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## Part 2

# LAWS AND REGULATIONS

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22 November 2023 / Volume 155

### **Summary**

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

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## Regulations and other Acts

Gouvernement du Québec

**O.C. 1641-2023**, 8 November 2023

Highway Safety Code  
(chapter C-24.2)

### Identification stickers for parking spaces reserved for handicapped persons —Amendment

Regulation to amend the Regulation respecting identification stickers for parking spaces reserved for handicapped persons

WHEREAS, under paragraph 20 of section 618 of the Highway Safety Code (chapter C-24.2), the Government may by regulation determine terms and conditions for obtaining, using and renewing the certificate and the identification sticker provided for in section 11 of the Code, determine the information that must appear on them, fix their periods of validity and determine the fees exigible for their issue;

WHEREAS, under sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting identification stickers for parking spaces reserved for handicapped persons was published in Part 2 of the *Gazette officielle du Québec* of 5 July 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting identification stickers for parking spaces reserved for handicapped persons, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting identification stickers for parking spaces reserved for handicapped persons

Highway Safety Code  
(chapter C-24.2, s. 618, par. 20)

**1.** The Regulation respecting identification stickers for parking spaces reserved for handicapped persons (chapter C-24.2, r. 52) is amended in section 2:

(1) by replacing the portion before paragraph 1 by the following:

“A natural person who wishes to obtain a hangtag identification sticker for parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:”;

(2) in paragraph 2

(a) by inserting “or physiotherapy technologist” after “physiotherapist” in subparagraph *b*;

(b) by adding “, or who is a member of the Association des Éducatrices et Éducateurs Spécialisés du Québec (AEESQ)” at the end of subparagraph *c*;

(c) by inserting the following after subparagraph *c*:

“(d) a chiropractor who is a member of the Ordre professionnel des chiropraticiens du Québec;

(e) a respiratory therapist who is a member of the Ordre professionnel des inhalothérapeutes du Québec;

(f) a podiatrist who is a member of the Ordre professionnel des podiatres du Québec;

(g) a psychoeducator who is a member of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec;

(h) an orientation and mobility specialist employed by a public institution referred to in the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5), or who is a member of the Association des Spécialistes en Intervention en Déficience Visuelle du Québec;

(i) a social worker who is a member of the Ordre professionnel des travailleurs sociaux et des thérapeutes conjugués et familiaux du Québec;”;

(3) by replacing paragraph 3 by the following:

“(3) pay fees of \$18.60.”;

(4) by adding the following paragraphs at the end:

“The same applies to a natural person who wishes to obtain a self-adhesive identification sticker for parking spaces reserved for handicapped persons, and the attestation certificate accompanying it, for a motorcycle or moped the person owns.

A person referred to in the first or second paragraph is not required to meet the condition in subparagraph 2 of the first paragraph if the person already has either a hangtag identification sticker or a self-adhesive identification sticker.”.

**2.** Section 3 is amended

(1) by replacing “the identification sticker” by “an identification sticker” and by replacing “mentioned in paragraph 3 of section 2” by “of \$18.60”;

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

“A handicapped person who is not suffering from a permanent disability may not obtain a renewal, but may submit a new application in accordance with section 2. In such a case, the third paragraph of that section does not apply to that person.”.

**3.** Section 4 is amended

(1) by replacing “the identification sticker” in the portion before paragraph 1 by “an identification sticker”;

(2) by replacing “mentioned in paragraph 3 of section 2” in paragraph 2 by “of \$18.60”;

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

“To replace only the attestation certificate accompanying an identification sticker, fees of \$5.05 are payable.”.

**4.** Section 5 is amended

(1) by replacing “an identification sticker” in the portion before paragraph 1 by “a hangtag identification sticker”;

(2) by replacing “mentioned in paragraph 3 of section 2” in paragraph 2 by “of \$18.60”.

**5.** Section 6 is amended by replacing “fees mentioned in paragraph 3 of section 2” by “fees of \$18.60”.

**6.** Section 7 is amended

(1) by replacing “mentioned in paragraph 3 of section 2” by “of \$18.60”;

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

“To replace only the attestation certificate accompanying an identification sticker, fees of \$5.05 are payable.”.

**7.** Section 8 is amended

(1) by revoking paragraphs 1 to 3;

(2) by replacing “elle ne doit pas” in the French text of paragraph 4 by “ne pas”;

(3) by replacing paragraph 5 by the following:

“(5) in the case of a road vehicle other than a motorcycle or moped, hang the sticker from the rear-view mirror of the road vehicle, in such a manner that the sticker is visible from the outside, only when the vehicle is parked in a space reserved for handicapped persons or, in the case of a motorcycle or moped, affix the self-adhesive identification sticker in the upper right corner of the road vehicle’s registration plate;”;

(4) by striking out “elle doit” in the French text of paragraph 6.

**8.** Section 9 is replaced by the following:

“**9.** Subject to the second and third paragraphs, an identification sticker and the attestation certificate accompanying it are valid for a 5-year period.

Where an identification sticker is issued for the first time, the period of validity of the sticker and of the attestation certificate accompanying it begins on the date it is issued and ends on one of the following dates:

(1) when the holder is a handicapped person who does not already hold a hangtag identification sticker or a self-adhesive identification sticker, the last day of the month of the holder’s birthday occurring five years after the date of issue;

(2) when the holder is a handicapped person who already holds a hangtag identification sticker or self-adhesive identification sticker, the sticker’s date of expiry;

(3) when the holder is a public institution, 31 October occurring 5 years after the date of issue.

An identification sticker issued to a non-resident and the attestation certificate accompanying it are valid for the duration of the non-resident's stay in Québec.”

**9.** A self-adhesive identification sticker and the attestation certificate accompanying it, issued pursuant to the Ministerial Order concerning parking of motorcycles or mopeds in spaces reserved for handicapped persons (chapter C-24.2, r. 41.1), remain valid until the expiry date on the sticker and certificate.

**10.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except paragraphs 1 and 4 of section 1, paragraph 2 of section 2, paragraph 1 of section 4, paragraph 3 of section 7 and sections 8 et 9, which come into force on 31 December 2023.

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## Draft Regulations

### Draft Regulation

Code of Civil Procedure  
(chapter C-25.01)

Code of Penal Procedure  
(chapter C-25.1)

Act respecting payment of certain witnesses  
(chapter P-2.1)

### Indemnities and allowances payable to witnesses summoned before courts of justice — 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 indemnities and allowances payable to witnesses summoned before courts of justice, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the provisions relating to the calculation of the indemnity for loss of time and the calculation of the allowances payable to a witness summoned before a court of justice in order to take into account the possibility of testifying remotely.

Further information on the draft Regulation may be obtained by contacting Patrick Naud-Cavion, Direction du soutien juridique aux services de justice, Ministère de la Justice, 1200, route de l'Église, 7<sup>e</sup> étage, Québec (Québec) G1V 4M1; email: patrick.naud-cavion@justice.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 Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE  
*Minister of Justice*

### Regulation to amend the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice

Code of Civil Procedure  
(chapter C-25.01, s. 273)

Code of Penal Procedure  
(chapter C-25.1, s. 367, par. 7)

Act respecting payment of certain witnesses  
(chapter P-2.1, s. 2, par.1)

**1.** The Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice (chapter C-25.01, r. 0.5) is amended in section 2

(1) in paragraph 1

(a) by replacing “per necessary day of absence from his home” by “per day”;

(b) by replacing “the necessary leave of absence from his home” by “the loss of time of the witness”;

(2) in paragraph 2

(a) by replacing “per necessary day of absence from his home” by “per day”;

(b) by replacing “absence from his home” by “the witness’s loss of time”;

(3) by replacing “necessary day of absence from their home” in the second subparagraph of paragraph 2 by “day of absence”.

**2.** The following is added after section 2:

#### “2.1. Calculation of the loss of time:

(1) The loss of time of a witness who appears remotely from his or her home or place of work is calculated from the time the witness is called to attend at court to the time the witness receives permission to leave.

(2) The loss of time of a witness who appears in person at a hearing or of a witness who appears remotely from a place other than his or her home or place of work is calculated from the time the witness leaves his or her home to the time the witness returns to his or her home.

(3) The loss of time of a witness who appears remotely may not exceed the loss of time the witness would have incurred if he or she had appeared in person at the hearing.”.

**3.** Section 3 is amended

(1) by replacing “(C.T. 202754, 2005-08-30)” by “(C.T. 227502, 2022-12-13) and its subsequent amendments”;

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

“In the case of a witness who appears remotely from a place other than his or her home or place of work, allowances are calculated on the basis of a trip of a distance not greater than that between the home of the witness and the courthouse to which the witness would have been summoned if he or she had appeared in person at the hearing.”.

**4.** Section 4 is replaced by the following:

“4. A witness who appears remotely from his or her home or place of work receives no allowance.”.

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

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