247,847,500.00

ECONOMIC DEVELOPMENT
FUND

Expenditure Forecast	213,614,550.00
Investment Forecast	323,679,500.00

QUÉBEC ENTERPRISE
GROWTH FUND

Expenditure Forecast	75,000.00
Investment Forecast	50,000,000.00

SUBTOTALS

Expenditure Forecast	213,775,050.00
Investment Forecast	621,527,000.00

ÉDUCATION ET ENSEIGNEMENT SUPÉRIEUR

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure Forecast	46,543,550.00
Investment Forecast	71,499,950.00

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure Forecast	<u>12,500,000.00</u>
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SUBTOTALS

Expenditure Forecast	59,043,550.00
Investment Forecast	71,499,950.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure Forecast	20,933,150.00
Investment Forecast	300,000.00

ENERGY TRANSITION FUND

Expenditure Forecast	645,800.00
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TERRITORIAL INFORMATION
FUND

Expenditure Forecast	58,951,100.00
Investment Forecast	27,865,600.00

SUBTOTALS

Expenditure Forecast	80,530,050.00
Investment Forecast	28,165,600.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

FUND FOR THE PROTECTION OF
THE ENVIRONMENT AND
THE WATERS IN THE DOMAIN
OF THE STATE

Expenditure Forecast	18,329,750.00
Investment Forecast	100,000.00

GREEN FUND

Expenditure Forecast	569,401,200.00
Investment Forecast	1,646,000.00

SUBTOTALS

Expenditure Forecast	587,730,950.00
Investment Forecast	1,746,000.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure Forecast	<u>1,114,796,988.00</u>
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SUBTOTAL

Expenditure Forecast	1,114,796,988.00
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FINANCES

FINANCING FUND

Expenditure Forecast	1,394,800.00
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CANNABIS SALES
REVENUE FUND

Expenditure Forecast	49,125,350.00
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NORTHERN PLAN FUND

Expenditure Forecast	49,938,800.00
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FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Expenditure Forecast	1,873,850.00
Investment Forecast	7,039,000.00

TAX ADMINISTRATION FUND

Expenditure Forecast	<u>512,382,900.00</u>
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SUBTOTALS

Expenditure Forecast	614,715,700.00
Investment Forecast	7,039,000.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT COMPONENT

Expenditure Forecast	232,450,650.00
Investment Forecast	9,124,950.00
	<hr/>

SUBTOTALS

Expenditure Forecast	232,450,650.00
Investment Forecast	9,124,950.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure Forecast	9,927,400.00
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CRIME VICTIMS
ASSISTANCE FUND

Expenditure Forecast	17,175,100.00
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REGISTER FUND OF
THE MINISTÈRE DE LA JUSTICE

Expenditure Forecast	29,732,700.00
Investment Forecast	1,628,500.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure Forecast	23,214,100.00
Investment Forecast	1,023,850.00

PUBLIC CONTRACTS FUND

Expenditure Forecast	3,850.00
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SUBTOTALS

Expenditure Forecast	80,053,150.00
Investment Forecast	2,652,350.00

SANTÉ ET SERVICES SOCIAUX

CANNABIS PREVENTION AND
RESEARCH FUND

Expenditure Forecast	36,350,000.00
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CAREGIVER SUPPORT FUND

Expenditure Forecast	8,990,000.00
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HEALTH AND SOCIAL
SERVICES INFORMATION
RESOURCES FUND

Expenditure Forecast	160,263,250.00
Investment Forecast	56,870,800.00

SUBTOTALS

Expenditure Forecast	205,603,250.00
Investment Forecast	56,870,800.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure Forecast	358,997,000.00
Investment Forecast	8,682,900.00
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SUBTOTALS

Expenditure Forecast	358,997,000.00
Investment Forecast	8,682,900.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure Forecast	97,356,900.00
Investment Forecast	597,000.00
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SUBTOTALS

Expenditure Forecast	97,356,900.00
Investment Forecast	597,000.00

TRANSPORTS

AIR SERVICE FUND

Expenditure Forecast	38,918,750.00
Investment Forecast	4,350,000.00

ROLLING STOCK
MANAGEMENT FUND

Expenditure Forecast	67,289,950.00
Investment Forecast	27,607,050.00

HIGHWAY SAFETY FUND

Expenditure Forecast	22,662,200.00
Investment Forecast	98,750.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure Forecast	2,370,738,750.00
Investment Forecast	1,136,202,050.00

SUBTOTALS

Expenditure Forecast	2,499,609,650.00
Investment Forecast	1,168,257,850.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR INDEPENDENT COMMUNITY ACTION

Expenditure Forecast	11,130,340.00
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LABOUR MARKET DEVELOPMENT FUND

Expenditure Forecast	634,932,650.00
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GOODS AND SERVICES FUND

Expenditure Forecast	60,893,950.00
Investment Forecast	1,397,000.00

INFORMATION TECHNOLOGY FUND OF THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE

Expenditure Forecast	10,970,800.00
Investment Forecast	10,200,000.00

ADMINISTRATIVE LABOUR TRIBUNAL FUND

Expenditure Forecast	40,323,200.00
Investment Forecast	1,470,000.00

FONDS QUÉBÉCOIS D'INITIATIVES SOCIALES

Expenditure Forecast	4,252,050.00
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SUBTOTALS

Expenditure Forecast	762,502,990.00
Investment Forecast	13,067,000.00

TOTALS

Expenditure Forecast	7,056,125,778.00
Investment Forecast	1,989,230,400.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2018–2019 FISCAL YEAR

ÉCONOMIE ET INNOVATION

NATURAL RESOURCES AND
ENERGY CAPITAL FUND

Expenditure excess	206,531,500.00
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ECONOMIC DEVELOPMENT
FUND

Investment excess	251,032,500.00
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SUBTOTALS

Expenditure excess	206,531,500.00
Investment excess	251,032,500.00

ÉNERGIE ET RESSOURCES NATURELLES

TERRITORIAL INFORMATION
FUND

Investment excess	9,212,200.00
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SUBTOTAL

Investment excess	9,212,200.00
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FINANCES

NORTHERN PLAN FUND

Expenditure excess	<u>49,381,500.00</u>
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SUBTOTAL

Expenditure excess	49,381,500.00
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FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT COMPONENT

Expenditure excess	<u>64,170,500.00</u>
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SUBTOTAL

Expenditure excess	64,170,500.00
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SANTÉ ET SERVICES SOCIAUX

HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES FUND

Investment excess	30,098,200.00
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SUBTOTAL

Investment excess	30,098,200.00
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SÉCURITÉ PUBLIQUE

CAPITALE-NATIONALE
REGION FUND

Expenditure excess	5,300,000.00
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POLICE SERVICES FUND

Expenditure excess	<u>27,776,100.00</u>
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SUBTOTAL

Expenditure excess	33,076,100.00
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TOURISME

TOURISM PARTNERSHIP
FUND

Expenditure excess	6,241,900.00
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SUBTOTAL

Expenditure excess	6,241,900.00
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TRANSPORTS

ROLLING STOCK
MANAGEMENT FUND

Expenditure excess	2,292,700.00
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LAND TRANSPORTATION
NETWORK FUND

Expenditure excess	227,048,400.00
Investment excess	203,541,000.00

SUBTOTALS

Expenditure excess	229,341,100.00
Investment excess	203,541,000.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT COMMUNITY
ACTION

Expenditure excess	1,192,600.00
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FONDS QUÉBÉCOIS
D'INITIATIVES SOCIALES

Expenditure excess	<u>4,970,900.00</u>
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SUBTOTAL

Expenditure excess	<u>6,163,500.00</u>
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TOTALS

Expenditure excess	594,906,100.00
Investment excess	493,883,900.00

Regulations and other Acts

Gouvernement du Québec

O.C. 714-2020, 30 June 2020

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

Building materials industry —Amendment

Decree to amend the Decree respecting the building materials industry

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the building materials industry (chapter D-2, r. 13);

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 apply to an application for amendment;

WHEREAS, under the first paragraph of section 4 of the Act, the contracting parties have addressed to the Minister of Labour, Employment and Social Solidarity an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the building materials industry was published in Part 2 of the *Gazette officielle du Québec* of 19 February 2020 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the building materials industry, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the building materials industry

An Act respecting collective agreement decrees
(chapter D-2, ss. 2, 4, 6 and 6.1)

1. The Decree respecting the building materials industry (chapter D-2, r. 13) is amended by replacing section 16.01 by the following:

“**16.01.** Employees receive at least the following hourly rates for each job classification indicated below and for the wage scale applicable thereto:

Classification	As of 15 July 2020	As of 1 May 2021
1. Cutter all categories (sawer)	\$29.42	\$30.30
Wage scale:		
0 to 12 months	\$17.69	\$18.22
12 to 24 months	\$20.60	\$21.22
24 to 36 months	\$25.02	\$25.77
36 to 48 months	\$27.23	\$28.05

Classification	As of 15 July 2020	As of 1 May 2021
2. Polisher all categories	\$29.42	\$30.30
Wage scale:		
0 to 12 months	\$17.69	\$18.22
12 to 24 months	\$20.60	\$21.22
24 to 36 months	\$25.02	\$25.77
36 to 48 months	\$27.23	\$28.05
3. Terrazzo cutter (granite)	\$29.42	\$30.30
Wage scale:		
0 to 12 months	\$17.69	\$18.22
12 to 24 months	\$20.60	\$21.22
24 to 36 months	\$25.02	\$25.77
36 to 48 months	\$27.23	\$28.05
4. CNC Operator	\$29.42	\$30.30
Wage scale:		
0 to 12 months	\$17.69	\$18.22
12 to 24 months	\$20.60	\$21.22
24 to 36 months	\$25.02	\$25.77
36 to 48 months	\$27.23	\$28.05
5. Shop labourer	\$19.01	\$19.58

”.

2. Section 18.01 is amended by adding the following paragraph at the end:

“Despite the foregoing, following an agreement between the employer and the employee, hours performed in addition to the standard workday, without exceeding a 40-hour workweek, may be replaced by a paid leave equivalent to the hours performed.”.

3. Section 18.03 is amended by striking out “Saturdays and”.

4. The following is added after section 18.03:

“**18.04.** Despite sections 17.01 and 18.01 to 18.03 and in accordance with section 53 of the Act respecting labour standards (chapter N-1.1), an employer and an employee may agree in writing to schedule working hours over a period of 35 weeks, from 1 March to 31 October.

If the average number of hours performed weekly during that period is more than 40 hours, the employer must pay the excess hours in overtime hours in accordance with sections 18.01 and 18.03.”.

5. Section 20.04.1 is revoked.

6. Section 23.02 is amended

(1) by replacing “1 day” and “4 additional days” in the first paragraph by “2 days” and “3 additional days” respectively;

(2) by revoking the third paragraph.

7. Section 23.04 is amended

(1) by striking out “if the employee has 60 days of continuous service to his credit” in the first paragraph;

(2) by revoking the fourth paragraph.

8. Section 29.01 is amended by replacing “2018” and “2017” by “2022” and “2021” respectively.

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

104522

Gouvernement du Québec

O.C. 715-2020, 30 June 2020

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

Hairdressers – Outaouais — Repeal

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting hairdressers in the Outaouais region (chapter D-2, r. 4);

WHEREAS, under the second paragraph of section 8 of the Act respecting collective agreement decrees, the Government may, after consulting with the contracting parties or the committee, and after publication of a notice as provided for in section 5, repeal a decree;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to revoke the Decree respecting hairdressers in the Outaouais region was published in Part 2 of the *Gazette officielle du Québec* of 11 March 2020 and in a French language newspaper and an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to revoke the Decree respecting hairdressers in the Outaouais region, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to revoke the Decree respecting hairdressers in the Outaouais region

An Act respecting collective agreement decrees (chapter D-2, s. 8, 2nd par.)

- 1.** The Decree respecting hairdressers in the Outaouais region (chapter D-2, r. 4) is revoked.
- 2.** This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

104523

Gouvernement du Québec

O.C. 758-2020, 8 July 2020

Mining Act
(chapter M-13.1)

Date of transmission of the report of extraction and alienation of surface mineral substances covering the term of 1 April 2020 to 30 June 2020

Regulation respecting the date of transmission of the report of extraction and alienation of surface mineral substances covering the term of 1 April 2020 to 30 June 2020

WHEREAS, under paragraph 14.1 of section 306 of the Mining Act (chapter M-13.1), the Government may, by regulation, fix the dates on which the report referred to in section 155 of the Act must be transmitted to the Minister and prescribe the cases in which the Minister may, in accordance with the second paragraph of that section, allow one yearly report or require the holder of a non-exclusive lease to mine surface mineral substances to transmit monthly reports;

WHEREAS the Government made the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);

WHEREAS, in the context of the COVID-19 pandemic, it is expedient to postpone to 15 October 2020 the date prescribed by the Regulation for the transmission of the report of extraction and alienation of surface mineral substances referred to in section 155 of the Mining Act covering the term of 1 April 2020 to 30 June 2020;

WHEREAS, under paragraph 1 of 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 urgency of the situation requires it;

WHEREAS, under subparagraph 1 of the first paragraph of 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 urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reasons justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and the coming into force on the date of its publication of the Regulation respecting the date of transmission of the report of extraction and alienation of surface mineral substances covering the term of 1 April 2020 to 30 June 2020:

— the making of the Regulation is necessary to allow the holders of leases to mine surface mineral substances to continue their activities, to ensure the availability of and quick access to the resource, to prevent the lease holders from being in default under the Mining Act and the Regulation respecting mineral substances other than petroleum, natural gas and brine, and to avoid additional costs for holders of leases to meet their obligations where the default is not necessarily attributable to them;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources:

THAT the Regulation respecting the date of transmission of the report of extraction and alienation of surface mineral substances covering the term of 1 April 2020 to 30 June 2020, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the date of transmission of the report of extraction and alienation of surface mineral substances covering the term of 1 april 2020 to 30 june 2020

Mining Act
(chapter M-13.1, s. 306, par. 14.1)

1. Despite the provisions of subparagraph 1 of the first paragraph of section 59 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2), the report of extraction and alienation of surface mineral substances referred to in section 155 of the Mining Act (chapter M-13.1) covering the term of 1 April 2020 to 30 June 2020 must be sent to the Minister not later than 15 October 2020.

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

Draft Regulations

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Licences

— Amendment

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

The draft Regulation tightens the conditions for obtaining a driver's licence authorizing the driving of a motorcycle. It provides that persons who apply for a learner's licence authorizing the driving of a motorcycle must comply with the conditions related to their driving record.

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

Further information on the draft Regulation may be obtained by contacting Marlène Gagné, Direction de la recherche et du développement en sécurité routière, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-5328; fax: 418 646-1003; email: marlene.gagne@saaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Dave Leclerc, Secretary General, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-9, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6. The comments will be forwarded by the Société to the Minister of Transport.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, par. 6)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended in section 8.1 by adding the following paragraph at the end:

“To obtain that licence, a person must:

(1) if he holds a class 1, 2, 3, 4A, 4B, 4C or 5 probationary licence or driver's licence, have fewer than 4 demerit points in his file and not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years;

(2) if he does not hold a class 1, 2, 3, 4A, 4B, 4C or 5 probationary licence or driver's licence, not have demerit points in his file and not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years.”

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

104521

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Licences

— 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 licences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides, for the holder of a class 1, 2 or 3 learner's licence, assistance conditions different than those set out in the first paragraph of section 99 of the Highway Safety Code (chapter C-24.2). It also determines the cases and conditions according to which the holder may be exempt from the assistance conditions set out in that paragraph.

The draft Regulation also adds certain instruction programs to the conditions for obtaining a class 2 or 3 driver's licence.

The draft Regulation, by facilitating access to the driving of heavy vehicles for certain holders of learner's licences, offers new recruitment possibilities to enterprises that transport goods and persons.

Further information on the draft Regulation may be obtained by contacting Ann Paquet, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-4584; email: ann.paquet@saaq.gouv.qc.ca.

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

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, pars. 6 and 6.5)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended by inserting the following after section 13:

“CHAPTER III.1 EXCEPTIONS TO SECTION 99 OF THE CODE

13.1. As part of the Programme enrichi d'accès à la conduite de véhicules lourds described in section 13.3, the holder of a class 1, 2 or 3 learner's licence may, when accompanied by a person who is seated in another vehicle, drive a road vehicle appropriate to the class of his licence, if

(1) he has with him the class 5 probationary licence of which he is the holder;

(2) he has with him the attestation issued by the Société in accordance with the second paragraph; and

(3) the supervisor is able to provide assistance and advice, has held for at least 2 years a valid driver's licence of the class appropriate to the driving of the vehicle, and is a teacher authorized by a driving school that offers the Programme enrichi d'accès à la conduite de véhicules lourds.

The Société issues an attestation to the holder of a class 1, 2 or 3 learner's licence where

(1) he is enrolled in the Programme enrichi d'accès à la conduite de véhicules lourds; and

(2) he has passed the proficiency examinations of the Société.

The attestation is valid from the date of issue and remains valid for as long as the condition provided for in subparagraph 1 of the second paragraph is met.

13.2. As part of the Programme enrichi d'accès à la conduite de véhicules lourds described in section 13.3, the holder of a class 1, 2 or 3 learner's licence may, without being accompanied, drive a road vehicle appropriate to the class of his licence, if

(1) he has with him the class 5 probationary licence of which he is the holder; and

(2) he has with him the attestation issued by the Société in accordance with the second paragraph.

The Société issues an attestation to the holder of a class 1, 2 or 3 learner's licence where

(1) he is enrolled in the Programme enrichi d'accès à la conduite de véhicules lourds;

(2) he has successfully completed all the stages prior to going on the road without assistance of the Programme enrichi d'accès à la conduite de véhicules lourds;

(3) he undergoes a training period as a learner driver in an enterprise that entered into an agreement with a driving school that offers the Programme enrichi d'accès à la conduite de véhicules lourds and that is registered in the Registre des propriétaires et des exploitants de véhicules lourds with a “satisfactory” safety rating under the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);

(4) he is 18 years of age or older; and

(5) he has passed the proficiency examinations of the Société.

The attestation is valid from the date of issue and remains valid for as long as the conditions provided for in subparagraphs 1 and 3 of the second paragraph are met.

The holder of a learner's licence who drives a road vehicle in accordance to this section may only engage in transportation as part of a training period in an enterprise identified on the attestation issued by the Société and only use a vehicle owned by that enterprise. In addition, he may not engage in any of the following transportations:

(1) transportations involving dangerous substances as defined in the Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43), when safety placards must be displayed on the road vehicle he drives in accordance with Division IV of that Regulation;

(2) transportations of a vehicle requiring the issue of a permit provided for in the Regulation respecting special permits (chapter C-24.2, r. 35), the Special Road Train Operating Permits Regulation (chapter C-24.2, r. 36) or section 633 of the Highway Safety Code (chapter C-24.2);

(3) transportations outside the territory of Québec.

13.3. The Programme enrichi d'accès à la conduite de véhicules lourds is a program offered by a heavy vehicle driving school under the Centre de services scolaires des Premières-Seigneuries or the Centre de services scolaires de la Rivière-du-Nord.

The enriched program includes:

(1) one of the following programs:

(a) to obtain a class 1 driver's licence, the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport;

(b) to obtain a class 2 driver's licence, the instruction program for the driving of buses leading to a secondary school vocational attestation awarded by the Ministère de l'Éducation, du Loisir et du Sport;

(c) to obtain a class 3 driver's licence, the instruction program for the driving of straight trucks offered by the driving school;

(2) a training period as learner driver of the class appropriate to his licence in an enterprise that entered into an agreement with the driving school and that is to last until the person has completed 24 months as the holder of a class 5 probationary licence.

To be admitted in the enriched program, a person must

(1) hold a class 5 probationary licence;

(2) meet the conditions of eligibility of the relevant instruction program mentioned in subparagraph 1 of the second paragraph;

(3) not have demerit points entered in his driver's record;

(4) not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code (chapter C-24.2) or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years; and

(5) have produced a report of his medical examination or evaluation in accordance with section 73 of the Highway Safety Code."

2. Section 44 is amended by adding the following subparagraphs after subparagraph *b* of paragraph 1:

"(c) be enrolled in the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport and have successfully completed all the compulsory sections in the program required prior to road driving without a supervisor;

(d) be enrolled in the instruction program for the driving of straight trucks offered in a heavy vehicle driving school under the Centre de services scolaires des Premières-Seigneuries or the Centre de services scolaires de la Rivière-du-Nord and have successfully completed all the compulsory parts prior to the on-road examination of the program;"

3. Section 45 is amended by adding the following after subparagraph *c* of subparagraph 1 of the first paragraph:

"(d) have successfully completed the instruction program for the driving of buses leading to the secondary school vocational attestation of the Ministère de l'Éducation, du Loisir et du Sport;"

4. Sections 13.1 and 13.2, made by section 1 of this Regulation, apply, with the necessary modifications, to the person admitted before 8 April 2020 in the Programme enrichi d'accès à la conduite de véhicules lourds in accordance with the Ministerial Order concerning access to the driving of heavy vehicles (chapter C-24.2, r. 0.1.1).

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

104527

Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1)

Measures related to supplemental pension plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting measures related to supplemental pension plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides temporary measures that are mainly intended to reduce the effects of the economic slowdown on employers and administrators and of the stock market context on pension funds.

It provides conditions so that the temporary cessation of benefits accrued under a defined benefit plan or a defined contribution plan does not constitute termination of active membership.

Special measures are also provided for in respect of defined benefit pension plans. For that purpose, an actuarial valuation will not be required as at 31 December 2020 under a private-sector pension plan whose funding level as at 31 December 2019 is less than 90%. In addition, for the purpose of paying the benefits of members and beneficiaries as of 17 April 2020 to 31 December 2020 under any defined benefit plan, a degree of solvency established monthly based on the estimate of the financial position of the plan should be used. The last degree of solvency estimated in 2020 for payments made in 2021 should also be used.

Lastly, the draft Regulation extends by three months the time periods provided for in the Supplemental Pension Plans Act (chapter R-15.1) that expire after 12 March 2020, but before 1 January 2021, for an administrator to send certain prescribed documents to Retraite Québec and to send annual statements and invitations to members and beneficiaries to attend the annual meeting.

The measures provided for in the draft Regulation apply as of the date of its prior publication in the *Gazette officielle du Québec*, except those concerning the payment of benefits that apply as of 17 April 2020 and the extension of the periods that apply as of 13 March 2020.

The draft Regulation has no major financial impact on enterprises, including small and medium-sized businesses. The proposed modifications in respect of active membership are intended to accommodate enterprises that want to temporarily reduce their financial obligations under a pension plan. In addition, the elimination of the requirement of an actuarial valuation as at 31 December 2020 under a defined benefit plan with a funding level less than 90% makes it possible to avoid additional costs for enterprises. The extension of periods does not entail additional costs for enterprises that pay the administration costs of a pension plan. Despite the foregoing, using the most recent degree of solvency could, if they are borne by the employer, increase those costs and the amounts that employers are required to pay into the pension fund for payment of residual benefits.

Further information may be obtained by contacting Geneviève Couture, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3; telephone: 418 657-8714, extension 4268; fax: 418 643-7421; email: genevieve.couture@retraitequebec.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Michel Després, President and Chief Executive Officer, Retraite Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Those comments will be forwarded by Retraite Québec to the Minister of Finance, responsible for the administration of the Supplemental Pension Plans Act.

ERIC GIRARD,
Minister of Finance

Regulation respecting measures related to supplemental pension plans to reduce the consequences of the public health emergency declared on 13 March 2020 due to the COVID-19 pandemic

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

DIVISION I DEFINED BENEFIT PENSION PLANS

1. This Division applies to a pension plan to which Chapter X or Chapter X.2 of the Supplemental Pension Plans Act (chapter R-15.1) applies and to a pension plan to which a regulation made under section 2 of the Act applies.

2. Despite section 36 of the Act, the temporary cessation of accrued benefits does not terminate active membership under the following conditions:

(1) it may only apply to the service that is subsequent to 14 July 2020;

(2) it must begin in 2020 and end, subject to tax requirements, not later than within 12 months after the date on which benefits cease to be accrued.

For the purposes of subparagraph 2 of the first paragraph, where a plan is subject to more than one period of temporary cessation of accrued benefits, the 12-month period applies as of the date on which the first period begins where benefits cease to be accrued.

3. Despite the first paragraph of section 120 of the Act and despite the last paragraph of section 119 of the Act as it read on 31 December 2009 under the first paragraph of section 64.1 of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7), where the purpose of an amendment is to terminate the required current service contributions, those contributions cease to be paid as of the date on which the amendment becomes effective.

4. Despite the second paragraph of section 118 of the Act, an actuarial valuation as at 31 December 2020 is not required for a pension plan whose funding level determined in the actuarial valuation as at 31 December 2019 is less than 90%.

The notice referred to in the first paragraph of section 119.1 on the financial position of the plan as at 31 December 2020 must be sent to Retraite Québec, not later than nine months after that date.

In addition, the pension plan must be subject to an actuarial valuation not later than on 31 December 2021.

5. For the purpose of paying benefits after 16 April 2020, but prior to 1 January 2021, the degree of solvency to be used pursuant to the third paragraph of section 143 or the first paragraph of section 146.20 of the Act is the one established by an actuary based on the the financial position of the plan estimated on the last working day of the month that precedes the date on which the value of benefits is established. Despite the foregoing, if the date on which the value is established is prior to 1 April 2020, the degree of solvency must be determined based on the financial position of the plan estimated at 31 March 2020.

For an estimate of the financial position of the plan, in particular the actual rate of return of the pension fund or, if the rate is unknown, the estimated rate of return of the

pension fund, changes in interest rates determined on a solvency basis and contributions paid under the plan since the last complete actuarial valuation of the plan must be taken into account.

In addition, for a payment made after 31 December 2020, the last degree of solvency estimated in 2020 must be used until a more recent degree is established:

(1) in a report on an actuarial valuation sent to Retraite Québec; or

(2) in the notice referred to in section 119.1 of the Act sent to Retraite Québec.

6. Section 5 applies for the purpose of establishing the value of a member's benefits in the assignment of a member's benefits or the seizure of such benefits for non-payment of support referred to in section 146.22 of the Act.

7. The periods provided for in the following provisions of the Act that expire after 12 March 2020 but before 1 January 2021, are extended by three months:

(1) the nine-month period provided for in section 112, to send to each member and beneficiary a summary of the provisions of the pension plan that were amended during the last fiscal year and a brief description of the rights and obligations arising therefrom and the annual statement;

(2) the nine-month period provided for in subparagraph 1 of the first paragraph of section 119, to send to Retraite Québec a report on an actuarial valuation covered by subparagraph 2, 4 or 5 of the first paragraph or the second paragraph of section 118;

(3) the four-month period provided for in subparagraph 1.1 of the first paragraph of section 119, to send to Retraite Québec a report on an actuarial valuation referred to in subparagraph 3 of the first paragraph of section 118;

(4) the time fixed by Retraite Québec, which must be at least 60 days, provided for in subparagraph 2 of the first paragraph of section 119, to send to Retraite Québec an actuarial valuation referred to in subparagraph 6 of the first paragraph of section 118, until such time;

(5) the nine-month period provided for in the second paragraph of section 119, to send to Retraite Québec an actuarial valuation that is not referred to in section 118;

(6) the nine-month period provided for in the first paragraph of section 119.1, to send to Retraite Québec a notice on the financial position of the plan;

(7) the six-month period provided for in section 146.16, to send to Retraite Québec a report on an actuarial valuation of a negotiated contribution plan;

(8) the 18-month period provided for in section 146.28, to send to Retraite Québec the recovery plan of a negotiated contribution plan;

(9) the 24-month period provided for in the first paragraph of section 146.37, to file with Retraite Québec an application for the registration of amendments covered by the recovery plan of a negotiated contribution plan;

(10) the six-month period provided for in section 161, to send to Retraite Québec an annual statement and cause to be prepared a financial report of the plan;

(11) the nine-month period provided for in the first paragraph of section 166, to call each member and beneficiary and the employer to attend an annual meeting;

(12) the 90-day period provided for in section 207.2, to send to Retraite Québec a termination report.

Every period prescribed by the Act as it read on 31 December 2009 under the first paragraph of section 64.1 of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7) and every period prescribed by a regulation made under section 2 of the Act, that expires after 12 March 2020 but before 1 January 2021, and that concerns one of the obligations described in the first paragraph, with the necessary modifications, is also extended by three months.

DIVISION II DEFINED CONTRIBUTION PLAN

8. This Division applies to a defined contribution plan to which the Supplemental Pension Plans Act applies and a defined contribution plan to which a regulation made under section 2 of the Act applies.

This Division also applies to defined contribution provisions set out in a plan referred to in Division I.

9. Section 2 applies to the temporary cessation of benefits accrued under a plan referred to in section 8.

10. Contributions cease to be required as of the date on which the amendment becomes effective for that purpose or a notice intended to temporarily cease the accrual of benefits covered by a regulation made under section 2 of the Act becomes effective.

11. The periods provided for in the following provisions of the Act that expire after 12 March 2020 but before 1 January 2021, are extended by three months:

(1) the nine-month period provided for in section 112, to send to each member and beneficiary a summary of the provisions of the pension plan that were amended during the last fiscal year and a brief description of the rights and obligations arising therefrom and the annual statement;

(2) the six-month period provided for in section 161, to send to Retraite Québec an annual statement and cause to be prepared a financial report of the plan;

(3) the nine-month period provided for in the first paragraph of section 166, to call each member and beneficiary and the employer to attend an annual meeting;

(4) the 90-day period provided for in section 207.2, to send to Retraite Québec a termination report.

Every period prescribed by a regulation made under section 2 of the Act, that expires after 12 March 2020 but before 1 January 2021, and that concerns one of the obligations described in the first paragraph, with the necessary modifications, is also extended by three months.

12. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. Despite the foregoing, it has effect from 15 July 2020, except sections 5 and 6 that apply from 17 April 2020 and sections 7 and 11 that apply from 13 March 2020.

104519

Draft Regulation

An Act respecting remunerated passenger transportation by automobile
(chapter T-11.2)

Highway Safety Code
(chapter C-24.2)

Financial Administration Act
(chapter A-6.001)

Remunerated passenger transportation by automobile

Notice is hereby given, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), that the Regulation respecting remunerated passenger transportation by automobile, appearing below, may be made by the Government on the expiry of 20 days following this publication.

The main purpose of the draft Regulation is to provide for the application of the Act respecting remunerated passenger transportation by automobile. It contains rules in addition to those set out in the Act for the authorization applications submitted for drivers, automobiles and transportation systems, and for registration as a dispatcher.

For drivers, the draft Regulation specifies the content of certain documents referred to in the Act, such as the driver's permit, the certificate of no judicial record and the judicial record list. It also sets the conditions that must be met for the authorization of an automobile and the situations that lead to cancellation of the authorization.

The draft Regulation specifies the contents of various registers and reports that must be kept or filed by an operator or dispatcher under the Act, and creates new registers and reports. It also sets the fees payable for obtaining or maintaining authorization as an operator, and for obtaining or maintaining registration as a dispatcher.

The terms and conditions for an application for the cancellation of authorization for a transportation system are specified, along with the information that must appear in the register of operators kept by the Commission des transports du Québec. Certain obligations are created for registered dispatchers.

The draft Regulation sets out various rules for the use of a qualified automobile, including rules on the accessories that must be installed on cars, pre-departure inspections, taximeters, the expenses that can be collected in addition to the fare for the trip, receipts, notices of defect with respect to an automobile, and compulsory mechanical inspections of automobiles. It also sets the conditions for recognition as a certified mechanic within the meaning of the Act respecting remunerated passenger transportation by automobile.

The conditions that an automobile used to transport disabled persons must meet to be an adapted automobile within the meaning of the Act are specified by the draft Regulation, as well as the maximum financial contribution for transportation that is exempted pursuant to the Act.

The draft Regulation sets minimum service standards for taxi services and rules governing the domelight with which a taxi must be equipped.

The draft Regulation sets out rules for the recovery of amounts payable pursuant to the Act and the rules for the collection of dues. It contains penal sanctions and monetary administrative penalties for offences under a provision of the Regulation.

Lastly, the draft Regulation contains various transitional rules to ensure a harmonious transition between the Act respecting transportation services by taxi (chapter S-6.01) and the Act respecting remunerated passenger transportation by automobile.

More specifically, the transitional provisions concern the validity of taxi driver's permits and taxi owner's permits until their replacement, recognition of training completed under the previous rules, and the issue of a temporary accessory.

The draft Regulation covers several types of enterprises, that is, qualified drivers, qualified automobile owners, operators and registered dispatchers, and associated enterprises such as mechanical workshops and enterprises that market taximeters or those that wish to develop geolocation applications. The economic impact of the draft Regulation on most of those enterprises is low and adapted to the size of the enterprises, considering the flexibility regarding the means to be used to comply with the various requirements. Enterprises that market geolocation devices recognized by the Minister and those designated as recipients of the geolocation data are exceptions and the cost of the regulatory requirements on the protection of information will be important for those enterprises.

Further information on the draft Regulation may be obtained by contacting Marie-Ève Lancup, Direction du conseil et du soutien aux partenaires, Direction générale du transport terrestre des personnes, Ministère des Transports; telephone: 418 646-0700, extension 22213; email: Marie-Eve.Lancup@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to the Minister of Transport at Projet.reglement@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting remunerated passenger transportation by automobile

An Act respecting remunerated passenger transportation by automobile
(chapter T-11.2)

Highway Safety Code
(chapter C-24.2, s. 618, pars. 8.8 and 13, s. 619.1 and s. 621, 1st par., subpars. 28, 29 and 32.1)

Financial Administration Act
(chapter A-6.001, s. 83.8)

CHAPTER I AUTHORIZED DRIVERS

DIVISION I AUTHORIZATION OF DRIVERS

1. In addition to the information required by section 12 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), applicants must indicate, in their authorization application, the file number of their driver's licence.

2. Authorization applications must be submitted to the Société de l'assurance automobile du Québec, except if the applicant is domiciled in the territory of the urban agglomeration of Montréal, in which case the authorization application must be submitted to Ville de Montréal or a body to which it delegates the powers conferred on the city under the second paragraph of section 212 of the Act.

3. If the fees for obtaining a driver's authorization and the amounts payable under the Highway Safety Code (chapter C-24.2) respecting licences related to the driving of road vehicles paid at the same time to the Société total \$48 or more, the person applying for the authorization may pay the total within 12 months following the issue of the authorization or within the period included between the date of issue and the date of expiry determined in section 9 according to the shortest period, by direct debit on the conditions set in sections 73.6, 73.7, 73.9 and 73.11 of the Regulation respecting licences (chapter C-24.2, r. 34)

(1) by replacing the words "licence holder" wherever they appear in sections 73.6 and 73.11 by the words "authorized driver";

(2) by replacing "A person to whom a driver's licence," in section 73.9 by "A person to whom a driver's authorization,";

(3) by replacing the words "section 73.5" wherever they appear in sections 73.7 and 73.11 by the words "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)";

(4) by replacing "the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code" in paragraph 12 of section 73.11 by "the driver's authorization is revoked".

4. If the fees payable to maintain a driver's authorization and the amounts payable under the Highway Safety Code (chapter C-24.2) respecting licences related to the driving of road vehicles paid at the same time to the Société total \$48 or more, the authorized driver may pay the total within 12 months following the date on which the fees are payable, by direct debit by choosing one of the schedules determined in section 73.7 of the Regulation respecting licences (chapter C-24.2, r. 34), by replacing "section 73.5" in that section by "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)".

An authorized driver who elects to pay by direct debit is subject to the rules set out in sections 73.6 and 73.11 of the Regulation respecting licences by replacing

(1) the words "licence holder" wherever they appear in sections 73.6 and 73.11 by the words "authorized driver";

(2) the words "section 73.5" wherever they appear in sections 73.7 and 73.11 by "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)";

(3) "the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code" in paragraph 12 of section 73.11 by "the driver's authorization is revoked".

DIVISION II DRIVER'S PERMIT

5. An authorized driver's permit is issued as a plastic card containing

(1) the holder's file number and driver's number;

(2) the date on which it comes into effect and the date on which it expires;

(3) the holder's surname and usual given name;

(4) the name and, if any, the logo of the body that issued the permit; and

(5) the logo "Québec remunerated passenger transportation by automobile".

The photograph on the authorized driver's permit must be updated every 2 years, beginning on the date of the driver's birthday that occurs one year after the date on which authorization is granted by the Société.

Despite the first paragraph, a driver's permit that contains the word "temporary" is issued in paper form until a plastic permit is issued.

6. The holder of a driver's permit that is illegible or damaged or that contains erroneous information must apply for its replacement to the body that issued it.

On presentation of proof that a permit is illegible or damaged, has been destroyed, lost or stolen, or contains erroneous information, the body replaces it on payment of a fee.

DIVISION III CERTIFICATE OF NO JUDICIAL RECORD AND JUDICIAL RECORD LIST

7. The certificate of no judicial record and the judicial record list referred to in section 14 of the Act must contain

(1) to identify the person subject to the verification:

- (a) the person's name;
- (b) contact information;
- (c) date of birth;

(2) concerning the verification:

- (a) the name of the police force that conducted the verification;
- (b) the date on which it was conducted;
- (c) the result, that is,

i. an attestation that the data banks available to the police force do not contain information allowing to establish the presence of a finding of guilt, an indictment or a court order; or

ii. the judicial record list including the nature of any finding of guilt, indictment or court order and their date;

(3) to identify the representative of the police force that conducted the verification:

- (a) the representative's name;
- (b) badge number;
- (c) telephone number.

The documents must be signed by the representative of the police force that conducted the verification and indicate the date on which the document was signed.

8. The fees payable for the issue of a certificate of no judicial record or a judicial record list is \$73.80.

9. The obligation in section 64 of the Act applies to a driver beginning on the driver's birthday that occurs at least 1 year after the date on which authorization is granted. The driver may submit either of the documents required during the 3-month period that ends on that date.

DIVISION IV SUSPENSION AND WITHDRAWAL OF DRIVER AUTHORIZATION

10. When authorization is suspended for 6 months or more, the obligation in section 125 of the Act, requiring the driver to return the permit to the body that granted it, applies.

11. The notification to the automobile owner, required by section 126 of the Act if a driver's authorization is suspended or cancelled, may be sent by any means providing proof that notification has been sent.

CHAPTER II AUTHORIZED AUTOMOBILE

12. To be authorized, an automobile must, in addition to meeting the conditions set out in section 20 of the Act,

- (1) be of the sedan or station wagon type;
- (2) have a wheelbase of at least 261 cm or, in the case of an electric automobile, at least 256 cm;
- (3) be equipped by the manufacturer with at least 4 safety belts;
- (4) have a solid roof;
- (5) have no more than 350,000 km on the odometer;
- (6) be less than 10 years old, by model year; and
- (7) have at least 4 side doors.

The following automobiles may also be authorized if they meet the requirements in subparagraphs 2 to 6 of the first paragraph, and if they are equipped by the manufacturer to transport a maximum of 9 persons and if their net weight is under 3,500 kg:

(1) a van with a running board and 3 or 4 side doors, each with its own window; or

(2) a utility vehicle with 3 or 4 side doors and 4 drive wheels or a device allowing full traction.

Despite the second paragraph, an adapted automobile equipped with a wheelchair lift may have a net weight of up to 4,000 kg.

A limousine equipped by the manufacturer to transport a maximum of 9 persons, corresponding to the most luxurious make marketed by its manufacturer at the time, having a wheelbase of more than 280 centimetres and a net weight under 4,000 kg may also be authorized if it meets the requirements in subparagraphs 3 to 7 of the first paragraph.

13. An automobile that has more than 80,000 km on the odometer or that is 4 years old by model year must undergo the mechanical inspection referred to in section 20 of the Act.

The owner of the automobile must include the mechanical inspection certificate with the authorization application.

14. The authorization application must be submitted to the Société, except if the owner of the automobile concerned is domiciled in the territory of the urban agglomeration of Montréal, in which case the authorization application must be submitted to Ville de Montréal or a body to which it delegates the powers conferred on the city under the second paragraph of section 212 of the Act.

The application must be submitted using the form provided by the body with which the application is filed.

15. In addition to the information required by section 22 of the Act, the owner must indicate, in the authorization application,

(1) the vehicle identification number covered by the application;

(2) the file number of the driver's licence held by the owner of the automobile, if the owner is a natural person;

(3) the make, model, and model year of the automobile;

(4) the business number and file number at the Société, if the owner of the automobile is a partnership or legal person registered in the enterprise register;

(5) the fact that the owner holds a bus transport permit issued by the Commission des transports du Québec for the automobile covered by the application; and

(6) the fact that the automobile is equipped with a taximeter, domelight, alcohol ignition interlock device, real-time geolocation device or divider screen, or is adapted.

16. The owner of an authorized automobile must notify the body that granted the authorization, when the fees payable to maintain the authorization are paid, of any change concerning the information provided in the authorization application, except the kilometrage on the odometer.

17. For the purposes of the first paragraph of section 101 of the Act, the fees payable and the insurance contribution payable to maintain an authorization for an automobile must be paid every year, on the due date of the amounts payable to retain the right to drive the automobile determined in the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) pursuant to section 31.1 of the Highway Safety Code (chapter C-24.2). The fees may be paid during the 3-month period ending on that date.

Despite the first paragraph, if, when authorization is granted, no more than 3 months remain before the due date referred to in the first paragraph, the due date for the payment of the fees and insurance contribution is postponed for 12 months.

18. If the fees and the insurance contribution for obtaining an authorization related to an automobile and the amounts payable under the Highway Safety Code (chapter C-24.2) to retain the right to drive a registered road vehicle paid to the Société at the same time total \$48 or more, the person applying for the authorization may pay the total amount within 12 months following the date on which the authorization is issued or within the period included between the date of issue and the due date determined in section 17 according to the shortest period, by direct debit on the conditions set in sections 25.1, 25.2, 25.4 and 25.7 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) by replacing

(1) "road vehicle" in paragraph 2 of section 25.1 by "authorized automobile";

(2) "road vehicle" in paragraph 3 of section 25.1 by "authorized automobile";

(3) by replacing “the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation, the debit transactions continue to be made unless the owner informs the Société” in paragraph 13 of section 25.7 by “the authorization related to the automobile is revoked, the debit transactions continue to be made unless the owner of the automobile informs the Société”.

19. If the fees and the insurance contribution payable to maintain an authorization related to an automobile and the amounts payable under the Highway Safety Code (chapter C-24.2) to retain the right to drive a registered road vehicle paid to the Société at the same time total \$48 or more, the owner of the authorized automobile may pay the total amount within 12 months following the date on which the fees and insurance contribution are payable, by direct debit by choosing one of the schedules determined in section 25.2 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

A licence holder who elects to pay by direct debit is subject to the conditions set out in sections 25.1 and 25.7 of the Regulation respecting road vehicle registration by replacing

(1) “road vehicle” in paragraph 2 of section 25.1 by “authorized automobile”;

(2) “road vehicle” in paragraph 3 of section 25.1 by “authorized automobile”;

(3) “the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation, the debit transactions continue to be made unless the owner informs the Société” in paragraph 13 of section 25.7 by “the authorization related to the automobile is revoked, the debit transactions continue to be made unless the owner of the automobile informs the Société”.

20. The owner of an authorized automobile must apply to replace any document certifying that the automobile is authorized that was issued to the owner and that has become illegible, is damaged or contains erroneous information, to the body that issued it.

On presentation of proof that the document is illegible or damaged, has been destroyed, lost or stolen, or contains erroneous information, the body replaces it on payment of a fee.

21. Authorization is cancelled by the organization that grants it when an authorized automobile is equipped with an alcohol ignition interlock device accredited by the Société.

CHAPTER III OPERATORS

DIVISION I

AUTHORIZATION OF A TRANSPORTATION SYSTEM

22. In addition to the information required by section 30 of the Act, a legal person that wishes to be the operator of a transportation system must present the following information in its authorization application:

- (1) the method or methods used to establish a fare;
- (2) the portion of the fare retained by the legal person;
- (3) the planned development of the fleet of registered automobiles it intends to deploy over a three-year period;
- (4) the availability of the material resources necessary to deploy a fleet of low-emission automobiles;
- (5) the regional characteristics of the planned service territory that it considers relevant to the target set for the number of low-emission automobiles registered with it;
- (6) its electronic address.

23. In addition to the documents referred to in section 31 of the Act, a legal person that wishes to operate a transportation system must include its non-consolidated financial statements in its authorization application.

If the legal person has not yet completed a fiscal year since beginning its activities, it must include in its application an opening balance sheet and forecasted financial statements for its first year of existence, showing that its financial objectives are based on reasonable and probable hypotheses. The documents must be prepared by a chartered professional accountant.

24. The authorization application must be submitted using the form available on the website of the Commission.

25. The fee charged by the Commission for examining an authorization application from an operator is \$1,500.

The duty payable to obtain an authorization for a transportation system is \$1,500.

DIVISION II

REGISTERS OF A TRANSPORTATION SYSTEM

26. The register kept pursuant to section 52 of the Act must include the following information for each automobile registered in the system:

- (1) the owner's name and contact information;
- (2) the record number entered in the automobile registration certificate;
- (3) the automobile's licence plate number;
- (4) the vehicle identification number;
- (5) the make, model and model year;
- (6) the kilometrage on the odometer when registering the automobile;
- (7) a statement of the presence of a taximeter or domelight;
- (8) a statement that it is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type;
- (9) a statement that compliance with the conditions listed in subparagraph 1 of the first paragraph of section 20 of the Act has been verified;
- (10) the date of registration;
- (11) the date on which the registration is struck off, if applicable.

27. The register kept pursuant to section 52 of the Act must include the following information for each driver registered in the system:

- (1) the driver's name and contact information;
- (2) the number of the driver's record entered on the driver's licence;
- (3) a statement that compliance with the conditions listed in paragraphs 1 to 5 of section 10 of the Act has been verified;
- (4) the date of registration;
- (5) the date on which the registration is struck off, if applicable.

28. The register pertaining to automobiles and drivers kept by the operator of a transportation system must be preserved for as long as the automobile or driver is registered with the operator and for 5 years following the cancellation of registration.

The register kept pursuant to section 52 of the Act must be preserved until the fifth year following the date on which the last entry made in the register is struck out.

29. The operator must keep a register of the trips completed by the drivers to whom the operator provides services for which the fare is calculated in accordance with section 93 of the Act. The register must contain the following information on each trip:

- (1) the date and time of the trip;
- (2) the amount billed to the customer; and
- (3) the amount paid to the driver who completed the trip.

The register, receipts and other supporting documents showing the amount paid to the driver for each trip completed for which the fare is calculated by a technological means in accordance with section 93 of the Act must be kept for 3 years.

30. The registers must be kept in electronic form. They must be available at all times at the operator's establishment in Québec.

The information contained in the register kept by the operator for registered automobiles and registered drivers must be shared with the Société on a daily basis using a technological means agreed on by the Société and the operator.

DIVISION III REPORTS AND MAINTAINING OF TRANSPORTATION SYSTEM AUTHORIZATION

31. The duties payable to maintain an authorization granted for a transportation system are \$1,500. They are payable by the operator on the anniversary of the date on which authorization was granted.

32. The operator of a transportation system must, on the anniversary of the date on which authorization for the system was granted, send to the Commission a report on its activities containing the following information:

- (1) the measures established to ensure compliance with the obligations set out in the second paragraph of section 77 of the Act;
- (2) the updating of its financial structure, if applicable; and
- (3) a list of the registered drivers who, to the best of its knowledge, have been prosecuted for an offence referred to in section 11 of the Act.

33. The operator must provide, with its annual report, a reproduction of its audited non-consolidated financial statements or its non-consolidated financial statements

with a review engagement report for the most recently completed fiscal year along with a copy of any document demonstrating the measures established to ensure compliance with the obligations set out in the second paragraph of section 77 of the Act, in particular any policy sent to its employees and subcontractors, where applicable, along with any undertaking they have signed.

34. The report demonstrating that the target set in section 161 of the Act has been achieved must be submitted on the anniversary of the date on which the authorization was issued to the operator. The report must contain the following information on each of the operator's registered automobiles:

- (1) the vehicle identification number;
- (2) the automobile's licence plate number;
- (3) the make, model and model year;
- (4) a statement that the automobile is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type; and
- (5) the number of days during the period covered by the report when the automobile was registered with the operator.

The report must also indicate the period covered by the report, the operator's identifier as issued by the Commission, and the operator's full contact information.

The report must be consistent with the model provided by the Commission on its website.

35. The operator must, each month, send, by technological means, a report to the Commission presenting the following information for the preceding month concerning each trip requested by a technological means that does not require the intervention of a natural person:

- (1) the date and time when each request was received;
- (2) the transportation mode for the trip, whether exclusive, adapted, or shared;
- (3) the file number entered on the driver's licence of the driver who made the trip;
- (4) the starting date and time;
- (5) the starting point;
- (6) the end date and time;

- (7) the destination;
- (8) the amount billed to the customer;
- (9) the amount paid to the driver;
- (10) with respect to the automobile used for the trip:
 - (a) the licence plate number;
 - (b) the vehicle identification number;
 - (c) the identifier of the automobile's owner;
 - (d) the make, model and model year;
 - (e) the vehicle type (adapted, accessible, limousine, sedan);
 - (f) whether or not it contains a taximeter;
 - (g) whether or not it contains a domelight;
 - (h) whether it is a low-emission automobile within the meaning of section 157 of the Act, or, if not, the automobile's engine type.

The report must specify the month of the report. It must also include the operator's identifier as issued by the Commission and must be consistent with the model provided by the Commission on its website.

36. The transportation system operator must keep for 3 years the information contained in the trip report referred to in the first paragraph of section 35 and make it available to the Société, at its request.

37. The transportation system operator must, every 3 months, send to the Minister of Transport, by a technological means, the following information concerning the trip requests that require the use of an adapted automobile:

- (1) the date and time of such request;
- (2) the date and time when a trip is requested;
- (3) the date and time of the start and end of the trip or an indication of the reason why such a trip did not occur, as the case may be.

Where the trip is requested using a technological means that does not require the intervention of a natural person, the operator must inform the Minister if the means is accessible to persons with a disability such as persons who are hearing impaired, deaf or mute.

DIVISION IV **OPERATOR'S INSURANCE CONTRIBUTION**

38. The operator's insurance contribution is payable monthly, within 30 days after the date of the bill sent by the Société.

DIVISION V **CANCELLATION AT THE OPERATOR'S REQUEST**

39. The Commission may cancel the authorization it has granted to a transportation system if, in addition to the conditions set out in section 137 of the Act, no application for the suspension or cancellation of the authorization under section 134 of the Act is pending and if the operator has notified the owners of the automobiles registered with it.

40. The operator must indicate, in its application, the grounds on which it is requesting cancellation by the Commission of authorization for the transportation system and the date on which the registered drivers ceased to offer remunerated transportation through the system. The operator must include, with the application, a copy of the notice sent to the drivers and owners of automobiles registered with it informing them that it is ceasing its activities.

The application for cancellation must be made using the form available on the Commission's website. The person completing the form must attest to the truthfulness of the information it contains.

DIVISION VI **REGISTER OF OPERATORS**

41. In addition to the information required by section 41 of the Act, the register of transportation system operators established by the Commission contains the following information:

(1) a statement that the operator has met the conditions set out in section 38 and can operate the transportation systems or a statement that the conditions have not been met and that the operator cannot operate the system;

(2) a list of the accessories used to identify an automobile as being part of the transportation system operated by the operator;

(3) the number of automobiles equipped with a taximeter, among the automobiles registered with the operator; and

(4) the target number of low-emission automobiles fixed for the operator by the Commission.

42. The operator of a transportation system must send, to the Commission, two specimens of each accessory it intends to provide to the owners of registered automobiles to identify them as being part of the system.

CHAPTER IV **DISPATCHER**

DIVISION I **REGISTRATION OF A DISPATCHER**

43. A dispatcher required to register with the Commission in accordance with section 85 of the Act must include the following information with its declaration:

(1) its name, the name it uses in Québec if different, its electronic address, the address of the dispatcher's head office and, if its head office is not in Québec, the address of its establishment in Québec;

(2) the boundaries of the territory served by the dispatch services provided; and

(3) its Québec business number, if it is an enterprise subject to registration pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(4) the planned growth of the authorized fleet of automobiles it intends to deploy over a 3-year period;

(5) the availability of the material resources necessary to deploy a fleet of low-emission automobiles; and

(6) the regional characteristics of the territory served by the dispatch services provided that it considers relevant to the target set for the number of low-emission automobiles registered with it.

44. The registration declaration must be made using the form available on the website of the Commission.

45. The dispatcher must pay fees of \$1,000 when registering with the Commission.

DIVISION II **OBLIGATIONS OF DISPATCHER**

46. A registered dispatcher must inform the Commission in writing when it becomes aware that a driver to whom it provides services has been prosecuted for an offence referred to in section 11 of the Act.

47. The registered dispatcher must, each year, on the anniversary of the date of its registration, pay fees of \$500 to maintain its registration.

48. For the purposes of section 88 of the Act, the interval at which a registered dispatcher must obtain from a driver to whom it provides services a reproduction of the document certifying that the automobile he or she uses to offer remunerated passenger transportation is authorized is 1 month after the time when the fees to maintain that authorization are payable in accordance with section 17.

The reproduction of the permit of any driver to whom the registered dispatcher provides services must be obtained within 6 months from the time when the driver must send to the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, either his or her certificate of no judicial record or his or her judicial record list in accordance with section 64 of the Act.

49. A registered dispatcher must keep a register of the trips made by the drivers to whom it provides services for which the fare is calculated in accordance with section 93 of the Act. The register must contain the following information for each trip:

- (1) the date and time of the trip;
- (2) the amount billed to the customer; and
- (3) the amount paid to the driver who completed the trip.

The register, receipts and other supporting documents showing the amount paid to the driver for each trip completed for which the fare is calculated by a technological means in accordance with section 93 of the Act must be kept for 3 years.

The register must be kept in electronic form. It must be available at all times at the dispatcher's establishment in Québec.

50. The report demonstrating that the target set in section 161 of the Act has been achieved must be sent on the anniversary of the date of the dispatcher's registration. The report must contain the following information on each automobile used by the drivers to whom the registered dispatcher provides services:

- (1) the vehicle identification number;
- (2) the licence plate number;
- (3) the make, model and model year;
- (4) a statement that the automobile is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type; and

(5) the number of days during the period covered by the report when the automobile was part of the fleet available to the registered dispatcher.

The report must also indicate the period covered by the report, the dispatcher's identifier as issued by the Commission, and the dispatcher's full contact information.

The report must be consistent with the model provided by the Commission on its website.

51. The registered dispatcher must, each month, send, by a technological means, a report to the Commission presenting the following information for the preceding month concerning each trip requested by a technological means that does not require the intervention of a natural person:

- (1) the date and time when each trip request was received;
- (2) the transportation mode for the trip, whether exclusive, adapted, or shared;
- (3) the file number entered on the driver's licence of the driver who made the trip;
- (4) the starting date and time;
- (5) the starting point;
- (6) the end date and time;
- (7) the destination;
- (8) the amount billed to the customer;
- (9) the amount paid to the driver;
- (10) with respect to the automobile used for the trip:
 - (a) the licence plate number;
 - (b) the vehicle identification number;
 - (c) the identifier of the automobile's owner;
 - (d) the make, model and model year;
 - (e) the vehicle type (adapted, accessible, limousine, sedan);
 - (f) whether or not it contains a taximeter;
 - (g) whether or not it contains a domelight;

(h) whether it is a low-emission automobile within the meaning of section 157 of the Act, or, if not, the automobile's engine type.

The report must specify the month of the report. It must also include the dispatcher's identifier as issued by the Commission and must be consistent with the model provided by the Commission on its website.

52. The registered dispatcher must keep for 3 years the information contained in the trip report referred to in the first paragraph of section 51 and make it available to the Société, at its request.

53. A registered dispatcher must, every 3 months, send to the Minister of Transport, by a technological means, the following information concerning trip requests that require the use of an adapted automobile:

- (1) the date and time of such request;
- (2) the date and time when the trip is requested;
- (3) the date and time of the start and end of the trip or an indication of the reason why such a trip did not occur, as the case may be.

Where the trip is requested using a technological means that does not require the intervention of a natural person, the dispatcher must inform the Minister if the means is accessible to persons with a disability such as persons who are hearing impaired, deaf or mute.

CHAPTER V PROVISIONS GOVERNING THE USE OF A QUALIFIED AUTOMOBILE

DIVISION I ACCESSORY

54. The accessory that makes it possible to identify whether the automobile is being used to offer the remunerated passenger transportation mentioned in the second paragraph of section 26 and subparagraph 2 of the first paragraph of section 51 of the Act must be consistent with the model in Schedule I.

55. The owner of a qualified automobile must request the replacement of the accessory that was issued to the owner and that is illegible, damaged or that contains erroneous information.

On presentation of proof that the accessory is illegible or damaged, was destroyed, lost or stolen or contains incorrect information, the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, replaces the accessory on payment of fees.

56. The accessory provided by the operator to identify a registered automobile as being part of a transportation system must be affixed to the automobile, in the lower right corner of the rear window, in a way that does not impair the visibility of the accessory showing that the automobile is used to offer remunerated passenger transportation.

It can only be affixed to the automobile when it is being used to offer remunerated passenger transportation.

The design of the accessory and the materials of which it is made must allow it to be installed in accordance with the first paragraph.

DIVISION II GEOLOCATION DEVICE

57. For the purposes of section 21 of the Act, the data that a geolocation device must transmit, in addition to those required by that section, are as follows:

- (1) the file number entered on the driver's licence of the driver of the automobile at the time of the transmission;
- (2) the time stamp in universal time (UTC) and ISO 8601 format;
- (3) the speed and azimuth of the automobile.

58. The data listed in section 21 of the Act are transmitted as follows:

- (1) requests about the device are submitted via HyperText Transfer Protocol Secure (HTTPS);
- (2) the incoming and outgoing format for the REST-type application programming interface (API) is: JavaScript Object Notation (JSON);
- (3) they are presented in the model in Schedule II.

59. A person wishing to obtain recognition from the Minister for a geolocation device is responsible for applying for recognition to the Minister.

The application must include, in addition to the applicant's name and contact information,

- (1) a description of the device and its operation; and
- (2) a description of the way in which it is attached to the automobile.

60. An application for recognition for a geolocation device must include

(1) a report from an independent expert certifying that the device complies with section 21 of the Act;

(2) an undertaking by the applicant, firstly to guarantee that the device will comply with those provisions and secondly to notify the Minister without delay of any system failure and any harm to its integrity; and

(3) fees of \$500 for the examination of the application.

61. A person who has obtained recognition for a geolocation device from the Minister must, every 5 years, send to the Minister the report including a declaration from an independent expert certifying compliance of the device to section 21 of the Act.

Where applicable, the report must state any device failure and any harm to its integrity that occurred during the 5-year period provided for in the first paragraph, and measures taken to remedy either situation.

62. A person wishing to be designated by the Minister as a recipient referred to in section 72 of the Act is responsible for applying to the Minister for designation.

The application must include the name and contact information of the applicant, grounds for which the data the person is asking for are necessary for the person, and the boundaries of the territory for which the person requires the data.

63. A recipient's application for designation must include

(1) an undertaking from the applicant, firstly to guarantee that the data transmitted will be suitably protected at all times, and secondly to notify the Minister without delay of any failure that may harm the integrity of the protection;

(2) a report from an independent expert certifying that the applicant is able to comply with the provisions of the Act and this Regulation with respect to protection of the data transmitted and the guarantee given under paragraph 1; and

(3) fees of \$1,500 for the examination of the application.

64. The recipient designated by the Minister must, every 5 years, send to the Minister the report including a declaration from an independent expert certifying that the applicant is able to comply with the provisions of the Act and this Regulation with respect to protection of the data transmitted.

The report must state the use of the data and measures taken to ensure data protection. Where applicable, the report must state the failures that, during the period covered, harmed the integrity of the protection and the measures taken to remedy the failures.

DIVISION III BASIC INSPECTION

65. During the basic inspection conducted pursuant to section 55 of the Act, a qualified driver must inspect the following:

(1) the brake fluid level, which should never be under the level indicated by the manufacturer or, if not indicated, any more than 10 mm under the filler neck opening;

(2) the parking brake, which must be activated a number of times in order to check whether its cables are operating freely, and its compliance with regard to immobilization of the automobile and the activation of a dashboard indicator that lights up or turns off depending on whether the brake is applied or released;

(3) the automobile's headlights, lights and signals, including in particular low-beam headlights, turn-signal lights, emergency flashers and parking lights, which must be operational and securely fastened in the places provided for by the manufacturer, and their dashboard indicators, which must activate the electrical circuits enabling them to work at the intensity intended by the manufacturer;

(4) the tires, which must not show any wear, cracks, cuts or tears exposing the tire rib or the steel belt, have any bulges or abnormal deformities, or be affected by material or an object stuck in the tread or tire wall, which could cause a flat;

(5) the tire valves, which must not be worn, damaged, scraped or cut and the projecting part of which must be long enough to allow tires to be filled easily and tire pressure to be checked;

(6) the windshield wipers and windshield washer fluid, all of the components of which must be complete, properly adjusted and in good condition to ensure that they work effectively;

(7) the rearview mirror, which must be vertically and horizontally adjustable and remain in the desired position, be an adequate size and securely fastened and not have any sharp edges, the mirror of which should not be broken, cracked, tarnished or dull;

(8) the state of the dashboard indicators;

(9) if the automobile is equipped with a domelight, the fact that it is solidly fixed and operates correctly;

(10) if the automobile is powered exclusively by an electric motor, the battery's state of charge;

(11) in the case of an adapted automobile, the securement devices for a wheelchair, the wheelchair loading ramp or power lift platform must be in good condition to ensure that they work effectively.

66. The basic inspection report must contain the following information:

- (1) the date and time of the inspection;
- (2) the licence plate number of the automobile inspected;
- (3) the number of the accessory affixed to the automobile;
- (4) the name of the qualified driver and, if applicable, the number of the driver's permit of the driver;
- (5) a description of the defects noted during the inspection or a statement of the absence of defect;
- (6) the reason for which any dashboard indicator is lit; and
- (7) the reading from the automobile's odometer;
- (8) a statement that all the elements provided for in section 65 have been inspected.

If the automobile is powered exclusively by an electric motor, the report must indicate the battery's state of charge.

DIVISION IV **TAXIMETER**

67. The taximeter with which a qualified automobile is equipped must include a digital display that lights up when activated and allows customers sitting in the back seat to read the information it displays.

68. The taximeter must show a reading at all times that is in keeping with the rates in effect and may not vary by more than 1% in relation to the rates fixed by the Commission under section 95 of the Act.

The taximeter must, in addition, show a reading that includes the dues payable by the customer for the trip pursuant to section 287 of the Act.

69. The owner of an automobile equipped with a taximeter must ensure that the taximeter is sealed at all times. The holder must have the taximeter inspected and have a new seal affixed by the Commission at the holder's own expense

(1) within 30 days of the effective date of a change in the rate fixed by the Commission;

(2) immediately after the taximeter or taxi transmission is replaced, repaired or altered;

(3) immediately after a change in the size of the tires on the drive wheels of the taxi; and

(4) every 6 months.

70. When the fare for a trip is calculated by taximeter, the qualified driver must start the taximeter at the beginning of the trip and, unless the customer directs otherwise, stop it as soon as the taxi arrives at the destination.

For the purposes of this section, a trip begins when the customer gets into the automobile or when the customer explicitly asks the driver to wait for him or her.

If the taximeter becomes defective during a trip, the qualified driver must agree with the customer on the fare.

71. The owner of a registered automobile must inform the Commission in writing when a taximeter is added or removed.

DIVISION V **EXPENSES AND RECEIPT FOR A TRIP**

72. A qualified driver may require a customer to reimburse the following expenses:

(1) expenses for the driver's meals or accommodation entailed by the trip and agreed upon with the customer prior to departure;

(2) expenses involved in crossing a bridge or using a ferry;

(3) highway toll expenses; and

(4) expenses for the late cancellation of a trip request, provided that the customer has been informed in advance that the expenses may be charged.

73. A receipt must be given to each customer upon request. The receipt must include at least the following information:

- (1) the name of the person giving the receipt;
- (2) the date of the trip; and
- (3) the amount of the fare.

The receipt is given by the qualified driver who completes the trip. However, if the trip is requested by a technological means, the receipt is given by the operator or dispatcher who provides services to the driver who completes the trip.

DIVISION VI DEFECTIVE AUTOMOBILE

74. The notice of defect provided for in section 59 of the Act must be in writing and contain the following information:

- (1) the name of the owner of the automobile concerned by the notice;
- (2) the date of the notice;
- (3) the licence plate number of the automobile concerned by the notice;
- (4) a description of the defect noted; and
- (5) the name of the driver who noted the defect.

The notice must be in a form that provides proof of its transmission.

75. For the purposes of section 60 of the Act, a certified mechanic is a person who

- (1) holds a valid certificate of qualification issued by a parity committee under the Act respecting collective agreement decrees (chapter D-2) certifying that the person is a qualified journeyman mechanic or general road vehicle mechanic;
- (2) holds a vocational studies diploma in road vehicle mechanics and has 2 years' experience in road vehicle mechanism repair; or
- (3) has been employed for the last 5 years in the field of road vehicle mechanism repair, and has, for at least the last 3 years, been fully responsible for the work completed.

DIVISION VII MECHANICAL INSPECTION

76. The owner of a qualified automobile must submit it to the mechanical inspection mentioned in section 73 of the Act when the automobile's odometer reaches a reading of 80,000 km or when the automobile is 4 years old by model year, whichever occurs soonest. If the automobile underwent a mechanical inspection prior to its qualification, it must be submitted to a new mechanical inspection when the odometer reaches a reading 60,000 km higher than at that inspection, or when 12 months have elapsed since the inspection, whichever occurs soonest.

The mechanical inspection must then be repeated after every 60,000 km, as indicated by the odometer, or after 12 months have elapsed since the previous mechanical inspection, whichever occurs soonest.

An automobile over 8 years old, by model year, must also be submitted to a mechanical inspection every six months.

CHAPTER VI ADAPTED TRANSPORTATION

77. In an adapted automobile, all the spaces reserved for a wheelchair must be equipped with a device to secure the wheelchair in a face-forward position in the automobile. Any securement device for a wheelchair must allow for the securement of the wheelchair at 4 anchorage points secured to the floor.

78. The wheelchair loading ramp or power lift platform must provide access on the right side of the adapted automobile.

79. The work to adapt the automobile must be carried out by a person authorized to apply the national safety mark within the meaning of the Motor Vehicle Safety Act (S.C. 1993, c. 16).

80. The adapted automobile must be equipped with an automatic locking and unlocking device that can be activated from the driver's seat.

CHAPTER VII TAXIS

81. For the purposes of the second paragraph of section 144 of the Act, an automobile must be equipped with a taximeter to be presented as a taxi and an enterprise providing passenger transportation by automobile may only use the term "taxi" if it mostly dispatches automobiles equipped with a taximeter.

The first paragraph does not apply in a territory for which the Commission has determined, under subparagraph 2 of the first paragraph of section 138 of the Act, that an automobile is not required to be equipped with a taximeter.

82. A taxi driver may not refuse a trip unless the departure point is situated more than 50 km from the boundaries of the territory the driver serves or the destination of the trip is more than 50 km from the departure point.

83. Taxi drivers must afford clients the courtesy, comfort and safety required by their occupation.

84. Taxi drivers must help a passenger get in or out of the automobile safely if he or she notes that the passenger obviously needs assistance because of age, apparent state of health or a handicap.

85. The domelight with which a taxi is equipped must

- (1) be securely fastened to the roof of the automobile in such a way as to be visible;
- (2) be made of translucent material;
- (3) be equipped with an internal lighting device; and
- (4) allow the taxi to be recognized when it is in service.

The word “TAXI” may appear on the domelight to make it easier for customers wishing to hail an automobile to identify it.

CHAPTER VIII EXEMPTED TRANSPORTATION

86. For the purposes of section 166 of the Act, the total amount of the financial contribution cannot exceed \$0.54 per kilometer travelled during the transportation.

87. For the purposes of section 168 of the Act, the maximum amount paid for transportation offered by a single automobile is calculated by adding together the following amounts:

- (1) an indemnity of \$0.54 per kilometre travelled;
- (2) the parking fees incurred for the trip;
- (3) highway tolls;
- (4) fees for crossing a bridge or using a ferry.

CHAPTER IX COLLECTION OF DUES AND ADMINISTRATION OF DUES COLLECTED

88. Every business operator must, as the Minister’s mandatary, collect, for each trip the fare of which is determined pursuant to Chapter VII of the Act, the dues payable by the customer pursuant to section 287 of the Act when collecting the fare.

The dues must, if applicable, be indicated separately on any invoice, receipt or other document for the trip as well as in the operator’s registers. In addition, the dues must be identified by name, by an abbreviation or by another similar indication. No other statement about the dues may be used.

For the purposes of this chapter, “business operator” means the business operator of a taxi business within the meaning of the Act respecting the Québec sales tax (chapter T-0.1) registered in accordance with section 407 or 407.1 of that Act.

89. Despite section 88, the dues for a trip are collected on behalf of the business operator by the operator or the operator’s service supplier collecting the fare and that have entered into the agreement referred to in section 37 of the Act with the Minister of Finance.

The operator or, as the case may be, the service supplier acting on behalf of an business operator is considered to be, for the purposes of this Chapter, such a business operator.

The operator or, as the case may be, the service supplier is liable, solidarily with the business operator on whose behalf the operator or service supplier acts, for the obligations incumbent on them under this Chapter.

90. Every person who makes a technological means referred to in section 93 of the Act available to the public is required to ensure that the technological means allows a person requesting the trip to be informed of the amount of the dues payable before agreeing to the maximum fare for the trip.

91. Every business operator required to collect dues in accordance with the first paragraph of section 88 must be registered with the Minister.

To register, the business operator must provide to the Minister the following information by using the form available for that purpose on the website of the Ministère des Transports:

(1) its name, the name it uses in Québec if different, its electronic address, the address of its head office and, if its head office is not situated in Québec, the address of its establishment in Québec;

(2) its Québec business number, if it is an enterprise subject to registration pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) as the case may be:

(a) in the case of a qualified driver, the file number entered on the driver's licence;

(b) in the case of the owner of a qualified automobile, the file number entered on the document certifying the authorization of the automobile;

(c) in the case of a transportation system operator, including the operator's service supplier, or a dispatcher, their identifier number with the Commission;

(4) the time when the operator must produce the declaration referred to in the first paragraph of section 92.

92. Every business operator who collects dues in accordance with the first paragraph of section 88 must take into account the dues collected and, for each reporting period, at the time provided for in the sixth paragraph, report to the Minister the dues that the operator has or should have collected during the reporting period using the form in Schedule I, send the form to the Minister and, at the same time, remit the amount of the dues.

For the purposes of the first paragraph, and subject to the third paragraph, the business operator must send to the Minister, by using the form and payment slip available for that purpose on the website of the Ministère des Transports, the following information:

(1) registration number with the Minister;

(2) the reporting period concerned;

(3) for that period:

(a) the number of trips made; where applicable, specify the number of trips for each driver having made trips on behalf of the operator, including the file number entered on the driver's licence;

(b) the amount of the dues owed;

(c) the file number entered on the document certifying the authorization of each automobile used for the trips;

(d) for the operator or the operator's service supplier, the information on the identification of the drivers having made trips and the automobiles used for that purpose.

In the case of an operator or the operator's service supplier referred to in section 89, the information provided for in the second paragraph are sent to the Minister in the same form as that provided for in the agreement to ensure compliance with government requirements regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act.

The business operator must make a report even if no trip giving rise to the dues is made during a given reporting period.

For the purposes of this section, a "reporting period" is

(1) in the case of an operator or the operator's service supplier referred to in section 89, the period provided for in the agreement regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act;

(2) in other case, the operator's reporting period for the purposes of Title I of the Act respecting the Québec sales tax (chapter T-0.1).

For the purposes of this section, the time to report to the Minister the dues is

(1) in the case of an operator or the operator's service supplier referred to in section 89, the time provided for communicating the information in the agreement to ensure compliance with government requirements regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act;

(2) in other case, the time at which the operator must file the return provided for in Division IV of Chapter VIII of Title I of the Québec sales tax (chapter T-0.1).

93. Sections 447 and 449 of the Act respecting the Québec sales tax (chapter T-0.1) apply, with the necessary modifications, when an operator charges to or collects from a customer an amount of dues provided for in section 287 of the Act in excess of the dues that were collectible.

An operator who refunds or credits to a customer the entire fare paid for a trip must also refund or credit the dues collected for the trip.

94. A business operator who collects dues in accordance with the first paragraph of section 88 must, until the dues are remitted to the Minister in accordance with this Regulation, deposit the amount as soon as possible with an authorized deposit institution within the meaning of section 24.1 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) or with a bank.

The business operator must keep an account of the dues collected and interest generated, if any.

95. A business operator who collects dues in accordance with the first paragraph of section 88 is deemed to hold them in trust for the State, separately from the operator's patrimony and the operator's own funds, for remittance to the Minister in accordance with this Regulation.

Where dues that a business operator is deemed, pursuant to the first paragraph, to hold in trust for the State are not remitted to the Minister, an amount equal to the amount of dues collected is deemed, from the time the dues are collected, to be held in trust for the State, separately from the business operator's patrimony and the operator's own funds, and to form a separate fund not forming part of the operator's property, whether or not the amount has in fact been held separately from the operator's patrimony or own funds.

96. A business operator who fails to collect dues as the mandatary of the Minister in accordance with this Regulation becomes the debtor of the State for the amount of the dues.

97. A business operator who collects dues in accordance with the first paragraph of section 88 is bound to remit to the Minister, at the date specified in section 92, an amount equal to that which the operator must remit under that section.

The same obligation exists in respect of any amount that an operator, whether in good faith or in bad faith, collects, believing or claiming to act pursuant to this Regulation.

98. The Minister may determine or redetermine the amount of dues owed by a business operator pursuant to this Regulation and send to the operator a notice of claim in that respect, even if the operator had filed a report and made a remittance as provided for in section 92.

However, such a claim may not be made more than 3 years after the date on which the dues should have been remitted or the date on which the account was filed, whichever is later.

99. Every person who, as a mandatary of the Minister, refuses or fails to collect dues, keep accounts, file a report or make a remittance to the Minister in accordance with the provisions of this Regulation is liable to a fine of at least \$200 for each day the offence continues.

100. A customer is not bound to pay the dues provided for in section 287 of the Act for any trip completed prior to 1 January 2021.

101. Despite section 69, the owner of an automobile equipped with a taximeter must, before 1 January 2021, have the taximeter adjusted so that it indicates a reading that includes the dues payable by the customer pursuant to section 287 of the Act with respect to the trip.

CHAPTER X PROVISIONS APPLICABLE TO RECOVERY

102. The debtor of a recoverable amount is bound to pay the following recovery fees:

(1) \$50 for the certificate filed pursuant to section 205 of the Act; and

(2) \$175 for each measure taken to guarantee a debt under Title Three of Book Six of the Civil Code and for each execution measure taken under Book VIII of the Code of Civil Procedure (chapter C-25.01).

The fees form part of the recoverable amount.

CHAPTER XI

PENAL PROVISIONS AND MONETARY ADMINISTRATIVE PENALTIES

103. The following persons are guilty of an offence and liable to a fine of \$250 to \$750, in the case of a natural person, and to a fine of \$500 to \$1,500, in other cases:

(1) a qualified driver, operator or registered dispatcher who contravenes section 73;

(2) a taxi driver who contravenes any of sections 82, 83 and 84.

104. The owner of a qualified automobile equipped with a taximeter that is not compliant with section 67 is guilty of an offence and liable to a fine of \$500 to \$1,500, in the case of a natural person, and to a fine of \$1,000 to \$3,000, in other cases.

105. The following persons are guilty of an offence and liable to a fine of \$1,000 to \$5,000, in the case of a natural person, and to a fine of \$2,000 to \$10,000, in other cases:

- (1) a registered dispatcher who contravenes section 46;
- (2) the owner of a qualified automobile equipped with a taximeter that is not compliant with section 68;
- (3) the owner of a qualified automobile who contravenes section 69;
- (4) a qualified driver who contravenes the first or third paragraph of section 70;
- (5) the owner of a registered automobile who contravenes section 71.

106. A monetary administrative penalty of \$450 may be imposed on the operator of a transportation system who,

- (1) in contravention of section 26 or section 27, fails to enter all the required information in the register;
- (2) in contravention of section 29, fails to keep the prescribed register, fails to enter all the required information, or fails to keep the register and documents for the required time;
- (3) in contravention of section 33, fails to provide the required documents with the annual report;
- (4) in contravention of section 35, fails to send the report provided for in that section to the Commission;
- (5) in contravention of section 37, fails to send to the Minister the information required by that section;
- (6) in contravention of section 42, fails to send the accessories to the Commission as provided for in that section.

107. A monetary administrative penalty of \$450 may be imposed on a registered dispatcher who,

- (1) in contravention of section 49, fails to keep the prescribed register, fails to enter all the required information, or fails to keep the register and documents for the required time;
- (2) in contravention of section 51, fails to send the report provided for in that section to the Commission;

(3) in contravention of section 53, fails to send to the Minister the information required by that section.

108. A monetary administrative penalty of \$1,000 may be imposed on any person who fails to send either report provided for in sections 61 and 64.

109. The amount of a monetary administrative penalty that may be imposed by the Commission on an operator or registered dispatcher pursuant to section 162 of the Act is \$1,300 for each automobile short of the target.

CHAPTER XII AMENDING PROVISIONS

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

110. Section 24 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by striking out paragraph 11.

111. Division IV of Chapter IV, including section 109, is revoked.

112. Section 124 is amended by striking out “taxis.”

113. Section 139 is amended by striking out “taxis,” in the first paragraph.

REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

114. Section 3 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) is amended by replacing paragraph 4 by the following:

“(4) the vehicles referred to in subparagraph *c* of subparagraph 1 of the first paragraph of section 20 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) and the vehicles referred to in the third paragraph of section 73 of that Act.”

115. Section 6 is amended by striking out paragraphs 5 and 6.

116. The following is inserted after section 7.0.1:

“**7.0.2.** The vehicles referred to in the third paragraph of section 73 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) are subject to the mechanical inspection at the intervals prescribed by the regulation made under that paragraph, where the kilometrage on the odometer or their age, determined based on the model year, exceeds the limits prescribed by that regulation.”

117. The Table in Schedule II is amended by striking out the line “Taxi.”

CHAPTER XIII TRANSITIONAL AND FINAL PROVISIONS

118. For the purposes of section 292 of the Act, Ville de Montréal or a body to which the city delegated its powers is deemed to be the body having granted the authorization for a driver if it has issued the taxi driver’s permit in effect on 9 October 2020.

119. The taxi driver’s permit takes the place of an authorized driver’s permit until the Société, Ville de Montréal or a body to which the city delegated its powers issues a new document.

120. Despite the provisions of paragraphs 2 and 4 of section 10 of the Act, until 9 January 2021, a person may be authorized as a driver without having completed the training provided for by regulation of the Minister and passed the examination on the subject matters covered by the training. The driver to whom such an authorization has been granted must, not later than 10 January 2021, send to the body that granted the authorization the documents provided for in paragraph 1 of section 13 of the Act, failing which the authorization is cancelled by operation of law as of that date.

The first paragraph also applies to the registration of a person as a driver with the transportation system operator referred to in section 299 of the Act. In that case, the documents provided for in paragraph 1 of section 13 of the Act must be sent to the operator not later than 10 January 2021, failing which the driver’s registration with the operator is cancelled by operation of law as of that date.

121. Until 31 March 2021, the automobiles attached, as of 9 October 2020, to a taxi owner’s permit under the Act respecting transportation services by taxi (chapter S-6.01) are deemed to be registered in accordance with the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

The obtention of a new registration and new licence plate of an automobile referred to in the first paragraph before 1 April 2021 is not considered as such for the purposes of paragraph 1 of section 2 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27) where it results in particular from the change of the information on the use of the automobile under section 49 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

On payment of the fees payable, in the amount of \$17.40, the Société issues to the owner of an automobile referred to in the first paragraph the accessory provided for in the second paragraph of section 26 of the Act that makes it possible to identify whether the authorized automobile is being used to offer remunerated passenger transportation. Between 10 October 2020 and the issue of the accessory, the licence plate takes the place of an accessory.

122. Until 31 March 2021, the taxi owner’s permit takes the place of the document certifying that the automobile is authorized mentioned in the first paragraph of section 26 of the Act.

123. Until 10 October 2022, an automobile deemed to be authorized for the purposes of section 293 of the Act may be used to offer remunerated passenger transportation by automobile even if its odometer indicates more than 350,000 km provided that its model year is less than 10 years old.

An adapted automobile deemed to be authorized for the purposes of section 293 of the Act may be used to offer remunerated passenger transportation by automobile even if the wheelchair loading ramp or power lift platform allow access through the rear of the automobile.

124. Until 10 October 2022, an automobile used by a partner-driver as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) may be registered with an operator even if it has a wheelbase of less than 261 cm.

125. Until determined by regulation of the Société, the fees payable under the following provisions of the Act are fixed as follows:

(1) the fees payable for a driver’s authorization application under section 13 of the Act and to maintain that authorization under section 101 of the Act are

(a) \$16 where a certificate of no judicial record is filed with the application or sent pursuant to section 64 of the Act;

(b) \$121 where a judicial record list, other than entries provided for in any of paragraphs 1 and 2 of section 11 of the Act, is filed with the application or sent pursuant to section 64 of the Act;

(2) the fees payable for an authorization application relating to an automobile under section 23 of the Act and to maintain the authorization under section 101 of the Act are \$9.20, unless an accessory is issued at the time of the application, in which case the fees payable for the application are \$26.60;

(3) the fees payable under section 44 of the Act for an application for a certificate of no judicial record related to the aptitudes and conduct to be a driver are \$105;

(4) the fees payable for the formalities prescribed by government regulation that must be observed with the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, provided for in the second paragraph of section 142 of the Act for

(a) replacing the permit issued pursuant to the first paragraph of section 18 of the Act are \$16;

(b) replacing the document certifying that the automobile is authorized, issued pursuant to the first paragraph of section 26 of the Act, are \$9.20;

(c) replacing the accessory issued pursuant to the second paragraph of section 26 of the Act are \$17.40.

126. The operator referred to in section 299 of the Act may, to fulfil the obligations provided for in subdivision 2 of division II of Chapter III of the Act, use the information and documents obtained as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) with respect to drivers who, on 9 October 2020, were registered with the remunerated passenger transportation service and the automobiles used by those drivers for remunerated passenger transportation.

127. The report that must be sent to the Commission by an operator referred to in section 299 of the Act must contain the following information and documents:

(1) the measures taken to comply with the obligations provided for in the second paragraph of section 77 of the Act, in particular those concerning compliance of the automobiles and registered drivers and that of the registers to be kept under the Act or this Regulation;

(2) a reproduction of its audited non-consolidated financial statements or its non-consolidated financial statements with a review engagement report for the most recently completed fiscal year;

(3) the method or methods used to establish a fare;

(4) the portion of the fare retained by the operator.

The report must be sent to the Commission before 31 March 2021.

128. A person who, on 9 October 2020, is a taxi transportation service intermediary as defined in subparagraph 2 of the first paragraph of section 2 of the Act respecting transportation services by taxi (chapter S-6.01) is, for the purposes of the Act, considered to be a registered dispatcher provided that the person files with the Commission a declaration in accordance with section 85 of the Act not later than 30 October 2020.

The first paragraph no longer applies to the person who is registered with the Commission or whose declaration is refused by the Commission.

129. Until 10 October 2021, an operator is not required to send the report provided for in section 35. The same applies to a registered dispatcher for the report provided for in section 51.

130. The duties payable to the Minister under section 3 of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) that have not been spent on 9 October 2020 are credited to the Land Transportation Network Fund established under section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) and remain dedicated to the financing of the modernization of transportation services by taxi.

131. The body to which Ville de Montréal has delegated its powers is deemed to be a recipient designated by the Minister under section 72 of the Act. The body must send to the Minister, not later than 9 April 2021, the information and documents provided for in the second paragraph of section 62 and section 63 of this Regulation that must be filed with a designation application.

132. Among the qualified automobiles that are not exempted under section 308 of the Act, only those to which applied, on 9 October 2020, sections 62.5 to 62.7 of the By-law concerning taxi transportation (RCG 10-009) made by Ville de Montréal, as they read on that date, must be equipped with a real-time geolocation device recognized by the Minister.

Every real-time geolocation device that such an automobile is equipped with, if it complies with that By-law, is deemed to be recognized by the Minister under section 21 of the Act.

This section ceases to have effect on 10 October 2021.

133. The territories for which a taxi need not be equipped with a taximeter determined by the Commission under subparagraph 7 of the first paragraph of section 79 of the Act respecting transportation services by taxi (chapter S-6.01) remain in force until they are replaced or revoked by territories determined by the Commission under subparagraph 2 of the first paragraph of section 138 of the Act.

134. This Regulation comes into force on 10 October 2020, except the following provisions, which come into force on 10 October 2022:

- (1) paragraphs 3, 4 and 5 of section 22;
- (2) paragraph 8 of section 26;
- (3) section 34;
- (4) paragraph 4 of section 41;
- (5) paragraphs 4, 5 and 6 of section 43;
- (6) section 50.

SCHEDULE I

(Article 54)

ACCESSORY

Loi concernant le transport rémunéré de personnes par automobile

Numéro d'identification du véhicule (NIV)

9999999999999999

Accessoire

Gouvernemental

Provisoire

Date d'émission : 9999-99-99

Numéro d'accessoire : AAAAAA

En Service

Québec 

----- Pliez-ici -----

SCHEDULE II*(Article 58)***DATA* REFERRED TO IN SECTION 21
OF THE ACT**

Data	Description
Operator	The name of the dispatcher or operator if applicable
Automobile registration number	Alphanumerical code between 2 and 7 characters
Adapted automobile	Is the automobile adapted within the meaning of section 4 of the Act?
Driver's licence number	Numerical code issued by the Société de l'assurance automobile du Québec or the driver's identification number with the transportation system operator
Time stamp	Universal time (UTC) according to the ISO 8601 format
Position of the automobile	The latitude and longitude of the automobile
Status of the automobile	Status from among the following: available, occupied, out of service and not available — Available – the automobile is available for a transportation request — Occupied – the automobile has a client on board — Out of service – the automobile is not connected — Not available – the automobile is connected, but cannot receive transportation requests
Speed of the automobile	The actual speed of the automobile (in km/h)
Azimuth	The orientation of the automobile (360°)

* The data must be sent according to the programming specifics of the designated recipient.

Draft Regulation

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2)

Training of qualified drivers

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), that the Regulation respecting the training of qualified drivers, appearing below, may be made by the Minister on the expiry of 20 days following this publication.

The draft Regulation regulates the training to be completed by a person and the examination the person will then have to pass to be a qualified driver offering remunerated passenger transportation by automobile, either by being authorized as such by the Société de l'assurance automobile du Québec, or by being registered with the operator of a transportation system authorized by the Commission des transports du Québec.

The draft Regulation specifies the subjects, in addition to those already prescribed by the Act, covered by the basic training that every qualified driver will have to complete as well as the conditions of the training. The training will mostly pertain to the legal framework applicable to remunerated passenger transportation by automobile, safety, transportation of persons with disabilities and customer service.

The draft Regulation also determines the conditions for the examination that will evaluate the level of knowledge of the subjects studied as part of the basic training, in particular by setting the pass mark at 75%.

In addition, the draft Regulation determines the conditions and content of the advanced training on the transportation of persons with disabilities that will have to be completed, under section 153 of the Act, by qualified drivers who wish to use an adapted automobile for the transportation of persons with disabilities. The advanced training will cover in particular the types of customers covered and the types of deficiencies and disabilities, the legal framework applicable to the transportation of persons with disabilities and their rights, the characteristics and particularities of an adapted automobile as well as the operation of its equipment and the procedures applicable in case of emergency.

The draft Regulation also determines the conditions for the examination that will evaluate the level of knowledge of the subjects studied as part of the advanced training on the transportation of persons with disabilities, in particular by setting the pass mark at 75%.

The draft Regulation provides that the training and examinations will be conducted by a vocational training centre or a transportation system operator having entered into an agreement for that purpose with the Minister.

Lastly, the draft Regulation contains a number of transitional provisions to ensure a harmonious transition between the Act respecting transportation services by taxi (chapter S-6.01) and the Act respecting remunerated passenger transportation by automobile.

The draft Regulation covers various enterprises in the remunerated passenger transportation sector. The economic impact of the draft Regulation on those enterprises is low, in particular considering that the training requirements are already applicable in that industry.

Further information on the draft Regulation may be obtained by contacting Marie-Ève Lancup, Direction du conseil et du soutien aux partenaires, Direction générale du transport terrestre des personnes, Ministère des Transports; telephone: 418 646-0700, extension 22213; email: Marie-Eve.Lancup@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to the Minister of Transport at Projet.reglement@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting the training of qualified drivers

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2, ss. 10, 13, 153 and 303)

DIVISION I DEFINITIONS

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

(1) “adapted automobile” means an automobile intended for the transportation of persons with disabilities that meets the conditions of section 4 of the Act;

(2) “qualified driver” means a driver referred to in section 8 of the Act;

(3) “Act” means the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);

(4) “Minister” means the Minister of Transport.

DIVISION II TRAINING OF QUALIFIED DRIVERS

§1. Basic training

2. To be a qualified driver, a person must, in accordance with paragraphs 2 and 4 of section 10 of the Act, have completed training of not less than 15 hours and have passed an examination on the subject matters covered by that training.

For the purposes of this Regulation, that training is called “basic training”.

3. The subjects covered by the basic training are

(1) the legal framework applicable to remunerated passenger transportation by automobile, in particular the obligations of qualified drivers, the provisions related to geolocation and those governing the determination of the fare for a trip and other costs that may be required from the customers;

(2) safety;

(3) transportation of persons with disabilities; and

(4) customer service.

4. The pass mark of the examination provided for in section 2 is 75%.

A person who fails the examination may take it again 30 days after receiving the result. In the case of a second failure, the person must again complete the basic training to be admissible to again undergo the examination.

§2. Advanced training on the transportation of persons with disabilities

5. The advanced training on the transportation of persons with disabilities that a qualified driver must have completed, under section 153 of the Act, to offer remunerated passenger transportation by adapted automobile is not less than 18 hours.

That training is complementary to the basic training provided for in subdivision 1.

6. Advanced training on the transportation of persons with disabilities covers the following subjects:

- (1) the types of customers covered and the types of deficiencies and disabilities;
- (2) the legal framework applicable to the transportation of persons with disabilities and their rights;
- (3) the characteristics and particularities of an adapted automobile and the operation of its equipment;
- (4) the procedures applicable in case of emergency.

7. The pass mark of the examination on that training that the qualified driver must pass under section 153 of the Act is 75%.

The second paragraph of section 4 applies in case of failure of the examination on the advanced training on the transportation of persons with disabilities, with the necessary modifications.

DIVISION III TRAINER AND CERTIFICATE

8. Subject to section 9, the training provided for in Division II, including examinations, is provided by a vocational training centre within the meaning of section 97 of the Education Act (chapter I-13.3) that has entered into an agreement for that purpose with the Minister.

The training and examinations must be accessible on the Internet.

9. The basic training provided for in subdivision 1 of Division II, including the examination, may also be provided by the operator of a transportation system authorized by the Commission des transports du Québec that has entered into an agreement for that purpose with the Minister and to which the supplier whose services have been retained by the operator, if applicable, is a party.

10. A person who wishes to complete any of the training and examinations provided for in Division II must provide to the vocational training centre or the operator, as the case may be, the supporting documents required for identification.

11. The training centre must issue to every person who has completed any of the training and examinations provided for in Division II a document certifying the completion and indicating the date of issue. The same applies to a transportation system operator that provides the basic training and examination.

12. For the purposes of paragraph 1 of section 13 of the Act, the documents certifying that a person has completed the basic training and passed the examination mentioned in section 2 are valid for a period of 3 years as of the date of issue.

Despite the first paragraph, for the purposes of paragraphs 2 and 4 of section 10 and paragraph 1 of section 13 of the Act, the documents certifying that a qualified driver has completed the basic training and passed the examination referred to in those provisions remain valid for as long as the person remains a qualified driver. In addition, the certificate obtained by a person whose authorization as a driver has been revoked, at the driver's request, under subparagraph 5 of the first paragraph of section 122 of the Act, remains valid for a period of 3 years as of the date of revocation. The same applies to a person whose registration as a driver with a transportation system operator has been struck off at the person's request.

DIVISION IV TRANSITIONAL AND FINAL

13. Every person who has held a taxi driver's permit after 9 October 2017 is deemed to hold the document provided for in section 11 certifying that the person has completed the basic training and passed the examination. The same applies to every partner-driver registered on 9 October 2020 with the holder of a taxi transportation service intermediary's permit who was authorized to offer remunerated passenger transportation by automobile as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3).

The second paragraph of section 12 applies to every person referred to in the first paragraph. Despite the foregoing, the document that establishes that a person has been the holder of a taxi driver's permit or a partner-driver takes the place of the documents to be filed with an authorization application made to the Société d'assurance automobile du Québec under paragraph 1 of section 13 of the Act.

This section does not apply to an application for authorization or registration made respectively to the Société or a transportation system operator after 9 October 2023 by a person who, on 10 October 2020, was not the holder of a taxi driver's permit or a partner-driver.

14. Until 10 April 2021 and despite section 153 of the Act, a person who, on 9 October 2020, holds a taxi driver's permit may drive an adapted automobile without having completed the advanced training on the transportation of persons with disabilities provided for in section 5 of this Regulation and having passed the examination on that training. Sections 154 and 155 of the Act do not apply to those drivers up to that date.

In addition, despite section 5, the advanced training on the transportation of persons with disabilities that the person referred to in the first paragraph must complete to drive an adapted automobile after 10 April 2021 is for a period of 7 hours to the extent that that person complies with either of the following conditions as of 9 October 2020:

(1) the person has undergone, in the last 5 years and in addition to the training on the transportation of persons with disabilities provided for in section 25.2 of the Taxi Transportation Regulation (chapter S-6.01, r. 3), as it read on 9 October 2020, further training, provided by or on behalf of a public body, and having the characteristics and particularities of a vehicle accessible to persons with disabilities referred to in subparagraph 3 of the second paragraph of section 22 of that Regulation;

(2) the person holds a taxi owner's permit attached to a vehicle mentioned in subparagraph 1 and certifies being one of the drivers.

The first paragraph of section 7 applies to an examination on the training provided for in the second paragraph of this section. A person who fails the examination may not benefit again from the relief provided for in that paragraph.

15. This Regulation comes into force on 10 October 2020.

104526

Draft Regulation

An Act respecting remunerated passenger transportation by automobile
(chapter T-11.2)

Transmission of information and multiplication factor of the fare

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), that the Regulation respecting the transmission of information and the multiplication factor of the fare, appearing below, may be made by the Minister on the expiry of 20 days following this publication.

The draft Regulation regulates the transmission of information to the Commission des Transports du Québec and to the Minister of Transport, by transportation system operators and dispatchers registered with the Commission, concerning the starting points and destinations of the trips provided by drivers registered with the operators or drivers to whom the dispatchers provide services.

The draft Regulation fixes, for the purposes of the second paragraph of section 94 of the Act respecting remunerated passenger transportation by automobile, the multiplication factor of the fare at 1.5. The factor will apply when, during a period determined by the Minister, the Minister is of the opinion that a situation occurs in a territory that causes a major traffic or public transit disruption.

Lastly, the draft Regulation contains a transitional provision to ensure a harmonious transition between the Act respecting transportation services by taxi (chapter S-6.01) and the Act respecting remunerated passenger transportation by automobile.

The economic impact of the draft Regulation on enterprises providing remunerated passenger transportation by automobile is low. It may have an occasional impact on the maximum fare required by those enterprises in exceptional situations causing a major traffic or public transit disruption.

Further information on the draft Regulation may be obtained by contacting Marie-Ève Lancup, Direction du conseil et du soutien aux partenaires, Direction générale du transport terrestre des personnes, Ministère des Transports; telephone: 418 646-0700, extension 22213; email: Marie-Eve.Lancup@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to the Minister of Transport at Projet.reglement@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting the transmission of information and the multiplication factor of the fare

An Act respecting remunerated passenger transportation by automobile
(chapter T-11.2, ss. 82, 89 and 94)

DIVISION I TRANSMISSION OF INFORMATION BY OPERATORS AND DISPATCHERS

1. For the purposes of sections 82 and 89 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) and subject to section 2, transportation system operators and registered dispatchers must send to the Commission des transports du Québec and to the Minister of Transport, on 1 March of each year, a report on the information concerning the starting points and destinations of trips. The report must, for the preceding year, include

(1) the monthly number of trips provided by the drivers registered with the operators or by those to whom the dispatchers provide services; and

(2) the municipalities that are the starting points and destinations of the trips provided during the year concerned.

For the purposes of the first paragraph, operators and dispatchers must use the appropriate report model available on the website of the Commission des transports du Québec and enter the number of their identifier with the Commission.

2. Transportation system operators or registered dispatchers who are required to send to the Commission des transports du Québec either of the monthly reports referred to in sections 35 and 51 of the Regulation respecting remunerated passenger transportation by automobile (chapter XXX) are deemed to have sent the report provided for in section 1 to the Commission and to the Minister of Transport.

DIVISION II

MULTIPLICATION FACTOR OF THE FARE

3. For the purposes of the second paragraph of section 94 of the Act respecting remunerated passenger transportation by automobile, the multiplier determined by the Minister is 1.5.

DIVISION III

TRANSITIONAL AND FINAL

4. Transportation system operators and registered dispatchers are required to send the report provided for in section 1 as of 1 March 2022, for trips provided since 10 October 2021.

5. This Regulation comes into force on 10 October 2020.

104524

Draft Regulation

Transport Act
(chapter T-12)

Road vehicles used for the transportation of school children

— 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 road vehicles used for the transportation of school children, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes certain amendments to the inscriptions and colours allowed on school buses, in particular electric school buses. The addition of white strobe lamps to the roof of school buses is also provided for. The draft Regulation clarifies the rules applicable to the transportation of vocational training centre students and to school children transported by public transit authorities.

The draft Regulation also allows the use of 12 to 15 passenger vehicles and multifunction school activity buses as part of education, sport and cultural activities. Lastly, the wording of offences is reviewed to ensure a better application of the Regulation.

The amendments proposed in the draft Regulation have little impact on school bus manufacturers and owners. The new standards applicable to fully electric school buses involve little costs for compliance. The objective sought being safety, it is not necessary to adjust the requirements to take into account the size of the enterprises.

Further information on the draft Regulation may be obtained by contacting Jean Sicard, Direction du conseil et du soutien aux partenaires, Direction générale du transport terrestre des personnes, Ministère des Transports, telephone: 418 644-9140, extension 22228; email: jean.sicard@transport.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport at Projet.reglement@transport.gouv.qc.ca.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation to amend the Regulation respecting road vehicles used for the transportation of school children

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

1. The Regulation respecting road vehicles used for the transportation of school children (chapter T-12, r. 17) is amended by replacing section 1 by the following:

“**1.** Transportation of preschool or elementary or secondary school children carried out on a public road within the meaning of the Highway Safety Code (chapter C-24.2) and organized by a school service centre or a school board or by a private educational institution referred to in the Act respecting private education (chapter E-9.1) shall be carried out by means of a school bus, a school minibus or a vehicle used for the transportation of school children compliant with this Regulation.

Transportation of school children organized by a school service centre or a school board or by a private educational institution, as part of an education, sport or cultural activity, may be carried out by means of a multifunction school activity bus or a 12 to 15 passenger bus compliant with this Regulation.

Despite the first paragraph, the transportation of secondary school children that is incorporated into the service of the Réseau de transport métropolitain or a public transit authority constituted under the Act respecting public transit authorities (chapter S-30.01), provided that the route is available to the entire clientele and its schedule is publicly disseminated in the same manner as that of other routes, may be carried out by means of a bus manufactured for urban transport.”

2. Section 3 is revoked.

3. The following is inserted after section 4:

“**4.1.** A multifunction school activity bus as defined in the Motor Vehicle Safety Regulations (C.R.C., c. 1038) that bears the national safety mark within the meaning of the Motor Vehicle Safety Act (S.C. 1993, c. 16) or the compliance label provided for in the Regulations for that type of vehicle is a multifunction school activity bus.

4.2. A bus that meets the following conditions is a 12 to 15 passenger bus:

(1) it meets the requirements of the Motor Vehicle Safety Act (S.C. 1993, c. 16);

(2) it bears the national safety mark within the meaning of the Motor Vehicle Safety Act or the compliance label provided for in the Act for Transport Canada’s “bus” class;

(3) the model year is 2017 or a later year;

(4) the model year is not more than 10 years;

(5) the gross weight rating is not more than 4,536 kg;

(6) it is equipped with an electronic tire pressure monitoring system that is in good operating condition.”

4. Section 11 is amended

(1) by adding “, except those of a fully electric school bus that shall be blue” at the end of the second paragraph;

(2) by replacing the third paragraph by the following:

“Strips of yellow reflective tape at least 2.5 cm wide may be affixed to the back of the school bus to delimit the contour. Reflective strips may also be affixed to the bus at the locations designated in section 6.5 of CSA Standard D250-16, School Buses, published by the Canadian Standards Association.”;

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

“Only a fully electric school bus may have blue wheel rims.”

5. Section 30 is amended

(1) by adding “If the word “ÉCOLIERS” is indicated by a light-emitting diode (LED) sign, the background of the sign shall be black and the letters shall be in contrasting colour in order to be legible.” at the end of the first paragraph;

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

“In the case of a fully electric school bus, an inscription or a pictogram allowing to identify the bus as such and an indication of where the high tension may be deactivated from outside the school bus shall be affixed on the outside wall.”

6. Section 31 is amended

(1) by replacing “the name of the carrier” in paragraph 5 by “the name and contact information of the carrier”;

(2) by adding the following at the end:

“(7) a pictogram or a mention indicating that it is manufactured in Québec, where applicable.”

7. Section 34 is amended by replacing the second paragraph by the following:

“Those lights shall be designed and installed in accordance with testing standard J887, School Bus Warning Lamps, published by SAE International. Despite the foregoing, the standard does not apply to the aiming pads on the face of the lens or to the black encircling each light.”

8. The following is inserted after section 34:

“**34.1.** A white strobe lamp manufactured and installed in accordance with CSA Standard D250-16, School Buses, published by the Canadian Standards Association, may be added to the roof of a school bus.”

9. Section 44 is amended in the first paragraph

(1) by replacing “CSA Standard D-250-03 entitled “School Buses” and published on 18 March 2003” in subparagraph 1 by “CSA Standard D-250-16 entitled “School Buses” and published”;

(2) by replacing “CSA Standard D-250-03” in subparagraph 2 by “CSA D-250-16”.

10. The following is added after Division II of Chapter III:**“DIVISION III****MULTIFUNCTION SCHOOL ACTIVITY BUSES AND 12 TO 15 PASSENGER BUSES**

49.1. Between the fifteenth day of October and the first day of May, a school service centre, a school board or a private educational institution shall ensure that the tires with which a multifunction school activity bus or a 12 to 15 passenger bus is equipped are specifically designed for winter driving within the meaning of subparagraph 2 of the first paragraph of section 7 of the Regulation respecting the use of tires (chapter C-24.2, r. 45).

49.2. Before authorizing a driver to drive a multifunction school activity bus or a 12 to 15 passenger bus, a school service centre, a school board or an educational institution shall obtain the driver’s driving record and ensure that a maximum number of 3 demerit points are entered in it.

The school service centre, the school board or the educational institution shall require from every driver that the driver inform, without delay and in writing, the school board or educational institution if demerit points are added to the driver’s driving record after the verification made under the first paragraph.

49.3. The driver of a multifunction school activity bus or a 12 to 15 passenger bus shall inform in writing and without delay the school service, the school board or educational institution if demerit points are added to the driver’s driving record.

49.4. No person may drive a multifunction school activity bus or a 12 to 15 passenger bus if more than 3 demerit points are entered in the person’s driving record.”.

11. Section 50 is amended

(1) by replacing paragraphs 1 and 2 by the following:

“(1) where a person transports school children or has school children transported using a vehicle other than those permitted under section 1;

(2) where an owner uses a school bus or minibus that does not comply with the requirements of any of sections 7 to 36;”;

(2) by revoking paragraph 4.

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

Paragraph 3 of section 4.2 of the Regulation respecting road vehicles used for the transportation of school children, as enacted by section 3 of this Regulation, ceases to have effect on 31 December 2026.

104520

Treasury Board

Gouvernement du Québec

T.B. 222616, 29 June 2020

An Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Amendment to Schedule II.1

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under paragraph 3 of section 2 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the retirement plan applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.1.1 and II.2, and such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

WHEREAS the FIQ-SPSS de l'Ouest-de-l'île-de-Montréal meets the conditions set out in section 53.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan (chapter R-10, s. 220)

1. The Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended in Schedule II.1 by inserting “FIQ-SPSS de l'Ouest-de-l'île-de-Montréal” in alphabetical order.

2. This amendment has effect from the date occurring 12 months before the date on which this Decision is made.

104516

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Natural Heritage Conservation Act
(chapter C-61.01)

**Des Montagnes-Vertes Nature Reserve
(Secteur Conservation de la nature – Québec
Parcelles A.F.R.P. Marcoux inc. et Bachand)
— Recognition**

Notice is hereby given, pursuant to section 58 of the *Natural Heritage Conservation Act* (Chapter C-61.01), that the Minister of the Environment and the Fight against Climate Change has recognized a private property located within the municipality of Bolton-Ouest in the regional county municipality of Brome-Missisquoi and of Canton de Potton in the regional county municipality of Memphrémagog, known and designated as lots number 5 192 661, 5 553 407 and 5 555 146 of the Québec cadastre, Brôme registry division, as a nature reserve. This property covers an area of 130.6 hectares.

The recognition is given in perpetuity and takes effect on the date of publication of this notice in the *Gazette officielle du Québec*.

FRANCIS BOUCHARD,
Director of Protected Areas

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

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