

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 130
17 June 1998
No. 25

Summary

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Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
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Coming into force of Acts

Gouvernement du Québec

O.C. 797-98, 10 June 1998

An Act to amend the Act respecting the Société de l'assurance automobile du Québec (1997, c. 49)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions

WHEREAS the Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions (1997, c. 49) was assented to on 19 June 1997;

WHEREAS under section 16 of the Act, the provisions of the Act came into force on 1 June 1997, except sections 4 to 7 and section 9 which will come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 2 July 1998 as the date of coming into force of sections 4 to 7 and section 9 of the Act;

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

THAT 2 July 1998 be fixed as the date of coming into force of sections 4 to 7 and section 9 of the Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulations and other acts

Gouvernement du Québec

O.C. 730-98, 3 June 1998

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

Amendment to Schedule I to the Act

Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

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

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached hereto, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan^(*)

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

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting the name “the Régie de l’Énergie” in paragraph 1 in alphabetical order.

2. This Order comes into force on the date it is made by the Government but has effect from 3 June 1997.

2296

Gouvernement du Québec

O.C. 732-98, 3 June 1998

An Act respecting the professional status and conditions of engagement of performing recording and film artists (R.S.Q., c. S-32.1)

Commission de reconnaissance des associations d’artistes

— **Rules of proof and procedure**
— **Amendments**

By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d’artistes

WHEREAS under paragraph 2 of section 65 of the Act respecting the professional status and conditions of

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) was amended, since the last updating of the Revised Statutes of Québec, to 1 March 1997, by Orders in Council 629-97 dated 13 May 1997 (1997, G.O. 2, 2243), 788-97 dated 18 June 1997 (1997, G.O. 2, 3338), 1105-97 dated 28 August 1997 (1997, G.O. 2, 4561), 1652-97 dated 17 December 1997 (1997, G.O. 2, 6293), and by sections 35 of Chapter 26 of the Statutes of 1997, 33 of Chapter 27 of the Statutes of 1997, 13 of Chapter 36 of the Statutes of 1997, 631 of Chapter 43 of the Statutes of 1997, 57 of Chapter 50 of the Statutes of 1997, 121 of Chapter 63 of the Statutes of 1997, 52 of Chapter 79 of the Statutes of 1997 and 37 of Chapter 83 of the Statutes of 1997.

engagement of performing, recording and film artists (R.S.Q., c. S-32.1) which Act was amended by Chapter 26 of the Statutes of 1997, the Commission de reconnaissance des associations d'artistes et des associations de producteurs may by by-law adopt rules of proof and procedure;

WHEREAS under that provision, the Commission adopted the By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes and it was published in Part 2 of the *Gazette officielle du Québec* of 18 March 1998, page 1307, with a notice that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS under section 65 of the Act such a regulation adopted by the Commission shall be approved by the Government;

WHEREAS the Commission received no comments respecting that draft By-law;

WHEREAS it is expedient to approve that By-law;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

By-law to amend the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes^(*)

An Act respecting the professional status and conditions of engagement of performing, recording and film artists
(R.S.Q., c. S-32.1, s. 65, par. 2)

1. The title of the Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes is amended by adding “et des associations de producteurs” at the end.

^{*} The Rules of proof and procedure of the Commission de reconnaissance des associations d'artistes made by Order in Council 1538-90 dated 31 October 1990 (1990, *G.O.* 2, 2791) have not been amended.

2. Section 1 is amended

(1) by substituting “or producers’ association applying to the Commission de reconnaissance des associations d'artistes et des associations de producteurs” for “applying to the Commission de reconnaissance des associations d'artistes”;

(2) by substituting “doivent” for “doit” in the French text.

3. Section 3 is amended by deleting the word “artists”.

4. Section 8 is amended by substituting “a producer or an association of artists or producers that” for “association of artists or producer who”.

5. Sections 33 to 36 shall be renumbered as sections 29 to 32 respectively.

6. This By-law comes into force on the date of its approval by the Government.

2298

Gouvernement du Québec

O.C. 737-98, 3 June 1998

Environment Quality Act
(R.S.Q., c. Q-2)

Reduction of pollution from agricultural sources — Amendments

Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources

WHEREAS under paragraphs *a*, *c*, to *f*, *h* and *l* of section 31, subparagraphs *c* and *k* of the first paragraph of section 70, and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations respecting the matters set forth therein;

WHEREAS the Government made the Regulation respecting the reduction of pollution from agricultural sources by Order in Council 742-97 dated 4 June 1997;

WHEREAS it is expedient to amend the Regulation respecting the reduction of pollution from agricultural sources;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in sec-

tion 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force within a shorter period than that provided for in section 17 of that Act 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 reason justifying the absence of prior publication and such coming into force shall 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 such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council must come into force as soon as possible since the application of certain provisions of the Regulation respecting the reduction of pollution from agricultural sources currently in force prevents the construction, between now and next winter, of a large number of manure storages, which would unduly delay the attainment of the environmental objectives pursued by the Regulation and, on the other hand, it prevents the enlargement of several livestock facilities, which would be seriously prejudicial to the farm operators in question and the development of agriculture;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the reduction of pollution from agricultural sources *

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *a, c, d, e, f, h* and *l*, s. 70,
1st par., subpars. *c* and *k*,
ss. 109.1 and 124.1)

1. Section 30 of the Regulation respecting the reduction of pollution from agricultural sources is amended by adding the following after the first paragraph:

* The Regulation respecting the reduction of pollution from agricultural sources was made by Order in Council 742-97 dated 4 June 1997 (1997, *G.O.* 2, 2607).

“In addition, subparagraphs 3 to 7 of the first paragraph of section 29, as well as section 31, do not apply to the works or activities mentioned therein and carried out in the 30 m space around an individual well, provided that the works or activities are carried out in respect of a livestock facility whose construction or operation has begun on or before 3 July 1997 and that the well belong to the owner of the livestock facility.”

2. The following is substituted for the first item of subparagraph *b* of paragraph 1 of section 44:

“— 75 m of a spring, an individual surface water intake or an individual well. However, this 75 m distance does not apply in the case of an individual well that belongs either to the owner of the livestock facility whose construction or operation has begun on or before 3 July 1997, or to the owner of the storage that does not serve any livestock facility that has been the subject, after 3 July 1997, of works mentioned in subparagraph 1 or 2 of the first paragraph of section 29;”

3. Section 55 is amended

(1) by substituting the words “Notwithstanding the fourth paragraph” for the words “In addition” in the third paragraph; and

(2) by adding the following paragraph after the third paragraph:

“The operator or owner of parcels located in a municipality mentioned in Schedule VII may enter into or renew an agreement with a manure management organization for spreading on those parcels liquid manure that originates from another municipality included in a limited activity zone.”

4. The words and figures “the second paragraphs of sections 91.1 and 91.2, the second paragraph of section 92 and sections 92.1 and” are substituted for the words and figures “the second paragraph of section 92, and section” in the fourth and fifth lines of the introductory paragraph of section 84.

5. The third paragraph of section 88 is amended

(1) by substituting the words “ratios fixed in” for the words “table in”; and

(2) by adding the following second sentence: “In addition, only lands owned or leased by the agricultural operation and cultivated by it shall be considered for determining those areas.”

6. The following is substituted for section 91:

“91. Any exemption granted to an agricultural operations under section 88, 89 or 90 shall cease to be applicable where the Minister authorizes in respect of that operation, under section 22 of the Environment Quality Act and after 17 June 1998, the erection of a livestock facility, the changing of a building not used for breeding purposes into a livestock building or the operation of a livestock facility, and where, within a radius of 150 m from the facility or building covered by the authorization:

- there is no other livestock facility and no storage; or
- if there is another livestock facility or a storage, it is not part of the same agricultural operation or, if so, it was established on or after 17 June 1998.

91.1 Where an application for authorization for a livestock project pertains to works or activities other than those mentioned in section 91, and where the resulting increase in the number of livestock units for a group of facilities will be equal to or less than 50 in relation to the number of livestock units already raised in accordance with the Environment Quality Act, the applicant is exempt, notwithstanding the last paragraph of section 77, from providing an agro-environmental fertilization plan with his application for authorization. That exemption is also valid for any application for authorization concerning projects for the erection, alteration or enlargement of a storage with an increase in the number of livestock units that does not exceed the above-mentioned increase.

The certificate of authorization shall be issued, where applicable, on the basis of the land areas required in accordance with the ratios provided for in Schedule III. Notwithstanding the foregoing, the agro-environmental fertilization plan required under section 14 shall be prepared and the spreading shall be carried out according to that plan, as the case may be, not later than one of the dates mentioned in the second paragraph of section 88 or section 90. In the meantime, the spreading shall be carried out without exceeding the maximum annual quantities provided for in Schedule III.

The first paragraph applies to any application for authorization mentioned in it that is submitted to the Minister after 17 June 1998 and before the expiry of the period during which the agricultural operation concerned by that application is exempted under section 88 or 90.

91.2 Where an application for authorization for a livestock project pertains to works or activities other than those mentioned in section 91 and where the resulting increase in the number of livestock units will be greater than 50 in relation to the number of livestock units already raised in accordance with the Environment

Quality Act, the certificate of authorization shall be issued, where applicable and notwithstanding section 77, not on the basis of the data in the agro-environmental fertilization plan that must be submitted with the application, but instead on the basis of the land areas required following the ratios provided for in Schedule III. Notwithstanding the foregoing, if the proposed project pertains to the method for managing liquid manure in a municipality included in a limited activity zone but not mentioned in Schedule VII, the certificate of authorization shall be issued, where applicable, on the basis of the land areas required in relation to the phosphorus uptake by crop for parcels classified as rich or excessively rich according to the criteria established in Schedule VIII and on the basis of the ratios provided for in Schedule III for the other parcels.

The spreading of livestock waste may be carried out, notwithstanding section 14, without complying with the agro-environmental fertilization plan provided with the application for authorization, for a period not extending beyond 1 October 2003. In the meantime, the spreading shall be carried out without exceeding the maximum annual quantities provided for in Schedule III.

The first paragraph applies to any application for authorization mentioned in it that is submitted to the Minister after 17 June 1998 and before the expiry of the period during which the agricultural operation concerned by that application is exempted under section 88 or 90.”.

7. The following is inserted after section 92:

“**92.1** An operator of a livestock facility or a storage located in a territory not served by a manure management organization may, notwithstanding the first paragraph of section 55, spread liquid manure on parcels not owned by him and located in such a territory if, in respect of those parcels, there is a spreading agreement to which he is a party, entered into or renewed before the expiry of the period during which the agricultural operation including that livestock facility or storage is exempt under section 88 or 90.

In addition, where the spreading agreement is entered into after 17 June 1998, it shall, in order to be valid for the purposes of the first paragraph, be filed with the municipality where the parcels concerned are located, for public consultation purposes. Finally, if the parcels concerned are in the Chaudière-Appalaches administrative region (region 12), the spreading agreement shall also be prepared by a notary.

Also, the operator or owner of parcels located in a territory not served by a manure management organization may, notwithstanding the third paragraph of section 55, enter into or renew an agreement for spreading on

those parcels liquid manure that originates from a municipality other than that where the parcels are located, provided that the municipality of origin of the manure is included in such a territory and in a limited activity zone, that the spreading agreement is entered into or renewed before the expiry of the period during which the agricultural operation of origin of the liquid manure is exempt under section 88 or 90 and that the agreement meets the conditions prescribed in the second paragraph of this section.

Sections 56 to 58, 68 and 69 apply to the spreading agreements referred to in this section and entered into or renewed after 17 June 1998.

This section applies subject to the provisions of section 33.”.

8. The following is substituted for the regulatory provisions referred to under the title of Schedule III:

“(ss. 14, 32, 88, 91.1, 91.2 and 92)”.

9. The following is substituted for the regulatory provisions referred to under the title of Schedule VII:

“(ss. 32, 55 4th par. and 91.2)”.

10. The following is substituted for the regulatory provisions referred to under the title of Schedule VIII:

“(ss. 86 and 91.2)”.

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

2301

Gouvernement du Québec

O.C. 749-98, 3 June 1998

Professional Code
(R.S.Q., c. C-26)

Auxiliary nurses — Standards of equivalence for diplomas and training for the issue of a permit

Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec

WHEREAS under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a

professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS under that paragraph, the Bureau of the Ordre des infirmières et infirmiers auxiliaires du Québec, at its meetings of March 19 and 20, 1997 duly made the Regulation respecting equivalence standards for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), that draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 21 May 1997, with a notice that it could be submitted to the Government for approval with or without amendment, upon the expiry of 45 days following its publication and inviting any person having comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS following the publication of the Regulation, the Chairman of the Office received no comments;

WHEREAS under section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, any regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and shall be submitted, with the recommendation of the Office, to the Government, which may approve it with or without amendment;

WHEREAS the Regulation was sent to the Office which examined it and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. c)

DIVISION I GENERAL

1. This Regulation applies to any person who does not hold a diploma giving access to a permit issued by the Ordre des infirmières et infirmiers auxiliaires du Québec and who is requesting that, for the purposes of obtaining a permit, a diploma issued by an educational establishment outside Québec be recognized as equivalent.

It also applies to any person who neither holds a diploma giving access to a permit, nor a diploma issued by an educational establishment outside Québec that could be recognized as equivalent under this Regulation and who is requesting, for the purposes of obtaining a permit, that the training received in Québec or outside Québec be recognized as equivalent to that diploma.

In this Regulation,

“diploma giving access to the permit” means a diploma recognized as giving access to the permit issued by the Order, by a government regulation made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26);

“diploma equivalence” means the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a diploma issued by an educational establishment outside Québec certifies that its holder has attained a level of knowledge and skills equivalent to the level that may be attained by the holder of a diploma giving access to the permit;

“training equivalence” means the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a person’s training demonstrates that he has attained a level of knowledge and skills equivalent to the level that may be attained by the holder of a diploma giving access to the permit.

2. The secretary of the Ordre des infirmières et infirmiers auxiliaires du Québec shall forward a copy of

this Regulation to any person who requests diploma or training equivalence in order to obtain a permit from the Order.

DIVISION II EQUIVALENCE STANDARDS FOR DIPLOMAS

3. A person who holds a diploma issued by an educational establishment outside Québec shall be granted a diploma equivalence if his diploma was obtained upon completion of studies comprising at least 1800 hours of courses after the equivalent of Secondary IV studies in Québec, apportioned as follows:

(1) Theoretical courses

Situation with respect to the profession and the training process	30
Underlying concepts of nursing	15
Organization of the human body	15
Communication and team work	30
Basic hygiene and microbiology	30
Basic pharmacology	30
Basic nutrition and dietotherapy	30
The locomotive system, diseases and care	30
Psychological development and preservation of mental health	30
Professional legislation and ethics	30
Occupational health and safety	30
The cardiovascular system, diseases and care	30
The digestive system, diseases and care	30
The respiratory system, diseases and care	30
The nervous and sensorial systems, diseases and care	60
The urinary and reproductive systems, diseases and care	45
The endocrinal system, diseases and care	30
Body defence mechanisms	30
Job search planning	15
Basic gerontology and geriatrics	30
Basic care of mother and newborn baby	30
Basic pediatrics	30
Basic psychoemotional disorders	30
Subtotal:	690

(2) Practical courses

General care principles and procedures	90
Basic care in health institutions	60
Specific care principles and procedures	105
Specific care in health institutions	75
Geronto-geriatric care	120
Care in an active medicine unit	120
Care of mother and newborn baby	60
Care in a pediatric unit	60

First aid	30
Care in a psychiatric unit	60
Care in a long-term care unit	120
Care in a surgery unit	120
Care in a medicine or surgery unit	90
Subtotal:	1110
TOTAL:	1800.

DIVISION III EQUIVALENCE STANDARDS FOR TRAINING

4. A person shall be granted a training equivalence if he has

(1) attained a level of knowledge and skills equivalent to the level that may be attained upon completion of Secondary IV studies in Québec, comprising the hours indicated in paragraph 1 of section 3; and

(2) gained relevant work experience, taken courses, passed examinations, completed training periods or carried out practical work, comprising a number of hours equivalent to the hours indicated in paragraph 2 of section 3.

A person shall also be granted a training equivalence if

(1) he holds at least one diploma in childcare obtained following training in childcare that childcare attendants and nurses receive as science learning in order to be able to provide the nursing care required for the treatment of newborn babies and sick children up to the age of 16;

(2) he has at least three years of relevant work experience.

DIVISION IV PROCEDURE FOR THE RECOGNITION OF AN EQUIVALENCE

5. A person who applies for a diploma equivalence to obtain a permit issued by the Order shall provide the secretary of the Order with

(1) a written application, enclosing the fees fixed for the processing of records pursuant to paragraph 8 of section 86.0.1 of the Professional Code;

(2) his academic record, including a description of the courses taken, the number of hours for each course and the corresponding official transcript; and

(3) official proof that the diploma was conferred.

6. A person who applies for a training equivalence to obtain a permit issued by the Order shall provide the secretary of the Order with

(1) a written application, enclosing the fees fixed for the processing of records pursuant to paragraph 8 of section 86.0.1 of the Professional Code;

(2) his academic record, including a description of the courses taken, the number of hours for each course and the corresponding official transcript, if applicable;

(3) official proof that one or more diplomas were conferred in Québec or elsewhere, if applicable;

(4) total years of education; and

(5) an attestation of his relevant work experience and an attestation that he has taken courses, passed examinations, completed training periods or carried out practical work.

7. Documents in support of an application for an equivalence that are not written in French or English shall be accompanied by a French or English translation provided by the applicant. The translation shall be certified as true to the original by a member of the Ordre des traducteurs et interprètes agréés du Québec or by an authorized diplomatic or consular representative.

8. The secretary of the Order shall forward the documents and information provided in support of an application to the committee of the Order formed in accordance with paragraph 2 of section 86.0.1 of the Professional Code for the purpose of examining applications for equivalence. The committee shall examine the application and make an appropriate recommendation to the Bureau of the Order.

For the purposes of making an appropriate recommendation, the committee may require that the applicant do one or more of the following: take a course, pass an examination, complete a training session or carry out practical work.

9. At its first meeting following the date of receipt of the committee's recommendation, the Bureau of the Order shall decide

(1) that the person shall be granted a diploma or training equivalence;

(2) that the person shall be granted partial training equivalence; or

(3) that the person shall not be granted a diploma or training equivalence.

Within 30 days of its decision, the Bureau of the Order shall inform the person in writing by registered or certified mail.

Where partial training equivalence is granted, the Bureau shall notify the person, at the same time and in writing, that he is required to take a course, pass an examination, complete a training session or carry out practical work within the time limit given by the Bureau for a full training equivalence to be granted.

Where no equivalence is granted, the Bureau shall inform the person, at the same time and in writing, of the programs of study leading to a diploma that gives access to the permit or, if the diploma that was submitted is appropriate, inform him of the courses, examinations, training sessions or practical work which must be taken, passed, completed or carried out, as the case may be, within the time limit given by the Bureau for a training equivalence to be granted.

10. A person who is granted partial training equivalence by the Bureau of the Order or is not granted a diploma or training equivalence may request a hearing and a review of the decision. The request must be sent in writing to the secretary of the Order within 30 days of the mailing of the decision.

The Bureau of the Order shall examine the request at the first meeting following the date of its receipt.

The secretary of the Order shall send a hearing notice to the person by registered or certified mail at least 10 days before the date of the hearing.

Where the Bureau reviews its decision and decides to grant a partial training equivalence, it shall, at the same time and in writing, inform the person of the courses, examinations, training sessions or practical work which must be taken, passed, completed or carried out, as the case may be, within the time limit given by the Bureau for a full training equivalence to be granted.

The Bureau's decision is final and shall be sent to the person in writing within 30 days following the day it was rendered.

11. This Regulation replaces the Regulation respecting equivalence standards for a permit to be issued by the Ordre professionnel des infirmières et infirmiers auxiliaires du Québec (R.R.Q., 1981, c. C-26, r. 116).

However, an application for equivalence shall be examined according to that Regulation if the committee referred to in section 2.02 of that Regulation made its

recommendation to the administrative committee of the Order before the date of coming into force of this Regulation.

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

2297

Gouvernement du Québec

O.C. 750-98, 3 June 1998

Professional Code
(R.S.Q., c. C-26)

Architects

— Code of ethics
— Amendments

Regulation to amend the Code of ethics of architects

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des architectes du Québec must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the conditions, obligations and, where applicable, the prohibitions in respect of advertising by the members of the order;

WHEREAS under section 87 of the Code, the Bureau made the Code of ethics of architects (R.R.Q., 1981, c. A-21, r. 3);

WHEREAS it is expedient to amend the Regulation;

WHEREAS a draft Regulation to amend the Code of ethics of architects was sent to every member of the Order at least 30 days before its adoption by the Bureau, in accordance with section 95.3 of the Code;

WHEREAS under that section of the Code, the Bureau made a Regulation to amend the Code of ethics of architects;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 18 May 1994 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Code of ethics of architects, the text of which is attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of architects*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. Section 2.03 of the Code of ethics of architects is amended by adding the following at the end:

“In particular, he must promote the hiring of trainees where circumstances so allow.”.

2. Section 3.08.02 is amended by inserting the word “full” before the word “payment”.

3. The Regulation is amended by substituting the following for Division V:

“DIVISION V ADVERTISING

§1. *Restrictions and obligations respecting advertising*

5.01.01 An architect may mention in his advertising all information likely to help a person who has no particular knowledge of architecture to make an enlightened choice on the services that may be useful or necessary for him. The advertising must promote access to those services, as well as the maintenance and development of professionalism.

5.01.02 No architect may, in any way whatsoever, engage in false or misleading advertising or advertising that is likely to mislead, or allow anyone else to do so.

5.01.03 An architect who mentions the name of a project in which he has participated must also mention, where applicable, that other architects’ offices have participated in the project and must specify his role and his participation in the project.

5.01.04 An architect may claim specific qualities or skills only if he can justify them.

5.01.05 No architect may advertise in a manner that is likely to denigrate or disparage a colleague.

5.01.06 Any advertising concerning prices must give sufficient information on the extent of the services offered and the corresponding remuneration. The advertising must specify the period during which it is in force and must indicate whether disbursements are included in the remuneration. Notwithstanding the above, nothing shall prevent an architect from agreeing with a client on a price lower than the one published or broadcast.

5.01.07 An architect must retain a complete copy of any advertising in its original form for a period of 1 year following the date on which it last appeared. Upon request, that copy must be submitted to the syndic.

§2. *Graphic symbol of the Order*

5.02.01 The Ordre des architectes du Québec is represented by a graphic symbol, the original of which is kept by the secretary.

5.02.02 An architect who reproduces the Order’s graphic symbol for advertising purposes must ensure that it is identical to the original.

§3. *Name of partnerships of architects*

5.03.01 This Division also applies to architects who practise alone.

5.03.02 The name of a partnership of architects shall include the names of members of the Order who practise together.

5.03.03 When an architect withdraws from a partnership, his name must be removed from the partnership name except in the cases provided for in section 5.03.04.

5.03.04 When an architect withdraws from a partnership to practise alone, to join another partnership or to perform duties that are incompatible with the practice of his profession, his name must be removed from the partnership name within 6 months from his withdrawal, unless there is an agreement to the contrary.

* The only amendments to the Code of ethics of architects (R.R.Q., 1981, c. A-21, r. 3) were made by the Regulation approved by Order in Council 820-91 dated 12 June 1991 (1991, G.O. 2, 1954).

5.03.05 Notwithstanding section 5.03.02, a partnership of architects may retain in its name the name of a deceased or retired architect for 1 year following the death or retirement, provided that the architect was a member of that partnership at the time of his death or retirement.

5.03.06 Notwithstanding section 5.03.05, the name of a partnership of architects may include the name of a deceased or retired architect provided that the architect was a member of that partnership during the 5 years preceding his death or retirement and provided that the architect, his heirs or his successors have concluded an agreement to that effect. Such agreement may be revoked for cause.”.

4. The Regulation respecting advertising by architects (R.R.Q., 1981, c. A-21, r. 10) is revoked.

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

2300

Gouvernement du Québec

O.C. 757-98, 3 June 1998

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Collective agreement decrees — Extension

Decree to extend the collective agreement decrees

WHEREAS the Act to amend the Act respecting collective agreement decrees (1996, c. 71) assented to 23 December 1996, particularly introduced new criteria concerning the juridical extension of collective agreements and the amendment of collective agreement decrees;

WHEREAS following the adoption of the Act, the contracting parties were called to examine the decree concerning them and to propose amendments in order to adapt it to the new criteria for juridical extension;

WHEREAS those propositions must be evaluated by the Ministère du Travail;

WHEREAS the period prescribed to favour the completion of the operation shall end on the expiry date of collective agreement decrees, that is 23 June 1998;

WHEREAS section 38 of the Act to amend the Act respecting collective agreement decrees allows the Government to extend the term of those decrees for a period not exceeding 18 months;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Decree to extend the collective agreement decrees was published in Part 2 of the *Gazette officielle du Québec* of 22 April 1998 with a notice that it could be made by the Government upon the expiry of a 20-day period following that publication;

WHEREAS under section 18 of the Regulations Act, a regulation may come into force within a period shorter than that provided for in section 17 of the Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under that section, the reason justifying such coming into force shall be published with the Regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstance justifies such coming into force:

— the extension decree attached to this Order in Council shall come into force before 23 June 1998, expiry date of the 27 collective agreement decrees; thus, the deadline would not be met if the 15-day period of coming into force provided for in section 17 of the Regulations Act was not shortened;

WHEREAS it is expedient to make the extension decree attached to this Order in Council without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Decree to extend the collective agreement decrees, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Decree to extend the collective agreement decrees

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

1. The following collective agreement decrees shall be extended to 31 December 1998:

(1) Decree respecting the furniture industry made by Order in Council 1809-83 dated 1 September 1983. This Decree was last amended by the Regulation made by Order in Council 1713-94 dated 7 December 1994.*

(2) Decree respecting the men's and boys' shirt industry (R.R.Q., 1981, c. D-2, r.11), last amended by the Regulation made by Order in Council 1297-96 dated 9 October 1996;*

(3) Decree respecting the women's clothing industry (R.R.Q., 1981, c. D-2, r.26), last amended by the Regulation made by Order in Council 170-93 dated 10 February 1993;*

(4) Decree respecting the men's clothing industry (R.R.Q., 1981, c. D-2, r.27), last amended by the Regulation made by Order in Council 1450-96 dated 20 November 1996;*

(5) Decree respecting the leather glove industry (R.R.Q., 1981, c. D-2, r.32), last amended by the Regulation made by Order in Council 991-95 dated 19 July 1995;*

(6) Decree respecting the automotive services industry in the Lanaudière-Laurentides region (R.R.Q., 1981, c. D-2, r.44), last amended by the Regulation made by Order in Council 630-98 dated 6 May 1998;*

(7) Decree respecting the automotive services industry in the Montréal region (R.R.Q., 1981, c. D-2, r.46), last amended by the Regulation made by Order in Council 632-98 dated 6 May 1998;*

(8) Decree respecting garage employees in the Drummond region (R.R.Q., 1981, c. D-2, r.43), last amended by the Regulation made by Order in Council 629-98 dated 6 May 1998;*

(9) Decree respecting garage employees in the Mauricie region (R.R.Q., 1981, c. D-2, r.45), last amended by the Regulation made by Order in Council 631-98 dated 6 May 1998;*

(10) Decree respecting garage employees in the Québec region (R.R.Q., 1981, c. D-2, r.48), last amended by the Regulation made by Order in Council 635-98 dated 6 May 1998;*

(11) Decree respecting garage employees in the Rimouski region (R.R.Q., 1981, c. D-2, r.49), last amended by the Regulation made by Order in Council 633-98 dated 6 May 1998;*

(12) Decree respecting garage employees in the Saguenay-Lac Saint-Jean region (R.R.Q., 1981, c. D-2, r.50), last amended by the Regulation made by Order in Council 634-98 dated 6 May 1998;*

(13) Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions (R.R.Q., 1981, c. D-2, r.42), last amended by the Regulation made by Order in Council 628-98 dated 6 May 1998.*

2. The following 14 collective agreement decrees are extended to 23 December 1999:

(1) Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1), last amended by the Regulation made by Order in Council 1105-95 dated 16 August 1995;*

(2) Decree respecting the cardboard box and cardboard products industry (R.R.Q., 1981, c. D-2, r.4), last amended by the Regulation made by Order in Council 1106-95 dated 16 August 1995;*

(3) Decree respecting the corrugated paper products industry (R.R.Q., 1981, c. D-2, r.5), last amended by the Regulation made by Order in Council 920-93 dated 22 June 1993;*

(4) Decree respecting the cartage industry in the Montréal region (R.R.Q., 1981, c. D-2, r.6), last amended by the Regulation made by Order in Council 1712-94 dated 7 December 1994;*

(5) Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7), last amended by the Regulation made by Order in Council 527-96 dated 1 May 1996;*

(6) Decree respecting the casket industry (R.R.Q., 1981, c. D-2, r.8), last amended by the Regulation made by Order in Council 260-94 dated 16 February 1994;*

(7) Decree respecting hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r.15), last amended by the Regulation made by Order in Council 1546-95 dated 29 November 1996;*

(8) Decree respecting bread distributors in the Montréal region (R.R.Q., 1981, c. D-2, r.28), last amended by the Regulation made by Order in Council 328-96 dated 13 March 1996;*

(9) Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29), last amended by the Regulation made by Order in Council 1531-96 dated 4 December 1996;*

* For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

* For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

(10) Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33), last amended by the Regulation made by Order in Council 770-96 dated 19 June 1996;*

(11) Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r.34), last amended by the Regulation made by Order in Council 228-96 dated 21 February 1996;*

(12) Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35), last amended by the Regulation made by Order in Council 1127-94 dated 20 July 1994;*

(13) Decree respecting building services employees industry in the Montréal region (R.R.Q., 1981, c. D-2, r.39), last amended by the Regulation made by Order in Council 1077-94 dated 13 July 1994;*

(14) Decree respecting building services employees industry in the Québec region (R.R.Q., 1981, c. D-2, r.40), last amended by the Regulation made by Order in Council 99-96 dated 24 January 1996.*

3. This Decree comes into force on 22 June 1998.

2291

Gouvernement du Québec

O.C. 758-98, 3 June 1998

Building Act
(R.S.Q., c. B-1.1)

Exemption of the application of the Act — Amendments

Regulation to amend the Regulation respecting exemption from the application of the Building Act

WHEREAS under section 4.1 and subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1), the Government may, by regulation, exempt, in particular, categories of contractors from the total or partial application of the Act;

WHEREAS under the second paragraph of section 182 of that Act, a regulation made under subparagraph 1 of

the first paragraph of that section may, in particular, where it is made to give effect to an intergovernmental agreement in respect of mobility or the recognition of the qualifications, skills or work experience of building contractors, provide for adjustments to the provisions of the Act and the regulations, including regulations adopted by the Board, and for special management rules applicable to the categories of persons and contractors covered by the regulation;

WHEREAS under the second paragraph of section 192, the contents of the regulations may, in particular, vary to facilitate the recognition of the qualifications, skills or work experience of the building contractors covered by an intergovernmental agreement in respect of mobility or the recognition of such qualifications, skills or work experience;

WHEREAS under Décret 569-98 dated 22 April 1998, the Government approved the Newfoundland and Labrador–Québec Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry signed on 24 April 1998;

WHEREAS it is expedient to make the Regulation attached to this Order in Council in order to give effect to that Agreement;

WHEREAS under the second paragraph of section 182 of the Building Act, a regulation made to give effect to an intergovernmental agreement is not subject to the requirements as to publication and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting exemption from the application of the Building Act, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

* For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

Regulation to amend the Regulation respecting exemption from the application of the Building Act(*)

Building Act
(R.S.Q., c. B-1.1, s. 4.1, s. 182, 1st par., subpar. 1 and 2nd par., and s. 192)

1. The following section is inserted after section 3.1 of the Regulation respecting exemption from the application of the Building Act:

“**3.2.** A contractor domiciled in Newfoundland or in the area of Labrador that is part of Newfoundland is exempt from the application of paragraph 1 of section 58 of the Act and from the provisions pertaining to the examination of skills in the Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 and amended by the Regulations approved by Orders in Council 376-95 dated 22 March 1995, 98-96 dated 24 January 1996 and 7-97 dated 7 January 1997 and its future amendments, where it is established, to the satisfaction of the Régie du bâtiment du Québec, that

(1) in the case of a legal person, it has been registered for at least 5 years as a building contractor with the Commercial and Corporate Affairs Branch of the Department of Government Services and Lands of Newfoundland; or

(2) in the case of a sole proprietorship or of a general or limited partnership, the firm name of the construction firm has been registered for at least 5 years with the Worker's Compensation Commission of Newfoundland.

The exemption referred to in the first paragraph is valid only for the categories or subcategories of licences corresponding to the fields for which the contractor is registered and for as long as he meets one of the conditions provided for in subparagraphs 1 and 2 of the first paragraph.”

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

2292

*The Regulation respecting exemption from the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, *G.O.* 2, 1100), was once amended by the Regulation made by Order in Council 6-97 dated 7 January 1997 (1997, *G.O.* 2, 188).

Gouvernement du Québec

O.C. 759-98, 3 June 1998

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20)

Commission de la construction du Québec — Requirement of holding a competency certificate or an exemption — Exemptions

Regulation to amend the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec

WHEREAS under section 123 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) the Government may, in order to give effect to an inter-governmental agreement in respect of manpower mobility or the mutual recognition of qualifications, skills or work experience in trades and occupations in the construction industry, make regulations to exempt certain persons, on the conditions it determines, from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec;

WHEREAS the same section also enacts that such regulations may provide for adjustments to the provisions of the Act and the regulations and special management rules, and that they are not subject to the requirements as to publication and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the Government made the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec by Order in Council 4-97 dated 7 January 1997;

WHEREAS under Décret 569-98 dated 22 April 1998, the Government approved the Newfoundland and Labrador-Québec Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry signed on 24 April 1998;

WHEREAS it is expedient to make the Regulation attached to this Order in Council in order to give effect to that Agreement;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la Construction du Québec, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec(*)

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123)

1. The following sections are inserted after section 2 of the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec:

“**2.1.** A person domiciled in Newfoundland or in the area of Labrador that is part of Newfoundland is, on the following conditions, exempted from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec:

(1) the person holds a valid, recognized attestation authorizing him to carry on, in Newfoundland or in the area of Labrador that is part of Newfoundland, a trade which, under or pursuant to the Newfoundland and Labrador-Québec Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry dated 24 April 1998, is paired with one of the trades listed in Schedule A to the Regulation respecting the vocational training of manpower in the construction industry, approved by Order in Council 313-93 dated 10 March 1993, as amended, or with a specialty under one of those trades, or which, under or pursuant to that Agreement is recognized as being equivalent to an occupation existing in Québec; and

(2) in accordance with the provisions of the Agreement, the person meets the applicable requirements in respect of occupational health and safety training.

For the purposes of carrying on construction work as an employee, the exemption enacted by the first paragraph applies only on the condition that the person in question also holds a card issued by the Commission under section 36 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20).

2.2. For the purposes of subparagraph 1 of the first paragraph of section 2.1, a certificate of qualification and an apprentice identification card issued under a statute of the Province of Newfoundland are recognized attestations; a certificate of qualification issued in accordance with the provisions of an interprovincial agreement on the reciprocal recognition of vocational qualification (Red Seal) is also a recognized attestation.”.

2. The following is substituted for section 3:

“**3.** The Commission shall, on request, issue a card referred to in section 36 of the Act to a person domiciled in Ontario or in Newfoundland or in the Newfoundland part of Labrador only where that person meets the conditions set forth in subparagraphs 1 and 2 of the first paragraph of section 1 or 2.1 of this Regulation or where the person holds a competency certificate or an exemption issued by the Commission.”.

3. Section 4 is amended by inserting “or 2.1” after “section 1”.

4. Section 5 is amended by inserting “or 2.1” after “section 1”.

5. The following is substituted for the first paragraph of section 6:

“For the purposes of applying the relevant provisions of the Regulation respecting the vocational training of manpower in the construction industry to a person exempted under section 1 or 2.1 of this Regulation, a person holding a certificate of qualification is deemed to be a journeyman and a person holding a certificate of apprenticeship, a provisional certificate of qualification or an apprentice identification card is deemed to be an apprentice.”.

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

* The Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec, made by Order in Council 4-97 dated 7 January 1997 (1997, G.O. 2, 185) has not been amended since.

Gouvernement du Québec

O.C. 760-98, 3 June 1998

Labour Code
(R.S.Q., c. C-27)

Application of the definition of “employee” given in the Labour Code to certain public servants of the Conseil du trésor

WHEREAS under subparagraph 3.2 of paragraph 1 of section 1 of the Labour Code (R.S.Q., c. C-27), the definition of “employee” does not include a public servant of the Conseil du trésor, except in the cases that the Government may determine by order;

WHEREAS by Order in Council 611-96 dated 22 May 1996, the public servants of the Conseil du trésor in the Service de la vérification interne and in the Direction générale de l’administration and the public servants whose services have been made available to the Minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1) were included in the definition of “employee” given in the Labour Code, except the public servants in the office of the associate secretary, Services gouvernementaux, and in the Direction des ressources humaines;

WHEREAS it is expedient to replace Order in Council 611-96 in order to exclude from the definition of “employee” given in the Labour Code the public servants of the Conseil du trésor in the Service de la vérification interne;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour and of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the public servants of the Conseil du trésor in the Direction générale de l’administration and the public servants whose services have been made available to the Minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1) be included in the definition of “employee” given in paragraph 1 of section 1 of the Labour Code, except the public servants in the office of the associate secretary, Services gouvernementaux, and in the Direction des ressources humaines;

THAT this Order in Council replace Order in Council 611-96 dated 22 May 1996.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

2299

Gouvernement du Québec

O.C. 776-98, 10 June 1998

Education Act
(R.S.Q., c. I-13.3)

French-language and English-language school boards

— Establishment

— Amendments

Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards

WHEREAS under the first paragraph of section 540 of the Education Act (R.S.Q., c. I-13.3), amended by section 50 of Chapter 47 of the Statutes of 1997, the Government may, by regulation, adopt any other transitional provision to remedy any omission in order to ensure the carrying out of the Education Act in the territory of a new French-language or English-language school board on 1 July in the year following the year of publication of the order respecting territorial division;

WHEREAS under the second and third paragraphs of that section, the Regulations Act (R.S.Q., R-18.1) does not apply to such regulation or proposed regulation, which comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein, and it may, once published and if it so provides, apply from any date not prior to the date of publication of the order respecting territorial division;

WHEREAS Order in Council 1014-97 dated 13 August 1997 respecting the division of the territory of Québec into territories for French-language school boards and territories for English-language school boards was published in the *Gazette officielle du Québec* of 27 August 1997;

WHEREAS under section 516 of the Education Act, the provisional councils of the new school boards are responsible for taking the preliminary measures leading to the operation of the new school boards in their territories from 1 July 1998;

WHEREAS under section 519 of that Act, the provisional councils of the school boards, in co-operation with the other provisional councils concerned, shall decide as to the allocation of the rights of ownership in immovables of the existing school boards situated in the territory of the new school boards;

WHEREAS under section 521 of that Act, the provisional councils, in co-operation with the other provi-

sional councils concerned, shall decide as to the allocation of the rights, other than the rights of ownership in immovables, and obligations of the existing school boards situated wholly or partly within the territories of the new school boards;

WHEREAS section 535 of that Act provides that, on 1 July 1998, the rights and obligations of existing school boards become the rights and obligations of the new school boards having jurisdiction in its territory, to the extent provided in the plan of allocation of rights and obligations established under sections 519 and 521 of that Act;

WHEREAS in the Education Act there are no provisions applicable where the provisional councils concerned fail to establish the plan of allocation of rights and obligations of existing school boards under sections 519 and 521 of that Act;

WHEREAS by Order in Council 1281-97 dated 1 October 1997, the Government made the Regulation respecting the establishment of French-language and English-language school boards;

WHEREAS it is expedient to amend that Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education;

THAT the Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards(*)

Education Act
(R.S.Q., c. I-13.3, s. 540; 1997, c. 47, s. 50)

1. The Regulation respecting the establishment of French-language and English-language school boards is amended by inserting the following section after section 3.1:

* The Regulation respecting the establishment of French-language and English-language school boards was made by Order in Council 1281-97 dated 1 October 1997 (1997, *G.O.* 2, 5115) and was amended by the Regulation made by Order in Council 618-98 dated 6 May 1998 (1998, *G.O.* 2, 2005).

“3.2 Failure on the part of the provisional councils concerned to have established, by 17 June 1998, a plan for the allocation of all the rights and obligations of an existing school board situated in their territory under sections 519 and 521 of the Act is a dispute within the meaning of section 533 of the Act.

The Minister shall rule on the dispute, *ex officio*, but the Minister shall respect all the agreements entered into between the new school boards concerning certain rights and obligations of the existing school boards situated in their territory.

Notwithstanding the foregoing, the provisional councils concerned may continue to discuss the matter after 17 June 1998 in order to establish such an allocation plan and any agreement entered into before 1 July 1998 is substituted for the Minister’s decision concerning what is provided for therein.”.

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

2305

Gouvernement du Québec

O.C. 798-98, 10 June 1998

Highway Safety Code
(R.S.Q., c. C-24.2)

Highway Safety Code — Identification stickers for using parking spaces reserved for handicapped persons

Regulation respecting identification stickers for using parking spaces reserved for handicapped persons

WHEREAS under paragraph 20 of section 618 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by paragraph 2 of section 8 of Chapter 49 of the Statutes of 1997, the Government may by regulation determine terms and conditions for obtaining, using and renewing the identification sticker provided for in section 11 of the Code and fix its period of validity;

WHEREAS under section 13 of the Act to amend the Act respecting the Société de l’assurance automobile du Québec and other legislative provisions (1997, c. 49), the Société de l’assurance automobile shall be responsible for the application of section 30.1 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1) and the regulatory provisions thereunder;

WHEREAS under section 14 of that Act, the Regulation respecting identification stickers issued to handicapped persons made by Order in Council 1689-87 dated 4 November 1987 remains into force until it is replaced by a regulation made under paragraph 20 of section 618 of the Highway Safety Code enacted by section 8 of that Act;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting identification stickers for using parking spaces reserved for handicapped persons was published in Part 2 of the *Gazette officielle du Québec* of 8 April 1998 with a notice that it could be submitted to the Government for adoption on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting identification stickers for using parking spaces reserved for handicapped persons

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, par. 20; 1997, c. 49, s. 8, par. 2)

DIVISION I INTERPRETATION

1. Unless otherwise indicated, legislative or regulatory provisions referred to in this Regulation shall be interpreted by taking into account any amendments that will be made to such provisions.

DIVISION II TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO HANDICAPPED PERSONS

2. Any natural person who wishes to obtain an identification sticker for using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société de l'assurance automobile du Québec on the form provided by the Société, by entering his name, address, telephone number, date of birth and driver's licence number, where applicable;

(2) forward, upon request, on the form provided by the Société, an evaluation stating that he is disabled for at least 6 months which causes him to lose his autonomy or that he risks to jeopardize his health and safety while travelling a distance that does not require the use of a means of transportation; that evaluation shall be done by one of the following persons:

(a) a health professional within the meaning of section 4 of the Highway Safety Code (R.S.Q., c. C-24.2);

(b) a physiotherapist, member of the Ordre des physiothérapeutes du Québec;

(c) a specialized instructor employed by a public institution referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(3) pay the fees provided for in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects made by Order in Council 646-91 dated 8 May 1991.

3. For the renewal of the identification sticker and the attestation certificate accompanying it, any handicapped person shall pay the fees mentioned in paragraph 3 of section 2.

4. For the replacement of the identification sticker and the attestation certificate accompanying it, any handicapped person shall meet the following requirements:

(1) submit to the Société a written statement attesting that the document is illegible, damaged, destroyed, lost or stolen according to the reason invoked for its replacement.

(2) pay the fees mentioned in paragraph 3 of section 2.

DIVISION III TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO PUBLIC INSTITUTIONS

5. Any public institution referred to in the third paragraph of section 11 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011), replaced by section 5 of Chapter 49 of the Statutes of 1997, that wishes to obtain an identification sticker for

using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société, on the form provided by the Société, by entering its name and address and those of the person authorized to submit the application on its behalf;

(2) pay the fees mentioned in paragraph 3 of section 2.

6. For the renewal of an identification sticker and the attestation certificate accompanying it, that public institution shall pay the fees mentioned in paragraph 3 of section 2.

7. For the replacement of an identification sticker and the attestation certificate accompanying it, that institution shall pay the fees mentioned in paragraph 3 of section 2.

DIVISION IV STANDARDS OF USE

8. Any handicapped person who is the holder of an identification sticker or any person who is authorized to act for the account of a public institution shall respect the following standards of use:

(1) inform the Société of any change of address within 30 days following the change;

(2) inform the Société of the destruction, loss or theft of the identification sticker and the attestation certificate accompanying it immediately;

(3) return the identification sticker and attestation certificate accompanying it to the Société where their use is no longer required or where the holder does not comply with the standards provided for in section 2 or 5, as the case may be;

(4) not allow the identification sticker and the attestation certificate accompanying it to be used by another person or for the account of another institution;

(5) hang the sticker from the rear-view mirror of the road vehicle, only when the vehicle is parked in a space reserved for handicapped persons, in such a manner that the sticker is visible from the outside;

(6) have in his possession the attestation certificate while using the identification sticker.

DIVISION V PERIOD OF VALIDITY

9. The identification sticker and the attestation certificate accompanying it are valid for a 5-year period.

The period of validity of an identification sticker and of the attestation certificate accompanying it begins on the date it is issued and ends on one of the following dates:

(1) the last day of the month in which the holder has his birthday following the fifth year after the date of issue where the holder is a handicapped person;

(2) 31 October following the fifth year after the date of issue where the holder is a public institution.

DIVISION VI FINAL

10. This Regulation replaces:

(1) the Regulation respecting removable stickers issued to handicapped persons made by Order in Council 1824-88 dated 7 December 1988;

(2) the Regulation respecting identification stickers issued to handicapped persons and to public institutions made by Order in Council 1689-87 dated 4 November 1987.

11. This Regulation comes into force on 2 July 1998.
2303

Gouvernement du Québec

O.C. 799-98, 10 June 1998

Highway Safety Code
(R.S.Q., c. C-24.2)

Fees exigible
— **Return of confiscated objects**
— **Amendments**

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS under subparagraph 3 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix, according to the nature, class or category of licence, the amount of the fee exigible

for obtaining or renewing such licence and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 93.1 and establish the terms and conditions of payment of such fees;

WHEREAS under subparagraph 7 of the first paragraph of section 624 of the Code, the Société may by regulation determine the amount of the fee exigible for the issue of a licence or permit under Title III or of a special permit;

WHEREAS under subparagraph 10.3 of the first paragraph of section 624 of the Code, the Société may by regulation determine the amount of the fee exigible for the communication of information to any person who applies therefor;

WHEREAS under subparagraph 14 of the first paragraph of section 624 of the Code, the Société may by regulation determine the amount of the fee exigible for the issue of an identification sticker under section 11;

WHEREAS under subparagraph 18 of the first paragraph of section 624 of the Code, the Société may by regulation fix the amount of the fee exigible for any electronic exchange of data relating to the carrying out of this Code with any legal person established in the public interest or for a private interest;

WHEREAS under section 625 of the Highway Safety Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS at its meeting of 5 February 1998, the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was published in Part 2 of the *Gazette officielle du Québec* of 8 April 1998 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS on 29 May 1998, the Société made an amendment to the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects*

Highway Safety Code

(R.S.Q., c. C-24.2, s. 624, par. 1, subpars. 3, 7, 10.3, 14 and 18)

1. Section 4 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended:

(1) by substituting “\$13.74” for “\$13.76” in paragraph 2.1;

(2) by substituting “\$6.95” for “\$7.02” in paragraph 2.4;

(3) by substituting “\$11.74” for “\$11.76” in paragraph 4.1;

(4) by substituting “\$7.74” for “\$7.76” in paragraph 4.4;

(5) by substituting “\$7.74” for “\$7.76” in paragraph 4.8;

(6) by substituting “\$17.74” for “\$17.76” in paragraph 5.

2. Section 7 of the Regulation is amended by inserting the following after subparagraph 5 of the first paragraph:

“(6) \$25 for replacement of a dealer’s licence;

(7) \$25 for replacement of a parts recycler’s licence.”.

* The last amendment to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 (1991, *G.O.* 2, 1695), was made by the regulation approved by O.C. 56-98 dated 14 January 1998 (1998, *G.O.* 2, 510). For prior amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

3. The following is substituted for section 9:

“9. The fee payable to obtain, renew or replace handicapped parking identification covered by section 11 of the Highway Safety Code and its accompanying certificate is \$15.

The fee payable for replacing the certificate, issued by the Société to attest that the holder qualifies for handicapped parking identification, is \$4.”.

4. The following is substituted for section 12.1:

“12.1 The fee payable for obtaining information from the Société on the validity of a licence under section 611.1 of the Highway Safety Code is:

(1) \$1.50 for each telephone call;

(2) \$1.50 for each information request made electronically concerning licence validity for the first five, and \$0.25 for each additional request for information;

(3) \$1.50 for each of the first five information requests concerning licence validity made and filled by mail, and \$0.50 for each additional request for information.”.

5. The Regulation comes into force on July 2, 1998.

2304

M.O., 1998

Order of the Minister of Health and Social Services dated May 29, 1998 to designate breast cancer detection centres

Health Insurance Act
(R.S.Q., c. A-29)

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING subparagraph *b.3* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29);

CONSIDERING the designation, by Minister's Order 97-05 dated 16 December 1997, of breast cancer detection centres;

CONSIDERING the need to amend the Minister's Order so as to remove the name of a breast cancer detection centre that has ceased its activities;

ORDERS:

THAT the designation of the following breast cancer detection centre be cancelled for the Chaudière-Appalaches region:

La Clinique radiologique Sainte-Croix
6350, Principale, C.P. 370
Sainte-Croix (Québec)
G0S 2H0

Québec, 29 May 1998

JEAN ROCHON,
*Minister of Health
and Social Services*

2294

Notice

Parks Act
(R.S.Q., c. P-9)

**Mont-Tremblant Recreation Park
— Classification and boundaries
— Modification**

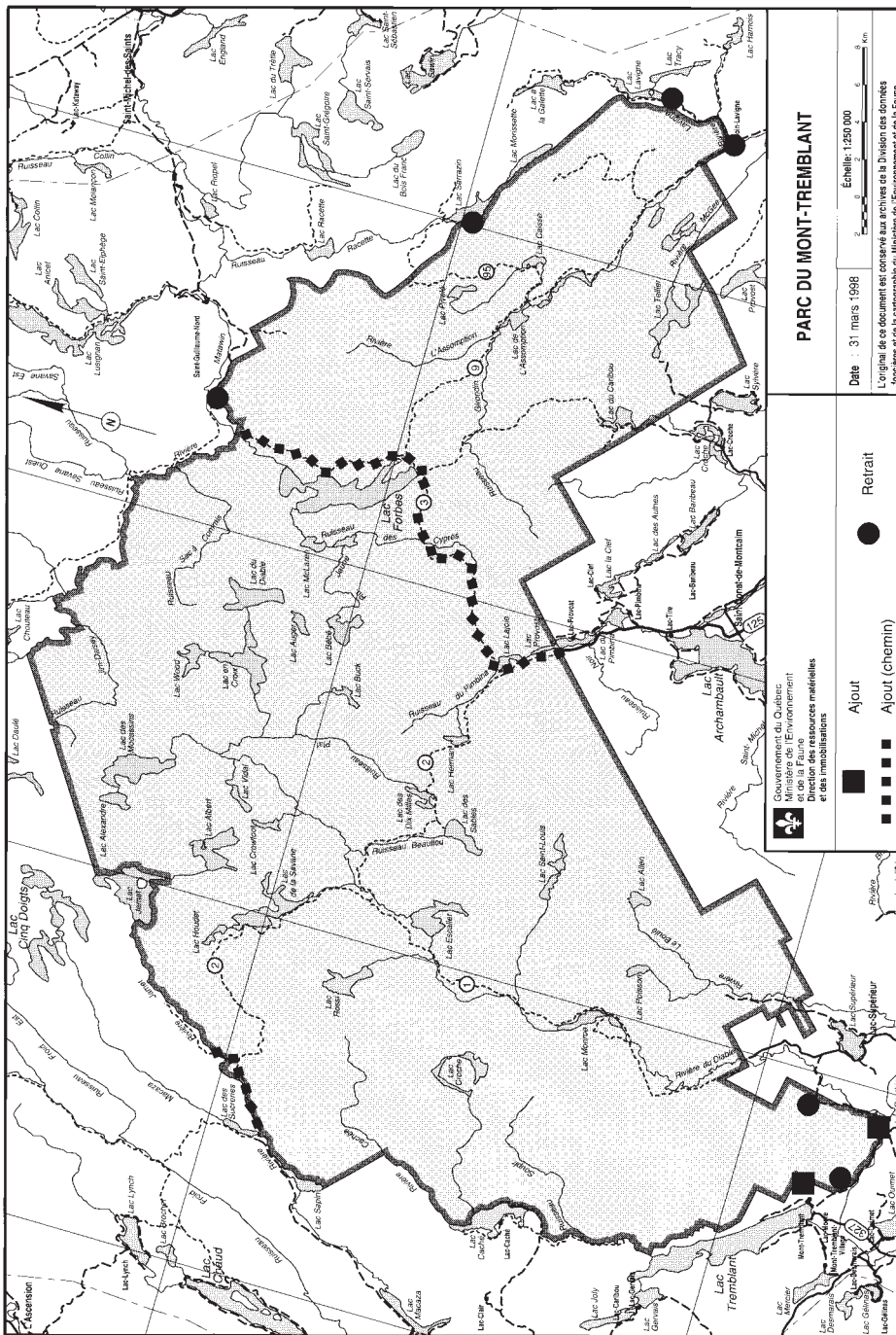
Notice is hereby given by the Minister of the Environment and Wildlife, Paul Bégin, of the intention of the government of Québec to modify the classification and boundaries of the Mont-Tremblant recreation park. The classification proposed is that of conservation park and the changes to the boundaries are identified on the map appended.

Any person interested in transmitting their opposition to the project may do so in writing within 60 days of the publication of this notice, that is, before September 4, 1998, at the following address: Ministère de l'Environnement et de la Faune, Direction régionale des Laurentides, 140, rue Saint-Eustache, 3^e étage, Saint-Eustache (Québec) J7R 2K9.

All persons having filed their opposition within the period provided to that end will be heard publicly at Château Montcalm, 255, chemin Fusey, Saint-Donat (Québec) J0T 2C0, Friday, September 25, 1998, starting at 7 pm, and at the auditorium of the Polyvalente des Monts, 101, rue Légaré, Sainte-Agathe-des-Monts (Québec) J8C 2T6, Saturday, September 26, 1998, starting at 9 am.

PAUL BÉGIN,
Ministre de l'Environnement et de la Faune

2287



Draft Regulations

Draft Regulation

Education Act
(R.S.Q., c. I-13.3)

Childcare services provided at school

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting childcare services provided at school, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to establish standards for childcare services provided at school, the nature and objectives of such services and their general organizational framework.

Thus it provides standards related to the nature and objectives of childcare services provided at school, the access to those services, the staff assigned to those services and the standards related to hygiene, salubrity and safety. In addition, it provides the keeping and update of registration and attendance cards for children attending the childcare service provided at school, and the formation, by the governing board of a school, of a childcare parents' committee.

Moreover, the budgetary rules will fix the maximum contribution exigible from parents for the basic childcare services provided at school.

The draft Regulation does not entail any impact on businesses.

Further information may be obtained by contacting Céline Michaud, Director of the Direction de la formation générale des jeunes à l'éducation préscolaire et à l'enseignement primaire et secondaire, ministère de l'Éducation, 1035, rue De La Chevrotière, 17^e étage, Québec (Québec) G1R 5A5, telephone: (418) 644-2386.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

PAULINE MAROIS,
Minister of Education

Regulation respecting childcare services provided at school

Education Act
(R.S.Q., c. I-13.3, s. 454.1; 1997, c. 58, s. 51; 1997, c. 96, s. 132)

CHAPTER I NATURE AND OBJECTIVES OF CHILDCARE SERVICES

1. Childcare services provided at school shall ensure care to children at the preschool and elementary level of a school board, outside the periods where educational services are provided to them.

2. The following are the objectives pursued by childcare services provided at school:

(1) looking after the children's well-being and pursuing, within the scope of the school's educational project, the global development of children through activities taking into account their interests and needs, complementing the school's educational services;

(2) providing support to children's families, particularly by offering to those who wish, an adequate place and, where possible, the necessary support to allow them to do their homework after class;

(3) providing health and safety to children in keeping with the rules of conduct and safety measures approved by the governing board of the school, in accordance with section 76 of the Education Act (R.S.Q., c. I-13.3) made by section 13 of Chapter 96 of the Statutes of 1997.

CHAPTER II GENERAL ORGANIZATIONAL FRAMEWORK

DIVISION I ACCESS

3. Childcare services shall be offered every day of the school year devoted to educational services, but outside the periods devoted to those services, in the manner, such as the schedule, agreed with the school board and the governing board in accordance with section 256 of the Education Act replaced by section 91 of Chapter 96 of the Statutes of 1997.

That school board and the governing board may also agree to offer services outside the days of the school year devoted to educational services, particularly during pedagogical days and spring break.

4. During registration of a child in the childcare service of a school, the principal shall ensure that the child's parent receives a document in which the rules of operation of the service are clearly established, particularly those related to the days and hours the service is open and to the costs and terms of payment.

DIVISION II **STAFF**

5. Childcare staff members must hold a document, dating back not more than 3 years, attesting that the person has successfully completed:

(1) a general first aid course lasting at least 8 hours; or

(2) a refresher course lasting at least 6 hours intended to update the knowledge acquired in the course mentioned in paragraph 1.

DIVISION III **HYGIENE, SALUBRITY AND SAFETY**

6. The number of children per childcare staff member in a childcare service provided at school shall not exceed 20 children present.

7. Where only one childcare staff member is present in a childcare service, the principal shall ensure that someone is available to replace that member if he is obliged to leave due to an emergency.

8. If an illness or a serious accident occurs, a childcare staff member shall immediately call for medical assistance, in particular, by contacting a physician or by going to the nearest medical emergency service.

As soon as possible, the person shall notify the parent of the child or any other person the parent has designated in the registration card.

The child shall be isolated from the group and be constantly supervised by an adult.

9. The childcare provider shall ensure that every medication, toxic product or household cleaning product is stored in a space intended specifically for that purpose, out of reach of children and away from food.

10. The childcare provider shall post near the telephone a list of the following telephone numbers:

(1) a physician;

(2) the nearest hospital;

(3) the local community service centre (CLSC) in the territory of which the centre is located;

(4) the Centre anti-poison du Québec; and

(5) the ambulance service.

He must also keep close to the telephone

(1) a list of the telephone numbers of the regular staff members and their replacements, if any; and

(2) a list of the telephone numbers of the parent of each child and those, according to registration cards, of other persons to contact in case of emergency.

11. During outings outside the premises of the childcare service, the principal shall take particular measures to ensure the safety of children, in compliance with the rules of conduct and safety measures approved by the governing board, in accordance with section 76 of the Education Act.

12. The principal shall ensure that the premises, equipment, furnishings and playthings used by the childcare service are in good condition.

13. The principal shall ensure that childcare staff members have a first-aid kit that is kept out of reach of children.

14. Childcare staff members shall ensure that each child leaves the centre with his parent or any other person authorized to do so, unless the parent has agreed, in writing, that the child returns home by himself.

DIVISION IV **REGISTRATION AND ATTENDANCE CARDS**

15. The principal shall keep and put at the disposal of childcare staff members at all times a registration card of each child attending that service.

A childcare provider shall keep and update daily, for each child he receives, an attendance card.

A childcare provider shall give written or verbal communication of those cards, or facilitate the access thereof, to a parent who requests it.

16. The registration card shall contain the following information:

(1) the name, address and telephone number of the child;

(2) the name, address and telephone number of the parent, and that of a person authorized to pick up the child and those of another person to contact in case of emergency;

(3) the name of the child's teacher and his grade;

(4) the date of admission of the child and the periods of attendance planned per week; and

(5) data respecting the health and feeding of the child that may require special care and, where applicable, the name, address and telephone number of the physician and of the establishment where the child generally receives care.

17. The attendance card of each child shall contain the following information:

(1) the names of the parent and of the child;

(2) the periods of attendance planned per week; and

(3) the dates and hours of attendance of the child.

DIVISION V CHILD CARE PARENTS' COMMITTEE

18. The governing board may form a childcare parents' committee made up of the childcare provider and of 3 to 5 parents elected by and among the parents of children attending that service.

The committee may make any representation or recommendation to the principal, governing board or school board on all aspects of the life of children in childcare, in particular the governing board's obligation to inform the community served by the school of the services it offers and to give an account of their quality.

DIVISION VI TRANSITIONAL AND FINAL

19. Childcare staff members hired before the date of coming into force of this Regulation shall comply with the provisions of section 5 within 12 months following that date.

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

Draft Regulation

Gas Distribution Act
(R.S.Q., c. D-10)

Gas and public safety — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation to amend the Regulation respecting gas and public safety", adopted by the Régie du bâtiment du Québec, the text of which is given below, may be approved by the government, with or without amendment, upon the expiry of 45 days from this publication.

The purpose of this Draft Regulation is to allow the Société de l'assurance automobile du Québec to fulfil the role of the Régie du bâtiment du Québec in regulating and inspecting compressed natural gas motor-fuel systems and containers and propane motor-fuel systems and tanks of motors powering road vehicles.

To this end, the Draft Regulation proposes the revocation of all standards concerning the design, installation and inspection of compressed natural gas motor-fuel systems and containers of road vehicles and propane motor-fuel systems and tanks of road vehicles and the prohibition of the filling of the compressed natural gas motor-fuel container or the propane motor-fuel tank of a road vehicle not bearing the sticker provided by the Société de l'assurance automobile du Québec attesting that it complies with government regulations.

Given its nature, the Draft Regulation will have no impact on gas distributors or contractors who convert vehicles to run on gas. No special effort is required to comply with it.

Further information can be obtained from Jean Samson, engineer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2 (tel. (514) 873-5927, fax (514) 873-9936).

Any interested persons are asked to transmit their comments, in writing, before the expiry of the time limit, to Jean-Claude Riendeau, Chairman, Régie du bâtiment, 545, boulevard Crémazie Est, 6^e étage, Montréal (Québec) H2M 2V2.

MATTHIAS RIOUX,
Minister of Labour

Regulation to amend the Regulation respecting gas and public safety*

Gas Distribution Act
(R.S.Q., c. D-10, ss. 2 and 3)

1. The Regulation respecting gas and public safety is amended by inserting the following section after section 21.2:

“**21.2.1** No person shall fill the compressed natural gas motor- fuel container of a road vehicle not bearing the sticker required under the Regulation respecting safety standards for road vehicles made by Order in Council (*insert the number and date of the Order in Council here*).”.

2. Division I-B and sections 21.3 to 21.5 of the Regulation are revoked.

3. The Regulation is amended by inserting the following section after section 26:

“**26.1.** No person shall fill the propane gas motor-fuel tank of a road vehicle not bearing the sticker required under the Regulation respecting safety standards for road vehicles.”.

4. Section 35 of the Regulation is amended by striking out at the end the words “as defined in section 37.1”.

5. Division II-A and sections 37.1 to 37.3 of the Regulation are revoked.

6. This Regulation will come into force on the date of the coming into force of the Regulation respecting safety standards for road vehicles made by Order in Council (*insert the number and date of the Order in Council here*), except sections 1 and 3, which will come into force on the one hundred and heightieth day after that date.

2290

Draft Regulation

Highway Safety Code
(R.S.Q., c. C-24.2)

Safety standards for road vehicles

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting safety standards for road vehicles, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation replaces the Regulation respecting the inspection and safety standards for road vehicles and the Regulation respecting the mechanical inspection reciprocal agreement between the Gouvernement du Québec and certain North American jurisdictions. It is intended to harmonize Québec standards with the standards of the other North American jurisdictions, to improve the mechanical inspection program by introducing a preventive maintenance program and to change obsolete provisions in the current Regulation. It also proposes standards for installing compressed natural gas or propane fuel supply systems for the engines of road vehicles.

Harmonizing Québec standards with those of the other jurisdictions will provide carriers with a fair treatment everywhere in North America. Businesses that will register for the preventive maintenance program will be exempt from the obligations related to periodic mechanical inspections and therefore will see their administrative duties lessened to the same extent.

Further information may be obtained by contacting Mr. Jean Desroches, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-21, C.P. 19600, Québec (Québec) G1K 8J6, tel.: (418) 528-3411.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JACQUES BRASSARD,
Minister of Transport

* The Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4) was last amended by the Regulation made by Order in Council 570-95 dated 26 April 1995 (1995, G.O. 2,1354). For previous amendments, refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

Regulation respecting safety standards for road vehicles

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, pars. 1, 6 to 8, 11, 14, 24, 25, 28 to 32, 32.1 to 32.8, 37 to 40, 42 and 49 and s. 631)

CHAPTER I GENERAL

1. Unless otherwise indicated, every reference made in this Regulation shall be read taking into account any amendments that may be made to the text of the legislative or regulatory provisions referred to.

2. For the purposes of this Regulation,

“carrier” means a carrier within the meaning of section 519.2 of the Highway Safety Code (R.S.Q., c. C-24.2) (*transporteur*);

“farm trailer” means a road vehicle owned by a farmer, equipped with a drawbar to which a towing coupling device is attached that may be hitched to the coupling device of the towing vehicle with a tow pin and used for the transportation of farm products or materials or matters required in their production (*remorque de ferme*);

“fire department vehicle” means an emergency vehicle belonging to a fire department (*véhicule de service d’incendie*);

“gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the weight of a single loaded road vehicle (*poids nominal brut du véhicule*);

“heavy emergency vehicle” means an emergency vehicle, excluding a fire department road vehicle, whose net mass is more than 3 000 kg and whose gross vehicle weight rating is 7 258 kg or more (*véhicule d’urgence lourde*);

“heavy vehicle” means a motorized road vehicle whose net mass is more than 3 000 kg and whose gross vehicle weight rating is at least 7 258 kg, excluding a motor home (*véhicule lourde*);

“light emergency vehicle” means an emergency vehicle, excluding a fire department road vehicle, whose net mass is no more than 3 000 kg (*véhicule d’urgence léger*);

“light vehicle” means a motorized road vehicle whose net mass is no more than 3 000 kg (*véhicule léger*);

“manufacturer” means a manufacturer of road vehicles, unless otherwise indicated (*fabricant*);

“medium-weight emergency vehicle” means an emergency vehicle, excluding a fire department road vehicle, whose net mass is more than 3 000 kg and whose gross vehicle weight rating is less than 7 258 kg (*véhicule d’urgence de poids moyen*);

“medium-weight vehicle” means a motorized road vehicle whose net mass is more than 3 000 kg and whose gross vehicle weight rating is less than 7 258 kg (*véhicule de poids moyen*);

“motor home” means a motor vehicle permanently converted into a dwelling (*habitation motorisée*);

“school bus” means a bus or minibus used to carry schoolchildren (*autobus affecté au transport d’écoliers*);

“special mobile equipment” means a motorized road vehicle designed to carry out work and built to travel at a speed not exceeding 70 km/h (*véhicule-outil*);

“trailer” means a trailer or semi-trailer whose net mass is more than 3 000 kg, except a house trailer, a construction trailer and a farm trailer (*remorque*);

“vehicle engaged in the transportation of schoolchildren” means a road vehicle other than a bus engaged in the transportation of schoolchildren that may be used on occasion or full time to carry schoolchildren, and that is operated by a school board or by a private educational institution, or under the terms of a contract with a school board exercising authority in connection with the transport of schoolchildren pursuant to sections 291 to 299 of the Education Act (R.S.Q., c. I-13.3) or under sections 195 and 431 to 431.8 of the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14), under the terms of a contract with a private educational institution authorized to organize the transportation of students under section 62 of the Act respecting private education (R.S.Q., c. E-9.1) (*véhicule affecté au transport d’écoliers*).

3. In addition to the road vehicles listed in section 521 of the Highway Safety Code, the following road vehicles are subject to mechanical inspection:

(1) vehicles engaged in the transportation of schoolchildren;

(2) where the owner wishes to obtain registration to travel on public roads:

(a) disused vehicles;

(b) vehicles that have been stored or prohibited from travelling for more than 12 consecutive months, or that have been in both situations, except those covered by a preventive maintenance program in place of mandatory mechanical inspection recognized by the Société de l'assurance automobile du Québec under section 543.2 of the Code;

(c) vehicles registered as off-road vehicles under the Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991;

(d) second-hand vehicles from outside Québec, where the owner applies for their registration to travel on public roads.

CHAPTER II MECHANICAL INSPECTION

DIVISION I GENERAL

4. The make, model and year model of the road vehicle, as well as its identification number and, where applicable, the number of its licence plate, shall match the information contained in the registration certificate.

5. Every piece of equipment or item referred to in this Chapter shall be adequate, that is, appropriate to its function and constantly kept in good working order. Air bags may be deactivated.

DIVISION II FREQUENCY AND PROCEDURES OF MECHANICAL INSPECTION

6. The following road vehicles shall undergo mechanical inspection annually:

(1) motorcycles used for driving instruction by a driving school;

(2) emergency vehicles; and

(3) vehicles subject to mechanical inspection under paragraph 5 of section 521 of the Code, except special mobile equipment.

7. The following road vehicles shall undergo mechanical inspection semi-annually:

(1) vehicles used for driving instruction by a driving school, excluding motorcycles; and

(2) taxis, buses and minibuses and vehicles engaged in the transportation of schoolchildren.

8. A certificate of mechanical inspection shall contain at least the following information:

(1) the certificate number;

(2) the make, model, year and type of road vehicle;

(3) the number of the licence plate and the vehicle identification number;

(4) the names and addresses of the vehicle's driver and owner, and the owner's identification number;

(5) the name and number of the mechanical inspection controller, of the highway controller or of the mechanic who carried out the mechanical inspection, the mandatory's number, where applicable, the address or place where the inspection was carried out and its date;

(6) the result of the mechanical inspection and the signature of the person who carried it out;

(7) the nature of the defects and their classification as minor or major defects;

(8) a notice to the owner where the vehicle has minor or major defects; and

(9) an attestation that the vehicle complies with the Code following inspection of documents and vehicle equipment.

9. Where the certificate of mechanical inspection indicates that a road vehicle complies with the Code, the inspection sticker affixed to the vehicle in accordance with section 529 of the Code shall contain at least the following information:

(1) the number of the sticker; and

(2) the beginning and end of the period of validity in terms of month and year, where applicable.

An inspection sticker is valid for the term fixed for the mechanical inspection of the vehicle in accordance with sections 6 and 7.

DIVISION III SAFETY AND MECHANICAL INSPECTION STANDARDS

§1. General

10. To be authorized to travel on public roads, the following road vehicles shall undergo mechanical inspection and shall bear an inspection sticker in accordance with the provisions of the Code and this Regulation:

(1) vehicles to which alterations described in section 214 of the Highway Safety Code have been made, vehicles made by hand and those assembled by a recycler;

(2) rebuilt damaged vehicles referred to in Title IX.I;

(3) disused vehicles;

(4) vehicles that have been stored or prohibited from travelling for more than 12 consecutive months, or that have been in both situations, except those covered by a preventive maintenance program in place of mandatory mechanical inspection recognized by the Société under section 543.2 of the Code;

(5) vehicles registered as off-road vehicles under the Regulation respecting road vehicle registration, excluding those not designed to travel on public roads; and

(6) second-hand vehicles from outside Québec, where the owner applies for their registration to travel on public roads.

11. The technical appraisal of damaged and rebuilt vehicles shall be carried out before their mechanical inspection and use.

12. This Division applies to road vehicles subject to mechanical inspection, except mopeds and motorcycles.

13. The mechanical inspection of special mobile equipment shall be carried out according to the manufacturer's standards.

§2. Lighting devices and warning lights

14. All the headlights, lights and reflectors required by the Code shall be present, comply with the manufacturer's standards and be securely mounted where they belong. All the headlights, lights and indicator lamps on an electric circuit shall light up with the intensity intended by the manufacturer when the switch of the electric circuit is turned on.

15. The operation of one circuit shall not interfere with the operation of any other circuit.

16. No electric cable, plug, adapter or plug socket shall be broken, abraded, cracked, corroded or worn to an extent that it affects the good working order of the component linked to it. Each item shall be securely attached to its anchorage. Furthermore, ungrounded electrical cables shall be covered with a protective and insulating sheath.

17. The reflectors or lenses shall be properly installed where they belong and none shall be missing, broken, so cracked as to let water in, discoloured, painted over or of the wrong colour.

18. The daytime running lights provided by the manufacturer shall be present and adequate.

19. The headlights shall be aligned according to the manufacturer's standards.

20. Retracting headlights bases and headlight shutters shall, when in the open position, move completely aside to expose the headlights and shall be secured in the fully open position when the headlights are on.

21. It must be possible to turn on all the lights in the dashboard at all times.

22. There shall be lighting available at all times for the center aisle, the entrance steps, the exit and boarding space of a bus or mini-bus.

23. No device or material mounted or affixed to a road vehicle, a headlight, a light or a lens shall hide or dim the light.

24. The semi-trailers in a type B double train measuring more than 23 m in length without exceeding 25 m shall have retroreflective sheeting in accordance with the Motor Vehicle Safety Act (Statutes of Canada, 1993, c. 16). Notwithstanding the foregoing, the strips are not required at the rear of the first semi-trailer.

§3. Braking and stopping systems

25. The braking system provided by the manufacturer on the steer axle shall be present and adequate.

26. Every tractor truck manufactured after 7 May 1993 shall be equipped with brakes on the steer axle.

27. When the external components of a brake are inspected, the internal components shall also be inspected by removing the wheel and the brake drum, where applicable, where a malfunction presumably due to the internal components is found.

28. The following elements of a brake system shall be inspected: the service brakes, parking and emergency brakes, their electric, pneumatic, hydraulic or vacuum system components and the brake actuation circuits.

More particularly, the good working order of the reservoirs, cylinders, taps, fittings, clamps, fasteners, air filter and rigid and flexible lines shall be checked.

29. The following elements of the brake system shall comply with the following standards:

(1) all the parts shall be adequate, securely mounted and none shall be missing or seized-up or show signs of wear adversely affecting their effectiveness;

(2) with or without brake application, there shall be no brake fluid leak, and no vacuum leak with the vacuum boost fully charged;

(3) the rigid or flexible lines and the fittings shall be adequate and shall not be crushed, crimped, abraded or so cracked that the reinforcement cord is exposed, shall not be excessively worn or corroded, bulged, broken or welded and the fittings shall be tight enough to prevent the lines from vibrating or chafing against adjacent parts;

(4) the master cylinder shall be securely mounted, show no signs of internal or external leaks and be fitted with a cover; furthermore, the brake fluid level shall not be below the level specified by the manufacturer or, where no level is specified, it shall not be lower than 10 mm below the edge of the filler opening;

(5) the filter of the air compressor or of the vacuum system shall be not so clogged that performance of the brake system is reduced;

(6) the brake pedal shall be non-slip, securely attached to its rotating axle, properly aligned and it shall operate without excessive friction;

(7) the original antilock system of a road vehicle shall be present and adequate and the warning light shall turn off within the time specified by the manufacturer;

(8) the external components of the parking brake shall neither be worn out in a way that impedes its good working order, nor be missing, misaligned, seized, broken or cracked;

(9) the control device of an electric brake system shall make it possible to brake the towed road vehicle, the cables and electric connections shall neither be worn in a way that hampers the good working order of the brakes or could cause a short-circuit, nor be missing, short-circuited, broken, frayed or cracked and they shall be securely attached to the appropriate fasteners or connection; furthermore, the electric brake circuit shall be independent of any other circuit and shall not be grounded on the hitch;

(10) the air compressor of a fully pneumatic system or of an air-booster hydraulic system or the vacuum pump shall be securely attached and, if it is belt-driven,

the belt shall be free of cuts and kept at the tension recommended by the manufacturer;

(11) any manometer indicating air pressure or vacuum of a road vehicle equipped with such device shall be adequate;

(12) the air reservoir of a completely pneumatic system or of an air-booster hydraulic system shall be adequate, securely mounted and shall be free of cracks, excessive corrosion or welds other than those made by the manufacturer.

30. The internal components of the brakes shall comply with the following standards when the wheel, drum brake or dust shield is removed or when inspected through the inspection holes:

(1) no mechanical component of the service, parking or emergency brake shall be missing, so worn as to affect the good working order or out of order, misaligned, not securely attached, broken, cracked, seized up, slack, weakened, out of shape, disconnected or damaged;

(2) bonded brake linings shall be at least 1.6 mm thick, riveted pads at least 4.8 mm on the steer axle and 8 mm on the other axles or 1 mm above the rivets, bolted linings at least 8 mm thick, parking brake linings at least 1.6 mm if they are distinct from the service brake linings; those measurements shall be taken at the thinnest point excluding the bevelled part;

(3) the linings shall not be unbound from their support, broken, contaminated by oil or grease, cracked more deeply than half the remaining thickness or worn in an extremely uneven way; furthermore, the linings shall be securely attached to the support and no bolt or rivet shall be missing or loose;

(4) the brake linings shall be adjusted according to the manufacturer's standards, or so that the clearance between the linings and the drum, where applicable, be as reduced as possible without causing friction when the brakes are not applied;

(5) the wear indicator shall not be in contact with the drum or disc;

(6) the pistons of a hydraulic brake shall move when the brake pedal is lightly depressed; there shall be no fluid leaks around them, in the lines and fittings;

(7) only superficial cracks caused by heat may be present and reach the outer edge of the friction surface of the drum or disc; there shall be no other crack on the other parts of the drum or disc;

(8) the inside diameter of a brake drum shall at no point be greater than the dimension stamped by the manufacturer or, where no dimension is stamped, 1.5 mm more than the original diameter in the case of a passenger vehicle, 2.3 mm more than an original diameter of 366 mm or less, 3 mm more than an original diameter if it is greater than 356 mm;

(9) a brake drum shall not show overheating signs on the friction surface, nor have a groove whose depth increases the inside diameter in excess of the maximum value specified in paragraph 8 or a friction surface that is uneven or is out-of-round in excess of 0.25 mm in the case of a drum whose diameter is 280 mm or less or 0.63 mm if the diameter is greater;

(10) a brake disc shall not be thinner than the stamped dimension or the dimension specified by the manufacturer and shall not have a groove whose depth reduces the thickness below the minimum value authorized, nor have a lateral deviation greater than 0.13 mm in the case of a disc whose diameter is 380 mm or less or more than 0.25 mm if the diameter is greater;

(11) the calliper shall not be seized, cracked, broken, not securely or properly installed or leak; and

(12) the electro-magnets of electric brakes shall be present, adequate and securely fixed.

31. Where a dynamic test is performed to check the effectiveness of the service brake, the test shall take place on a surface with a good asphalt or concrete coating that is dry, clean, not oily or greasy and with the tires inflated at the pressure recommended by the manufacturer. If the test is performed by using the deceleration method or by measuring the braking distance, the road vehicle shall be driven unloaded at 30 km/h and shall be capable of braking so as to reach maximum deceleration without locking the wheels. When braking, the vehicle in the centre of a lane 3.7 m in width shall not pull to the left or right so much that the lane limits are crossed; the test shall be performed without turning the steering wheel to correct the vehicle's trajectory.

The result of the deceleration method shall be an average deceleration of at least 6 metres per squared second for a vehicle whose net mass is 3 000 kg or less; as for the braking distance method, the measured distance shall not exceed 5.8 m for a vehicle whose net mass is 3000 kg or less.

Where the brake is released, each wheel shall turn freely and no element of the brake system shall be damaged.

32. Inspection of the service brake by means of a dynamometer shall show no defect in the brake system and the difference between the readings on the wheels of a single axle shall be lower than 20 % from the highest reading.

The total of the braking forces of all the wheels shall be greater than 60 % of the net mass of a road vehicle whose net mass is 3 000 kg or less and 50 % of the net mass of a vehicle whose net mass is more than 3 000 kg.

Where the brake is released, each wheel shall turn freely and no element of the brake system shall be damaged.

33. Where a force is applied on the pedal of the service brake, a rotating resistance shall be measured on each wheel.

34. Where a service brake is hydraulically activated, the warning light shall come on only where the ignition key is in the "on" position while the engine is not running or in the "start" position while the parking brake is released, if both brakes are interconnected.

Where a force of approximately 550 newtons is applied on the pedal brake for a minute while the engine is running, the pedal shall not drop, the warning light shall not come on and pedal travel shall not exceed 65 % of the possible total travel. However, if the road vehicle has hydraulically assisted brakes, the force applied on the pedal for the test shall not exceed 265 newtons approximately.

35. Where a road vehicle is equipped with hydraulic, pneumatic or vacuum-assisted hydraulic brakes, or with a hydraulic boost system aided by an electrically driven hydraulic pump, it must be possible to evacuate the power reserve by depressing the pedal several times with the engine off. After that, the pedal shall drop slightly under the foot with a moderate pressure (about 90 newtons) while starting the engine and, in the case of a hydraulic boost system, the electric motor shall start when the ignition key is in the "on" position while the engine is off.

36. A vacuum boost system shall have enough power in reserve for three assisted brake applications while the engine is off. If the system has a warning light or buzzer, it shall operate where the vacuum is less than 2 kPa.

In the absence of a manometer, the vacuum shall be sufficient for an assisted braking when the warning device comes on.

A vacuum pump shall be capable of providing and maintaining a minimum vacuum of 4.5 kPa.

37. Where a vehicle is equipped with air-boosted hydraulic brakes or with full pneumatic brakes, the brake system shall comply with the following standards:

(1) the compressor shall be capable of raising the air pressure in the system from 350 to 620 kPa in less than 3 minutes where the engine runs at no more than 1 200 revolutions per minute;

(2) the pressure regulator shall start the compressor before the air pressure in the system reaches 550 kPa and shall stop it where the air pressure is between 805 and 945 kPa;

(3) the low pressure warning light or buzzer shall activate where the air pressure in the system is less than 380 kPa;

(4) the compressed air reserve shall be sufficient to permit one full service brake application without lowering the reservoir pressure by more than 130 kPa where the air system is fully charged and the motor has just been stopped; however, where the test is performed on a combination of road vehicles, the pressure may not be lowered by more than 20 %;

(5) the drain tap and the non-return valve of each air reservoir shall be present and adequate;

(6) the fast exhaust valves and the relay valves shall be securely fixed and let the air out quickly through the holes provided by the manufacturer;

(7) for a tractor truck, the protection valve of the tractor truck and the air supply valve of the semi-trailer shall operate so as to avoid a complete air loss in the system of the tractor truck should the air hoses between the tractor truck and the trailer or semi-trailer break or disconnect; in such a case, the valves shall preserve a minimum air pressure of 420 kPa in the system of the tractor truck;

(8) the brake cylinders, the brake chambers or the adjustments installed on a single axle shall be of the same model and size, be securely fixed and none of their components or related parts shall be so corroded that their resistance is reduced, or so worn that the good working order is affected, missing, damaged, cracked, broken, nor shall they be of a capacity or quality below that prescribed by the manufacturer;

(9) the stroke of the actuating rod of the brake chamber shall not exceed the maximum adjustment specified by the manufacturer where the air pressure in the chamber is kept at about 620 kPa and the variation in the travel of the actuating rods on a single axle shall not exceed 6.4 mm;

(10) for a single-unit vehicle, the air pressure shall not lower by more than 20 kPa within one minute where the service brake is fully applied while the air pressure is at the maximum, the engine is off and the parking brake is released;

(11) for a combination of road vehicles, when the air pressure is at the maximum, the engine is off and the parking brake is released, the air pressure shall not decrease by more than 28 kPa within one minute for a tractor truck coupled to a trailer or semi-trailer and 35 kPa for a tractor truck coupled to two semi-trailers or to one semi-trailer and a trailer with the service brake fully applied;

(12) the radial stroke between the camshaft and its pads shall not exceed 2.1 mm, the position of the roll centre on the cam shall not be more than 120 degrees from the lowest part of the cam where the brake linings touch the drum.

38. The parking, emergency or service brakes of a road vehicle shall comply with the following standards:

(1) the mechanism for the application of the parking brake shall be applied and released several times to make sure that the cables and linkages work freely; furthermore, the warning light shall come on when the brake is applied and turn off when released;

(2) the parking, emergency or service brakes shall prevent the vehicle from moving when fully applied on a flat surface, with the gearshift lever placed in the "drive" position in the case of an automatic transmission or, in the case of a manual transmission, in the highest gear that will allow a normal forward start, while the driver smoothly attempts to move the vehicle forward; furthermore, the wheels shall be completely free to turn where the brake is released;

(3) for a trailer or a dolly equipped with full pneumatic brakes, the brakes shall be fully effective where the pressure in the supply circuit is reduced to zero and the brakes shall release completely where normal pressure returns in the circuit; and

(4) the service brake shall be equipped with a pressure accumulator, a low pressure warning buzzer and a pressure cutter in good working order.

39. A semi-trailer measuring more than 15.5 m in length but no more than 16.15 m shall be equipped with self-adjusting brake levers operating on each wheel.

§4. Body

40. All the fixed components of the body, accessories and auxiliary equipment provided by the manufacturer shall be present, adequate and securely mounted.

41. No part of the road vehicle shall have potentially hazardous sharp edges or protrusions.

42. The bumpers and their supports provided by the manufacturer shall be present and of the same size and material as those intended by the manufacturer.

43. A semi-trailer greater than 15.5 m in length without exceeding 16.2 m, as well as the last semi-trailer manufactured after 16 June 1997 in a type B double train measuring more than 23 m in length without exceeding 25 m, shall have bumpers that are

(1) composed of a rigid beam installed horizontally and securely mounted to the trailer so as to prevent road vehicles from slipping under the trailer;

(2) extend no more than 0.1 inside each side of the trailer;

(3) located no more than 0.3 m from the rear of the trailer and as close as possible from the rear; and

(4) located no more than 0.56 m above the ground.

Notwithstanding the foregoing, a bumper is not compulsory if the distance between the tires on the rear axle and the rear end of the semi-trailer is less than 0.3 m, or if the height of the bottom of the structure at the rear of the semi-trailer is less than 0.56 m above the ground.

44. The doors of the passenger compartment or any other door providing access to the exterior of the road vehicle shall be securely mounted, engage when closed and open easily from the inside and the outside where a mechanism exists for that purpose; furthermore, no hinge shall be missing, cracked, broken or seized.

45. The door providing access to a loading space or an auxiliary compartment shall be adequate, securely mounted to the road vehicle and fitted with a device preventing it from opening while the vehicle is in motion and from closing when it must remain open, if such a mechanism is fitted.

46. The luggage rack shall be securely mounted and none of its parts shall be missing, broken or damaged.

47. The locking and hold-down device of the hood and the safety hook shall be adequate and securely

mounted. The hinges shall be securely mounted on the vehicle and the hood and shall not be broken or cracked.

48. The locking and hold-down device of a tilt cab shall be adequate and no component shall be missing, poorly operating, broken or cracked.

49. The seats or bench seats shall be adequate, securely fixed and, when they are adjustable, they shall be movable and lock in the chosen position. The cushions and the backrests shall be securely fixed and the headrests, if included in the original equipment, shall be present and adequate.

50. The floor of the passenger compartment shall not be cracked, warped or perforated and there shall be no opening whereby exhaust fumes could enter the compartment or constitute a hazard for passengers.

Furthermore, the floor and the sides of the loading space shall prevent the load from falling out.

51. Every bus or mini-bus shall comply with the following standards:

(1) the warning light or buzzer of a door shall be adequate; and

(2) no flexible seal installed on the edge of doors by the manufacturer shall be missing, torn or loose.

52. Every bus or mini-bus equipped with an exit door fitted with an automatic opening mechanism controlled by the driver shall comply with the following standards:

(1) an automatic door-opening system actuated by a pressure-sensitive hinged gate, door step or door edge shall be adequate;

(2) if that system is in the “closed” position, the exit door shall remain closed if someone tries to open it with a moderate push and, in such a case, the warning light or buzzer shall turn on;

(3) if the system is in the “open” position, the brake and accelerator interlock mechanisms shall automatically lock the rear brakes and, simultaneously, prevent the accelerator from raising the engine speed above idle until the door control is moved to the “closed” position and the door has closed; and

(4) when the exit door is fitted with sensitive edges and the door is not fully closed, manual pressure on each of the edges shall cause the door to reopen, cause the brake and accelerator interlock systems to engage and

set off the warning light or buzzer until the door control is moved to the "closed" position and the door has closed.

53. Every bus or minibus, excluding those used as police wagons, shall comply with the following standards:

(1) the passageway to the emergency exits shall be free of any encumbrance and, in the case of a vehicle equipped with wheelchairs locking devices, allow wheelchairs to move about;

(2) the emergency window shall be securely mounted on its hinges;

(3) the emergency window exit release shall allow the window to be easily opened and closed from inside and, if so designed, from the outside, and the warning light or buzzer shall be adequate;

(4) the panel of the roof emergency exit shall open outwards easily and adequately; and

(5) the signs provided by the manufacturer with respect to emergency exits shall be present and legible.

54. Every bus or mini-bus used to transport handicapped persons shall comply with the following standards:

(1) the wheelchair locking device shall be adequate, not be damaged and be securely fixed to the vehicle;

(2) the platform lift shall be securely fixed to the vehicle, react adequately to the commands of the control mechanism and operate without jerking; and

(3) the access ramp shall be adequate and securely fixed to the vehicle.

55. Every bus or mini-bus shall comply with the following standards:

(1) the floor and stepwell covering shall not be so cracked, loose or worn as to constitute a tripping hazard;

(2) stanchions, horizontal bars, grab handles and guard panels shall be securely mounted on their anchorages;

(3) the passenger compartment shall be free of any protrusion that could injure a passenger.

(4) the shock-absorbing material provided by the manufacturer on stanchions, horizontal bars, guard panels or on the benches shall be present and adequate.

56. The pneumatic suspension of a truck cab shall not leak or cause a longitudinal or crosswise slope of the cab. The shock absorbers intended by the manufacturer shall be present, adequate, securely mounted and not leak in a way that hampers their performance.

§5. Windows

57. The windows of a road vehicle shall be made of safety glass complying with the standards prescribed in the Motor Vehicle Safety Regulations (C.R.C., 1978, vol. XI, c. 1038). Furthermore, a window shall not have sharp edges, be missing or incorrectly fixed or installed.

58. The windshield shall not be tarnished, cloudy, broken in a way that reduces the driver's vision of the road or road signs. Furthermore, no object or sticker that could reduce visibility shall be hung or affixed to the windshield.

59. The windshield shall not have cracks or missing flakes more than 12 mm in diameter that meet on the area covered by the wipers, excluding the area under the inside mirror and a strip of 75 mm in the upper and lower parts of the windshield.

60. If the windshield has lost transparency, the loss shall not exceed 10 % of the total surface and it shall not be in the area covered by the wipers.

61. The side windows on each side of the driver's compartment and, in the case of a school bus, those immediately behind the driver's compartment, as well as the rear window, shall be present, not be tarnished, fogged, crazed or cracked.

62. No mirror-like material shall be affixed to or sprayed on any window of a road vehicle.

63. No material which darkens glass shall be affixed or sprayed on the windshield and on the side windows on each side of the driver's compartment. However, a strip no more than 15 cm in width may be affixed to the upper part of the windshield. The windows of the front doors shall let 70 % of the light or more through when measured by means of a photometer.

64. The side window on the left side of the driver's compartment shall be easily opened to allow the driver to signal his manoeuvres with his arm.

§6. Rearview mirrors

65. The rearview mirror shall be adequate, securely fixed, show no sharp edge and not be broken, cracked or tarnished. Furthermore, the silvering shall not be un-

bound except on the periphery of the reflecting surface without exceeding 10 %; however, for a school bus, the silvering shall not be unbound in any way.

66. The rearview mirror shall be adjustable horizontally and vertically and remain steady where positioned.

§7. Accessories

67. The sun visor on the driver's side shall be present, adequate and remain steady where positioned.

68. The horn shall be adequate and securely mounted. Its control shall be easy to reach, identifiable and securely fixed.

69. The wipers and the windshield washer shall be adequate. No component shall be missing, used, maladjusted or worn in a way that renders them ineffective. The wiper blades shall make even contact with the windshield and sweep the area specified by the manufacturer at a frequency of at least 20 strokes per minute at low speed and 45 strokes per minute at top speed. The difference between both speeds shall be at least 15 strokes per minute.

70. The heating and defrosting system shall comply with the following standards:

(1) the radiator and the blower and vents designed to heat the passenger compartment and defrost the windows shall be adequate;

(2) enough air shall be blown onto the windshield where intended by the manufacturer and onto the side windows if the vehicle has vents for that purpose; an auxiliary fan may be used; and

(3) if part of the heating liquid piping is visible from inside, it shall not be cut, cracked, worn or leak.

71. For a road vehicle originally equipped with a neutral safety starting switch linked to the clutch pedal or the transmission lever, the latter shall be present and allow the engine to start only with the transmission lever in "P" (park) or "N" (neutral) in the case of an automatic transmission or, in the case of a manual transmission, with the clutch pedal depressed to the floor.

72. The speedometer and odometer shall provide accurate readings with a margin of error of less than 10 %.

73. For a school bus, the following dial or warning lights, if part of the original equipment, shall be adequate:

(1) the temperature indicator;

(2) the engine oil pressure indicator;

(3) the alternator indicator;

(4) the fuel indicator; and

(5) the vacuum or air pressure indicator of the brake system.

74. The extendable stop sign or stop sign of a school bus shall extend and retract when activated and remain in the desired position. The flashing lights of such a sign shall work properly.

75. Where a school bus is equipped in front with a safety device that may be activated by the driver to keep schoolchildren at a distance from the road vehicle, the crossing control arm shall

(1) be designed in such a manner that a force of 50 newtons applied to its centre is sufficient to push or pull the arm;

(2) be fully extended and at right angles to the bus within no less than 2 seconds and no more than 4 seconds after being activated; and

(3) not have any pointed or sharp edges.

76. The battery shall be securely mounted and the terminals shall not be excessively covered with corrosion deposits that could prevent it from working properly. The original cover of the battery shall be adequate and securely fixed.

77. Where a first-aid kit is required by law, it shall be complete, securely fixed and accessible.

78. Where a chemical extinguisher is required by law, it shall be adequate, securely fixed and accessible.

79. The seat belt and its anchorages shall not be damaged and they shall be securely mounted. The buckle, the retractor and the locking mechanism shall be present and adequate.

Every original air bag in a road vehicle shall be present or replaced if need be.

§8. Fuel system

80. The tank, its brackets and fasteners, the fittings, clamps, flexible and rigid lines and the containers of the fuel supply system of a road vehicle shall comply with the following standards:

(1) no leakage shall be present at any point along the fuel delivery system;

(2) the tank shall not leak, be cracked or insecurely mounted;

(3) the tank supports, retaining straps and any other fasteners shall be present, without cracks or breaks and securely mounted;

(4) the rigid or flexible lines and their fittings shall be adequate and they shall not be cut, crushed, crimped, so cracked that the cord is exposed, corroded or excessively worn, the fasteners shall be adequate, at the designed locations and tight enough to prevent the lines from vibrating or rubbing against adjacent parts;

(5) a gas or diesel tank shall be fitted with a cap that can prevent a spill; and

(6) the supply system shall be equipped with a fuel gauge that the driver may see.

81. The design, installation, replacement, removal and testing of the compressed natural gas supply system of a road vehicle, and the use of compressed natural gas as the fuel of such vehicle shall be done in compliance with the Natural Gas for Vehicles Installation Code (CAN/CGA-B149.4-M91) published by the Canadian Gas Association.

The repair, maintenance and inspection of the compressed natural gas supply system shall be done in compliance with the Natural Gas Code (CAN/CGA-B149.1) published by the Canadian Gas Association, in force when the system is installed, if done before the coming into force of this Regulation and, if installed after such coming into force, in accordance with the Natural Gas for Vehicles Installation Code in force when the system is installed.

82. The design, installation, replacement, removal and testing of the propane gas supply system of a road vehicle, the use of propane gas as the fuel of such vehicle and the parking of a vehicle that can run on propane shall be done in compliance with the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles (CAN/CGA-B149.5-M95) published by the Canadian Gas Association.

The repair, maintenance and inspection of the propane supply system shall be done in accordance with the Propane Installation Code (CAN/CGA-B149.2) published by the Canadian Gas Association, in force when the system is installed, if done before the coming into force of this Regulation and, if installed after such com-

ing into force, in accordance with the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles in force when the system is installed.

83. Sections 81 and 82 do not apply to road vehicles running on compressed natural gas or propane since their manufacture and bearing the national safety mark within the meaning of the Motor Vehicle Safety Act or the compliance label provided for in that Act.

84. Where the fuel supply system of a road vehicle is modified to run on compressed natural gas or where a vehicle running on compressed natural gas since it was manufactured bears the national safety mark within the meaning of the Motor Vehicle Safety Act or the compliance label provided for in that Act, the vehicle shall bear the sticker referred to in Schedule I inside the rear window or the rear side window of the vehicle, near the filler cap so that the sticker may be seen when the tank is filled up. The sticker shall be affixed by a mechanic holding the appropriate certificate of competency issued by the Minister of Employment and Solidarity.

Where the modification or manufacture of a vehicle referred to in the first paragraph takes place before the coming into force of this Regulation, the sticker referred to in Schedule I shall be affixed to the vehicle in accordance with the first paragraph, within 6 months of that coming into force.

85. The compressed natural gas supply system of a road vehicle running on such fuel shall be inspected at either of the following intervals, whichever comes first, by a mechanic holding an appropriate certificate of competency with respect to compressed natural gas issued by the Minister of Employment and Solidarity:

(1) every 5 years; or

(2) on the date set for the revalidation of the pressurized tank.

Where the supply system complies with the standards in force at the time of its modification to use compressed natural gas or with the standards in force at the time of its manufacture, in the case originally running on compressed natural gas, the vehicle shall have the sticker referred to in Schedule I inside the rear window or the rear side window of the vehicle, near the filler cap so that the sticker may be seen when the tank is filled up. The sticker shall be affixed by a mechanic, and it is valid until the supply system is due to be inspected in accordance with the first paragraph.

86. Where the fuel supply system of a road vehicle is modified to run on propane or where a vehicle running

on compressed natural gas since its manufacture bears the national safety mark within the meaning of the Motor Vehicle Safety Act or the compliance sticker provided for in that Act, the vehicle shall bear the sticker referred to in Schedule C to the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles inside the rear window or the rear side window of the vehicle, near the filler cap so that the sticker may be seen when the tank is filled up. The sticker shall be affixed by a mechanic holding the appropriate certificate of competency issued by the Minister of Employment and Solidarity.

Where the modification or manufacture of a vehicle referred to in the first paragraph takes place before the coming into force of this Regulation, the sticker referred to in Schedule I shall be affixed to the vehicle within 6 months of that coming into force, in accordance with the first paragraph.

87. The propane supply system of a road vehicle running on such fuel shall be inspected at either of the following intervals, whichever comes first, by a mechanic holding an appropriate certificate of competency with respect to propane issued by the Minister of Employment and Solidarity:

- (1) every 5 years; or
- (2) on the date set for the revalidation of the pressurized tank.

Where the supply system complies with the standards in force at the time of its modification to use propane or with the standards in force at the time of its manufacture, in the case of a vehicle originally running on propane, the vehicle shall have the sticker referred to in Schedule C to the Installation Code for Propane Fuel Systems and Tanks on Highway Vehicles inside the rear window or the rear side window of the vehicle, near the filler cap so that the sticker may be seen when the tank is filled up. The sticker shall be affixed by a mechanic, and it is valid until the supply system is due to be inspected in accordance with the first paragraph.

88. Excluding the manufacturer, the installer of a compressed natural gas or propane gas supply system of a road vehicle shall inform the Société of the new type of fuel to be used by the vehicle.

89. Any reference in Code CAN/CGA-B149.4-M91 and Code CAN/CGA-B149.5-M95 to Code B51 of the CSA is a reference to Code B51-M1997 of the CSA entitled "Boiler, Pressure Vessel, and Pressure Piping Code".

§9. Exhaust system

90. The exhaust system shall include the following components: manifolds, pipes, muffler, brackets and fasteners.

Those components shall be securely mounted to their anchorages and no leakage of exhaust gases shall be detected through joints, cracks or holes other than those originally provided by the manufacturer of the exhaust system to evacuate condensation.

Any repair on any of the components shall be such as to preserve the original characteristics.

91. No component of the exhaust system shall run closer than 50 mm from another element, such as a part made of combustible materials, an electric wire, a fuel or brake line or fuel tank, that is not protected by an appropriate heat shield. In the case of pressurized fuel lines, of the GNC and GPL types, that minimum distance is 150 mm.

Furthermore, no flammable material shall leak on a component of the exhaust system.

92. Where a component of the exhaust system is located near a passenger compartment door, it shall be covered with a guard if persons using the door risk being burned.

93. No component of the exhaust system shall be replaced, modified or removed so as to cause the system to be noisier than the one originally installed by the manufacturer on the road vehicle.

94. No component of the exhaust system shall cross the passenger compartment. The outlet of the exhaust pipe shall be outside the perimeter occupied by the passengers and luggage, behind any openable side window and it shall not extend more than 15 cm horizontally from the vehicle.

§10. Engine controls

95. The engine controls shall comply with the following standards when the vehicle is stationary, with the engine running and the transmission in the neutral position:

- (1) no component shall be missing, worn, inadequate, seized, insecurely mounted, damaged or maladjusted in a way that prevents the engine from accelerating, stopping or idling when the accelerator is released; and
- (2) if the mechanism for controlling the engine works with air, there shall be no leak in the system.

96. The clutch control mechanism between the engine and the transmission shall comply with the following standards:

- (1) the clutch pedal shall be non-slip;
- (2) no component intended by the manufacturer shall be missing or worn in a way that prevents it from working properly;
- (3) it shall prevent any gear slip when the pedal is completely released; and
- (4) it shall be able to interrupt the transmission of engine torque to the gearbox shaft.

§11. *Chassis frame, underbody and coupling devices*

97. All the chassis frame members, or the structural members in the case of a monocoque body, shall be present, securely mounted and assembled in accordance with the manufacturer's standards and shall not be cracked, broken, bent or perforated by rust or have any loose or missing connecting fasteners or bolts.

No repair or modification to those components shall weaken the structure of the road vehicle.

98. The parts of the frame used to fix the body, the load, the load space, the coupling device, the steering, the suspension, the engine, the gearbox and the differential shall not be missing, out of order, insecurely mounted, damaged, cracked, broken or bent.

99. The universal joints of the driving shaft shall not be loose, insecurely mounted and, if part of the original equipment, the shaft guard shall be present, securely mounted.

In the case of a two-piece drive shaft, it shall not be warped or bent and the centre bearing, its support and the slip joint shall be adequate.

100. Every semi-trailer, dolly or road vehicle equipped with a cargo body, a platform, a dump body or equipment and every truck or combination of road vehicles shall comply with the following standards:

(1) the structural members of the chassis frame and the elements delimiting the load space, such as panels, side rails and platforms, shall be securely mounted and strong enough to support the maximum loads permitted by the Vehicle Load and Size Limits Regulation, made by Order in Council 1299-91 dated 18 September 1991;

(2) when the platform, cargo body, dump body or equipment is not an integral part of the chassis frame, all fasteners, such as brackets, clamps, bolts and stoppers, shall be securely mounted and none shall be missing, worn or corroded to the point that its capacity is reduced, cracked, broken or loose;

(3) any lifting or support device of the semi-trailer shall be adequate and shall show no evidence of excessive wear; furthermore, all mechanisms and positioning components shall allow for adequate seating of parts;

(4) no part, clamp or safety device that secures a sliding bogie under a semi-trailer shall be missing, out of order, improperly mounted, damaged, cracked, broken, seized or blocked;

(5) the plate and the kingpin of a fifth wheel shall be at a right angle respectively in all directions, be securely mounted together and to the chassis frame and shall not be cracked; furthermore, the coupling plate shall not be curved downwards more than 6.4 mm or more than 1.6 mm upwards within a radius of 483 mm measured from the kingpin; if they are fixed to a rotating platform, it shall be securely mounted to the chassis frame, turn freely without seizure on its bearings and shall not show a play of more than 6.4 mm vertically; furthermore, the kingpin shall not show indication of repair by welding or have a diameter reduced by more than 3.2 mm compared to the original diameter where measured on all the circumferences of the kingpin and the coupling plate shall not be so corroded as to weaken its resistance or the solidity of its mounting to the vehicle;

(6) the fifth wheel shall be securely mounted to the vehicle in accordance with the manufacturer's standards and no coupling or mounting part shall be missing, cracked, broken, bent, not securely fixed or out of order; any part of the mechanism for tightening, locking or unlocking the jaws shall be adequate and no part shall be worn or maladjusted in a way that adversely affects the good working order, missing, seized, cracked, broken, not securely mounted or show signs of repair by welding;

(7) the horizontal play between the jaws and the kingpin shall not exceed 6.4 mm and the coupling plate shall not be cracked, broken, bent or show signs of repair by welding;

(8) the support of the coupling plate shall not be cracked, broken, insecurely fixed, have welded repairs not authorized by the manufacturer; the horizontal play between the pin and the steel ring shall not exceed 9.5 mm and the vertical play between the pin and the flexible ring shall not exceed 12.8 mm; and

(9) if the fifth wheel is mounted on a sliding support, the latter shall be equipped with securely mounted front and rear stoppers and the mechanism for locking the seat tracks shall be adequate without allowing a side, vertical or lengthwise movement of more than 6.4 mm in locked position.

101. Every coupling device other than those provided for in section 100 shall comply with the following standards:

(1) the coupling device shall be securely mounted to the structure of the towing vehicle and of the towed vehicle in accordance with the manufacturer's standards and, if bolts are used to mount it, they shall be at least Class 8 in accordance with Standard SAE J429 August 1993 published by the Society of Automotive Engineers or the equivalent to tow trailers of a net mass greater than 3 000 kg;

(2) no component shall be so worn that it hampers the smooth operation, cracked, broken, bent, missing or seized;

(3) the locking system shall be adequate and be specifically designed to link the coupling devices of the towing and towed vehicles; in the case of a hook-and-ring system, the locking system shall be equipped with a double lock;

(4) any assembly or repair work made on a coupling device shall ensure the same conditions of safety as those intended by the manufacturer of the device and no welded repairs shall have been made on cast or forged parts by means of welding;

(5) the wear on a hook and coupling ring at their point of contact shall not exceed 4.8 mm each;

(6) if the tow hook or ring has an air play compensating device, there shall be no air leak in the system;

(7) the rigid or telescoping drawbar, articulated or not, installed on a towed vehicle or a converter dolly shall not be bent, broken, cracked and no part shall be missing, insecurely mounted or so worn that it no longer has the required mechanical resistance; and

(8) the safety fasteners and their coupling components, such as steel cables, chains, links, hooks, coupling sleeves, shackles, clips, rings, thimbles and clamps, shall be adequate, securely fastened to their anchorages and none shall be missing, abraded, cracked, broken, loose, corroded or worn.

§12. Steering system

102. Every steering component shall be adequate and securely mounted. No component shall be cracked, broken, insecurely mounted, displaced, bent, missing, modified or welded, except welds done by the manufacturer. Furthermore, no component shall be worn, damaged or used in a way that hampers the handling of the road vehicle.

103. Any repair to the steering shall ensure the same conditions of safety as those intended by the manufacturer. It is prohibited to inject a product intended to reduce the play in the ball joints.

104. The steering column, shaft and box and the auxiliary cylinder of a power boosted steering shall comply with the following standards:

(1) they shall be securely fixed to the road vehicle;

(2) no bolt shall be missing or loose;

(3) the steering shaft couplings shall not have any play, be damaged or show signs of repair by welding;

(4) the steering shaft spines or the groove of the steering shaft shall not have rotation play greater than 1.2 mm between the grooves or vertical play of more than 6.4 mm; and

(5) the energy-absorbing system of the steering column shall not have been damaged or modified.

105. The play in the steering wheel, couplings and connections shall be inspected while the wheels are on the ground and in the straight ahead position and, in the case of power boosted steering, while the engine is running.

There shall be no play in the direction of the movement or of the force applied on the couplings or connections when the steering wheel is turned alternatively from side to side to move the wheels.

106. When the steering wheel is turned from side to side until the wheels move, the play in the steering wheel shall not be greater than the value recommended by the manufacturer or, if such data is not available,

(1) for a vehicle whose net mass is 3 000 kg or less:

(a) 51 mm for power boosted steering;

(b) 75 mm for standard steering;

(c) 10 mm for a rack-and-pinion steering, power boosted or not;

(2) for a vehicle whose net mass is greater than 3 000 kg:

(a) 75 and 87 mm, respectively, for power boosted steering where the diameter of the steering wheel is 500 mm or less and when it is wider than 500 mm;

(b) 87 and 100 mm, respectively, for standard steering where the diameter of the steering wheel is 500 mm or less and when it is wider than 500 mm.

107. For power boosted steering, the belt of the pump shall be present, free of cuts, be tightened as recommended by the manufacturer and the fluid in the reservoir shall be at the level recommended by the manufacturer.

Furthermore, the pump, lines, fittings and auxiliary cylinder shall be securely fixed and not leak, except for a slight oozing.

108. No blockage or interference shall be felt when the wheels are turned from full left to full right and back again while on the ground and with the engine running, in the case of power boosted steering and, where applicable, when the truck is unloaded.

The number of turns required to bring the steering wheel from the centre to each stop shall not differ by more than one half-turn and there shall be a clearance of at least 25 mm between the tire and the chassis or body in every position. Furthermore, the steering wheel shall not be modified, warped or insecurely mounted. If the steering wheel has been replaced, it shall have the same characteristics as the original.

109. Where the front wheels are on the ground and in the straight ahead position, they shall not be visibly out of alignment.

110. The wheel bearings shall be inspected so that the play measured at the outer circumference of the tire does not exceed the standard of the manufacturer or, in the absence of a standard, no discernible play shall be accepted. The bearing shall be properly greased and show no leakage or wear signs.

111. The load-carrying or non-load carrying ball joints related to suspension components shall be inspected by lifting the front of the road vehicle so as to unlock the joints to be checked. The joints shall have no play beside the play specified by the manufacturer.

In the case of joints with a wear indicator, the inspection shall be carried out with the wheels on the ground and the position of the indicators shall be within the limits specified by the manufacturer.

112. The horizontal play in the steering knuckles shall be inspected by lifting the axle, by moving the top and bottom of the wheel inside and outside and by measuring its displacement at the outer circumference of the tire. The play shall not exceed the manufacturer's standards or, in their absence, the following standards:

(1) 3.2 mm for rims whose diameter is less than 510 mm; or

(2) 4.8 mm for rims whose diameter is 510 mm or more.

The vertical play measured between the spindle support and the axle shall not exceed the manufacturer's standards or, in their absence, 2.5 mm.

113. For a road vehicle equipped with a self-steering axle, the steering components such as the joints, pneumatic or mechanical stabilizers, cables, turntables and pivots shall not be missing, damaged, worn or mal-adjusted and they shall comply with the standards provided for in this Subdivision.

§13. Suspension

114. The suspension components shall comply with the following standards:

(1) every component shall be adequate, securely fixed and none shall be missing;

(2) no component for mounting or positioning the axle or wheel to the road vehicle or supporting it shall be cracked, broken, not securely mounted, out of place, warped, missing or welded, excluding the welds done by the manufacturer;

(3) all the suspension parts shall be present and adequate and none shall show signs of wear, damage or use in a way that adversely affects its good working order;

(4) any repair shall provide the same safety level as the level that existed when the vehicle was manufactured;

(5) the axles shall not be cracked, warped or have welded repairs; they shall be securely mounted, properly aligned and be perpendicular to the lengthwise axis of the vehicle; and

(6) the suspension shall not allow a tire to touch the body or frame under normal conditions of use.

115. A leaf spring, coil spring or torsion bar suspension shall not be cracked, broken or so subsided that a side of the road vehicle is more than 5 cm lower than the other side or allow contact with a rubber bumper. The use of spacers between the spirals of a coil spring is prohibited.

In the case of a leaf spring suspension, the play between the bushing and the axis shall not exceed the manufacturer's standards or, in their absence, 2 mm for an axis whose diameter is less than 24 mm and 3.2 mm for an axis with a greater diameter.

116. In the case of a pneumatic suspension, air shall be supplied to the system only where the air pressure in the braking circuit reaches 450 KPa. No air leak shall be observed in the lines and the system components. The ball shall be securely mounted on the structure and shall not be so cracked that the cord is exposed.

117. The shock absorbers and brackets forming part of the original equipment of a road vehicle shall be adequate, securely mounted, not be cracked or broken and none shall be missing. Furthermore, the shock absorbers shall not leak in a way that hampers their performance.

118. Where a suspension bushing is made of flexible material, the material shall be adequate and free of cuts that could hamper the performance.

§14. Tires and wheels

119. Tires shall comply with the following standards:

(1) no tire shall be so worn that a wear indicator touches the road or that the depth of the tread measured in a main groove or tread design, elsewhere than at the wear indicator, is less than 3.2 mm on a front tire of a vehicle whose net mass is greater than 3 000 kg and 1.6 mm in all other cases;

(2) at no point shall a tire be worn, cracked, cut or snagged deep enough to expose the cord or steel band;

(3) no tire shall be abnormally bulged or out of shape and no foreign material that could cause a puncture shall be stuck in the tread or sidewall;

(4) a tire shall not have been recut deeper than the original grooves, unless the model was specially designed for such recutting and that feature is indicated on the sidewall;

(5) no tire whose tread has been recapped shall be mounted on the front axle of an emergency vehicle, a minibus or a vehicle whose net mass is greater than 3 000 kg, unless the vehicle is equipped with 2 front steering axles;

(6) at no point shall the tread or rubber compound of the sidewall be separated from the carcass of the tire, unless the tire was recapped and the separation does not exceed 6 mm in width;

(7) tires differing in size, type, construction or series shall not be installed on a same axle or a combination of axles, unless they are recognized by the manufacturer as equivalent;

(8) it is prohibited to mount radial tires on the front and bias-ply tires on the rear, unless the vehicle has dual rear wheels;

(9) the front wheels of a passenger vehicle shall not be of a smaller series or have a tread wider than the rear tires;

(10) tires in a dual tire set shall not be in contact with one another or differ from each other in diameter by more than 13 mm;

(11) a tire shall not be of a size smaller than the minimum dimension indicated by the vehicle manufacturer, unless it is recognized as equivalent by the tire manufacturer; it may however be of a size greater than that indicated by the vehicle manufacturer provided that the tire does not touch the body or another component of the vehicle in every position of the suspension or steering;

(12) a tire shall have been repaired in accordance with the tire manufacturer's standards;

(13) the air pressure in the tires of a same axle shall not differ by more than 10 % and the pressure shall not exceed the pressure printed on the sidewall or be lower than the value recommended by the manufacturer of the vehicle or of the tire;

(14) no tire valve shall be worn down, damaged, scraped or gashed and the exposed portion of each valve shall be of sufficient length to allow for the easy inflation of the tire or taking of tire pressure;

(15) no tire shall bear marks or wording to indicate that it is for restricted use and unsuited for use on public roads, unless it is mounted on a truck specially adapted for farming purposes; and

(16) unidirectional tires shall be mounted according to the tire manufacturer's standards.

120. The wheels and their fasteners shall be adequate and comply with the following standards:

(1) no wheel stud, nut, bolt, or other fastener shall be missing, cracked, broken, damaged, repaired by welds and each part shall be securely fastened and comply with the dimension and model recommended by the wheel manufacturer;

(2) bolts shall extend at least one and a half thread groove beyond fastener nuts, unless otherwise indicated by the vehicle manufacturer;

(3) the wheel shall not be so bent, broken, misaligned, warped, damaged or corroded that its capacity is reduced, have any crack, elongated bolt hole, signs of repair or welds other than force bands for a spoked wheel and the manufacturer's original welds;

(4) where the wheel is composed of 2 or 3 parts, it shall not be damaged and the lock ring shall not be bent, insecurely mounted, cracked, warped, broken, welded, have less than 3 mm clearance at their ends and shall correspond to the rim on which it is mounted;

(5) no cast wheel shall show evidence of wear in the clamp area;

(6) no spoked wheel shall have any missing, broken, bent or slack spokes;

(7) the spacer between dual wheels shall not be damaged, missing, warped, cracked or broken; and

(8) a wheel shall be of the dimension and capacity recommended by the wheel manufacturer for the tire mounted on it.

121. The parts of a tire support or mounting holding the spare wheel shall be securely fixed so that the wheel is held firmly in position. Furthermore, the spare wheel and tire shall be ready for mounting.

§15. Safety device for children under 5 years of age

122. Every safety device for children under 5 years of age shall comply with the standards prescribed in sections 213, 213.1 and 213.2 of Schedule IV to the Motor Vehicle Safety Regulations and be installed according to the manufacturer's standards.

§16. Flares, reflectors and slow-moving vehicle warning signs

123. For the purposes of this Subdivision,

"flares" means a tube containing a flammable mixture that burns with a red light and that must have a friction ignition device, burn for at least 15 minutes and include instructions, the name of the manufacturer and the date of manufacture;

"reflector" means a triangle device complying with Standard SAE J 774 December 89 published by the Society of Automotive Engineers.

124. If a vehicle whose width exceeds 2 metres must come to a stop on the road or shoulder of a public road, the driver shall signal its presence with the hazard lights. The driver shall also place flares or reflectors as follows:

(1) a warning device shall be placed on the roadway, about 3 metres from the rear of the vehicle, in the extension of the left side of the vehicle;

(2) a second warning device shall be placed on the roadway, about 30 metres from the rear of the vehicle, in line with the first device;

(3) a third warning device shall be placed on the roadway, about 30 metres from the front of the vehicle, in the extension of the left side of the vehicle.

On the roadway of an autoroute, a one-way road or other public roads where it is impossible for vehicles to meet, the driver shall place the flares or reflectors as follows:

(1) a warning device shall be placed on the roadway, about 3 metres from the rear of the disabled vehicle, in the extension of the left side of the vehicle;

(2) a second warning device shall be placed on the roadway, about 30 metres from the rear of the vehicle, in line with the first device;

(3) a third warning device shall be placed on the roadway, about 60 metres from the rear of the vehicle, in line with the others.

The flares shall be replaced as required to provide constant warning.

Flares shall not be used as emergency warning signals on vehicles engaged in the transportation of flammable or explosive substances.

125. A vehicle built to travel at a speed lower than 40 km/h and any animal-propelled vehicle shall be equipped with a triangle orange warning sign, with a dark red reflectorized edge, complying with Standard SAE J943 June 1988 published by the Society of Automotive Engineers.

The sign shall be fixed with an angle of the triangle upwards, vertically and perpendicular to the direction taken by the vehicle, as close as possible to the rear, at the centre of the vehicle or as close as possible from the left, at a height of 60 to 180 cm measured from the ground to the base of the sign.

In the case of a combination of vehicles, the sign may be installed on any vehicle, provided that it is entirely visible and perfectly identifiable seen from behind.

The sign shall be adequate, securely fixed to the vehicle and free from any object or matter that could reduce its visibility up to a distance of 180 m.

DIVISION IV **MECHANICAL INSPECTION AND SAFETY** **STANDARDS FOR MOTORCYCLES** **AND MOPEDS**

§1. Mudguards, footrests, windshield

126. The saddle, mudguards and chain guard shall be securely mounted and shall not be damaged.

127. The road vehicle shall have footrests for the driver and the passenger.

128. If the vehicle has a windshield, it shall be securely mounted and shall not be cracked, broken or show evidence of any defect which reduces visibility.

§2. Exhaust system

129. The exhaust system shall include all the components, in particular the manifolds, pipes, muffler, brackets and clamps. Those components shall be adequate, securely mounted to their anchorages and no leakage of exhaust gases shall be detected through joints or external holes other than those of the outlet pipe and drain holes originally provided by the muffler manufacturer for evacuating condensation.

No component of the system shall have been replaced, removed, added or modified in a way that makes the system noisier or more likely to cause burns compared to the system installed by the motorcycle manufacturer. The exhaust system shall not have an exhaust gas bypass system or adjustable baffles.

For the purposes of this Subdivision, “muffler” means a component that has the following characteristics:

(1) it is composed of an expansion chamber, a baffle or any other mechanical or acoustic device, or a combination thereof, that are permanently mounted and that are specifically designed by the manufacturer to reduce the noise caused by the exhaust gases;

(2) its exterior diameter is greater than the diameter of the manifold;

(3) it was designed by the manufacturer for the motorcycle on which it is mounted; and

(4) it shall not bear a mention or be identified by its manufacturer or the motorcycle manufacturer as intended for a special use or not designed for use on public roads.

§3. Engine controls

130. The components forming the engine controls shall be adequate.

131. The engine controls shall comply with the following standards when the road vehicle is stationary, the engine is running and the transmission is in the neutral position:

(1) no component intended by the manufacturer shall be missing, worn, inadequate, seized, not securely mounted, damaged or maladjusted in a way that prevents the engine from accelerating, stopping or idling when the throttle is released; and

(2) if the engine has an emergency cut-off device, the engine shall stop when it is idling and the device is activated.

132. The clutch mechanism shall comply with the following standards:

(1) no component intended by the manufacturer shall be missing;

(2) no component shall be so worn as to hamper its good working order;

(3) the clutch shall prevent any gear slip when the lever is completely released; and

(4) the clutch shall interrupt the engine torque transmission to the gearbox shaft.

§4. Fuel supply system

133. The components of the fuel supply system, such as the tank, its supports and fasteners, clamps, fittings, collars, fasteners and flexible and rigid lines, shall comply with the following standards:

(1) no leakage shall be present at any point along the fuel supply system;

(2) the tank shall not leak, be cracked or insecurely mounted;

(3) the tank fasteners and other fittings shall be present and securely fixed and not be cracked or broken;

(4) the rigid or flexible lines and fittings shall be adequate and shall not be cut, crushed, crimped, so cracked that the cord is exposed, corroded or excessively worn; furthermore, the fasteners shall be adequate, at the intended places and tight enough to prevent the hoses from vibrating or chafing against adjacent parts; and

(5) the fuel tank shall be fitted with a hermetic filler cap to prevent any spill.

§5. Brake system

134. The mechanical and hydraulic components of the brake system shall comply with the following standards:

(1) all the parts shall be adequate, securely mounted and none shall be missing, seized or so damaged or worn out as to hamper the good working order of the brake system;

(2) the rigid or flexible lines and the fittings shall be adequate and shall not be crushed, crimped, cut or so cracked that the cord is exposed, bulged, broken, welded, excessively worn or corroded; furthermore, the fasteners shall be adequate, at the intended places and tight enough to prevent the lines from vibrating or rubbing against adjacent parts;

(3) the hydraulic system shall show no visible evidence of leakage where the handbrake or pedal is fully depressed;

(4) the master cylinder shall be securely mounted, show no signs of internal or external leaks, be fitted with a fluid-tight cover and the brake fluid level shall not be below the level specified by the manufacturer;

(5) the brake lever and brake pedal shall be adjusted and located according to the manufacturer's standards;

(6) the warning light shall be adequate;

(7) the brake pedal shall be non-slip, securely fixed to its rotation axis, correctly aligned and move without excessive friction;

(8) the anti-lock brake system shall be adequate and the warning light shall go off within the time specified by the manufacturer;

(9) the internal brake components shall comply with the following standards:

(a) the bonded brake linings shall be at least 1.6 mm thick, while riveted linings shall be at least 3.2 mm thick or 1 mm above the rivets, being measured at the thinnest point excluding the bevelled part;

(b) the linings shall not be unbound from their support, broken, contaminated by oil or grease, cracked more deeply than half the remaining thickness or worn in an extremely uneven way; furthermore, the linings shall be securely attached to the support and no rivet shall be missing or loose;

(c) the brake linings shall be adjusted according to the manufacturer's standards, or so that the clearance between the linings and the drum be as small as possible without causing a friction when the brake is released;

(d) the wear indicator shall not be in contact with the drum or disc or exceed the manufacturer's standards;

(e) the pistons of a hydraulic brake shall move when the brake lever or pedal is lightly depressed; furthermore, there shall be no fluid leaks around them or along the lines and connections;

(f) only superficial cracks caused by heat may be present and reach the outer edge of the friction surface of the drum or disc; there shall be no other crack or leak on the other parts of the drum or disc;

(g) a brake disc shall not be thinner than the stamped dimension or the dimension specified by the manufacturer and shall not have a groove whose depth reduces the thickness below the prescribed thickness, or out of true by more than 0.13 mm;

(10) the caliper shall not be seized, cracked, broken, poorly installed or leak;

(11) there shall be rotation resistance on the wheel on which the brake is applied; where the brake is released, the wheel shall be totally free to turn and no part of the brake system shall be broken or be damaged consequently to such test; and

(12) the hydraulic brake control shall not depress completely where a moderate force is applied for a minute and the throw of the control shall not exceed 65 % of the total possible throw.

§6. Lighting, warning signals and electrical system

135. All the headlights, lights and reflectors required by the Code shall be present, comply with the manufacturer's standards and be securely mounted in the locations designed for that purpose. All the headlights, lights and indicator lamps on an electrical circuit shall light up with the intensity intended by the manufacturer when the switch of the electrical circuit is turned on.

136. The operation of one circuit shall not interfere with the operation of any other circuit.

137. No electric cable, plug, adapter or socket shall be broken, abraded, cracked, corroded or worn in a way that impedes the good working order of the component linked to it.

Each component shall be securely mounted to its anchorage so as to avoid any contact with moving parts. Furthermore, electrical wires that are not grounded shall be covered with a protective and insulating sheating.

138. The reflectors or lenses shall be properly installed at the locations provided for in the Code and none shall be missing, broken, cracked as to let the water in, discoloured, painted over or of the wrong colour.

139. The headlight shall be aligned in accordance with the manufacturer's standards.

140. The battery shall be securely mounted and the terminals shall not be excessively covered with corrosion deposits so as to hamper its operation. Any cover originally equipping the battery shall be adequate and securely fixed. The drainage hose shall be connected and routed as specified by the manufacturer.

141. The horn shall be adequate and securely mounted. Its command shall be easy to reach, identifiable and securely fixed.

142. No device or object mounted in or affixed to the road vehicle, the headlight, a light or a lens shall hide or dim the light.

§7. Body, equipment and accessories

143. No part of the vehicle shall have sharp edges or protrusions that could constitute a hazard.

144. All the components of the body and all the accessories and auxiliary equipment shall be securely fixed.

145. The floor of the side car, where applicable, shall not be cracked, warped or perforated. Furthermore, the floor or body shall have no opening that could constitute a hazard.

146. The mirrors shall be securely fixed to the locations intended by the manufacturer, adjustable horizontally and vertically, remain in the desired position and show no sharp edges. The reflecting surface shall be at least 80 cm² for a flat mirror and 64.5 cm² for a convex mirror. They shall not be broken, cracked or tarnished. The silvering shall not be unbounded except on the edge of the reflecting surface without exceeding 10 %.

147. The speedometer and the odometer shall be adequate and provide accurate readings with a margin of error of less than 10 %.

§8. Steering

148. All the components of the steering shall be adequate and securely fixed.

No component shall be cracked, broken, poorly mounted, out of place, out of shape, missing or have welds, excluding the manufacturer's welds. Furthermore, no component shall show evidence of deterioration, damage or wear that could impede its good working order.

Any repair shall ensure the same level of safety as that intended by the manufacturer.

149. The handlebars shall be securely mounted at the height prescribed by the manufacturer and shall not show any play, deterioration or repair by welding.

150. The axis of the fork shall be assembled properly on its bearings and where the fork is turned from left to right, the steering head bearings shall show no evidence of play, wear or deterioration and it shall not show blockage at any point.

§9. Suspension

151. All the components of the suspension shall be adequate and securely fixed.

No component for the mounting or positioning of the axle or wheel to the vehicle or supporting it shall be cracked, broken, poorly mounted, out of place, out of shape, missing or welded, excluding the manufacturer's welds. Furthermore, no component shall show signs of

deterioration, damage or wear that could impede its good working order.

Any repair shall ensure the same conditions of safety as those intended by the manufacturer.

152. The axles shall be securely mounted, free of cracks or repair by welding, properly aligned and be perpendicular to the lengthwise axis of the road vehicle.

153. The suspension shall not allow a tire to touch the body or frame under normal conditions of use.

154. The shock absorbers and their anchorages shall be present, adequate, securely mounted and shall not be cracked or broken. Furthermore, they shall not leak in a way that could hamper their performance.

155. The play between the various bushings and retaining pins shall comply with the manufacturer's standards. Furthermore, where a bushing is made of flexible material, the material shall be adequate and be free of cuts that could influence the performance.

§10. Frame

156. All the parts of the frame shall be present, securely fixed, assembled according to the manufacturer's standards and shall not be cracked, broken, bent, or have any missing or slack bolt or fastener.

Any repair shall provide the road vehicle with the same conditions of safety as those intended by the manufacturer and the structure of the vehicle shall in no case be weakened.

157. All the parts of the frame used to mount the body, loading space, steering, suspension, engine and gearbox shall not be missing, out of order, poorly mounted, damaged, cracked, broken or bent.

§11. Tires and wheels

158. Tires shall comply with the following standards:

(1) no tire shall be so worn that a wear indicator touches the roadway or that the depth of the tread measured in a main groove or tread design, elsewhere than at the wear indicator, is less than 1.6 mm;

(2) at no point, a tire shall be so worn, cracked, cut or worn as to expose the cord;

(3) no tire shall be abnormally bulged or out of shape and no foreign material that could cause a puncture shall be embedded in the tread or sidewall;

(4) a tire shall not have been recut deeper than the original grooves;

(5) at no point the tread or rubber compound of the sidewall shall be separated from the carcass of the tire;

(6) a tire shall not be a size smaller than the minimum size indicated by the vehicle manufacturer; it may however be of a size greater than that indicated by the vehicle manufacturer provided that the tire does not touch any component of the road vehicle in every movement of the suspension;

(7) a tire shall have been repaired in accordance with the recommendations of its manufacturer;

(8) the air pressure in a tire shall not exceed the pressure written on the sidewall or be less than the value recommended by the manufacturer of the vehicle or tire;

(9) no tire valve shall be worn down, damaged, scraped or cut and the exposed portion of each valve shall be of sufficient length to allow for the easy inflation of the tire or taking of tire pressure;

(10) no tire shall bear marks or wording to indicate that it is for restricted use and unsuited for use on public roads; and

(11) unidirectional tires shall be installed according to the tire manufacturer's standards.

159. The rims shall not be buckled, cracked, bent or otherwise damaged.

160. The wheels shall not be cracked, have elongated bolt holes, be corroded to an extent that reduces their capacity, be bent, broken, misaligned, warped, damaged, show signs of repair or welds other than manufacturer's welds. Furthermore, the wheel fittings, such as studs, nuts and bolts, shall not be missing, slack, damaged or loose and a spoked wheel shall have all its spokes, which shall not be broken or slack.

DIVISION V

MINOR AND MAJOR DEFECTS

§1. Minor defects

161. Subject to sections 162 to 170, any departure from the standards provided for in Division III of this Chapter, except for sections 81, 82 and 88, constitutes a minor defect.

§2. *Major defects: Lighting, warning signals, body, windows, equipment, interior, accessories*

162. The following are major defects:

- (1) a road vehicle without at least one adequate low beam, taillight or stop light;
- (2) a door or front hood that does not engage fully when closed;
- (3) a safety system against the accidental opening of doors that is out of order, in the case of a bus equipped with automatic doors;
- (4) an emergency exit that is blocked or inadequate or whose warning light or buzzer is out of order;
- (5) the floor of the passenger compartment that is so perforated that it constitutes a hazard for passengers by reason of a lack of solidity or the entry of the exhaust gases of a fuel engine;
- (6) a part of the body, equipment or an accessory that is not securely fixed and that might fall off;
- (7) a windshield so damaged that the driver's visibility of the road and road signs is considerably reduced; and
- (8) a wiper on the driver's side that is inadequate.

§3. *Major defects: Brake system and stopping*

163. The following are major defects:

- (1) no braking or an important reduction in the braking force on a wheel or a group of wheels for a vehicle with 2 axles or on 2 single wheels or 2 groups of wheels for a vehicle with 3 axles or more, by reason of the absence or inadequate operation of a component of the brake system;
- (2) no braking on a wheel on a single steering axle where that axle has brakes;
- (3) a crack that extends to the outer edge of the friction surface or on another part of a drum or disc;
- (4) where the brakes are applied, a support or rivet of the brake lining that touches the friction surface of the drum or disc; and
- (5) one of the components of the system that is not securely fixed, missing, crimped, damaged, deteriorated or worn in a way that considerably reduces the good working order of the brakes.

164. The following are major defects in a hydraulic system:

- (1) a flexible line that is bulged when under pressure;
- (2) the level of the fluid in the master cylinder is lower than one quarter of the normal level;
- (3) the brake fluid leaks along the system, excluding oozing, where the service brake is applied;
- (4) a pedal that has to be depressed several times to pressurize the circuit;
- (5) a brake pedal that goes down to the floor within less than 10 seconds when a force of about 550 newtons is applied;
- (6) the travel of the brake pedal that exceeds 80 % of the total possible travel; and
- (7) a power brake that does not work or that is of no help for the driver when he applies the brakes with the engine off.

165. The following are major defects in a pneumatic system:

- (1) a flexible line that bulges when under pressure;
- (2) an air line fitting that does not comply with the manufacturer's standards for its application;
- (3) the driving belt of the air compressor that has a cut that will very likely lead to a breakdown;
- (4) an air compressor that is not securely mounted or whose pulley is cracked or broken or a compressor that is unable to reach or to maintain a minimum pressure of 620 kPa while the engine is idling and the service brake is fully applied;
- (5) an air pressure loss, after the service brake has been fully applied for a minute, that exceeds
 - (a) 40 kPa for a single-unit vehicle;
 - (b) 48 kPa for 2 vehicles;
 - (c) 62 kPa for 3 vehicles;
- (6) the safety valve of the tractor truck that is inadequate;
- (7) the angle between the centre of the roll and the lowest position of the cam is greater than 120° degrees where the brake linings touch the drum;

(8) different models or sizes of brake chambers or play adjusters mounted on the steering axle; and

(9) the travel of the control rod of a brake chamber for a vehicle with 2 axles, or of 2 brake chambers for a vehicle with 3 axles or more, that exceeds by 6.5 mm or more the maximum setting value provided by the manufacturer.

§4. Major defects: steering

166. The following are major defects:

(1) a mounting component of the steering that is missing, cracked, broken or a misplacement of the steering column, of the steering box or steering wheel in relation to the normal position when there is a risk of separation;

(2) an articulation or a slip joint or cross and roller universal joint of the steering column that is very likely to let down;

(3) a power steering system that is out of order;

(4) a line or belt that has a crack that could cause it to break off or an auxiliary cylinder or the pump that is poorly mounted while there is a risk of breaking off;

(5) a component of the steering linkage that is cracked, broken, not securely mounted, repaired with welds or so damaged as to affect the parallelism of the wheels;

(6) a ball joint of the steering linkage that has play exceeding 3.2 mm;

(7) play in the steering wheel in excess of

(a) in the case of a road vehicle of a net mass of 3 000 kg or less, 15 mm for a rack-and-pinion steering gear and, for the other types of steering: 60 mm for a power steering and 87 mm for mechanical steering;

(b) in the case of a vehicle of a net mass of more than 3 000 kg, for a power steering, 87 mm for a steering wheel whose diameter is 500 mm or less and 100 mm if the diameter is more than 500 mm, for a mechanical steering, 133 mm for a steering wheel whose diameter is 500 mm or less and 196 mm if the diameter is more than 500 mm;

(8) the play in a ball-and-socket joint linked to a suspension component that exceeds by 50 % the manufacturer's standard or a ball-and-socket joint that could come out of its housing after a shock; and

(9) horizontal play in the fifth wheel measured at the outer circumference of the tire that is more than twice the manufacturer's standard or the value prescribed in section 112.

§5. Major defects: suspension

167. The following are major defects:

(1) a component to mount or position the axle or the wheel to the vehicle that is missing, not securely mounted, cracked, broken, damaged in a way that affects the parallelism of wheels or that lets the axle or wheel move out of its normal position;

(2) a main leaf, a rubber pad or 25 % or more of the leaf springs of the assembly that are broken or missing;

(3) a leaf spring or a coil spring that is so out of place that it touches a rotating part;

(4) an axle or a torsion bar that is cracked or broken or a coil spring that is so cracked or broken that the vehicle is completely sagged; and

(5) an air leak in a pneumatic suspension that cannot be made up for by the compressor where the engine is idling.

§6. Major defects: Frame, underbody and coupling device

168. The following are major defects:

(1) a component of the frame is broken, cracked or sags in a way that makes a mobile part and the body touch, or any other condition indicating that a side rail will very likely break down;

(2) a component of the frame that is so cracked or broken that it hampers the good working order or reduces the solidity of a steering, suspension, coupling, engine or transmission component;

(3) a crack of 37 mm or more in the vertical part of the side rail (web) or a crack of 25 mm or more in the horizontal lower part of the side rail (flange) or any crack beginning in the horizontal lower part of the side rail and extending into the vertical part;

(4) more than 25 % of the locking pins that are not engaged or present in the case of the sliding bogie of a semi-trailer;

(5) a plate or a kingpin that is cracked, not securely fixed or bent to an extent that it makes coupling difficult;

(6) while the tractor truck is coupled with a semi-trailer, horizontal play exceeding 12.8 mm between the kingpin and the jaws and a kingpin that is improperly engaged or a movement between a fastener of the coupling device and the frame of the tractor truck or semi-trailer;

(7) 25 % or more of the locking pins that are missing or not working or lengthwise play that exceeds 9.5 mm in the locking mechanism of the slides, in the case of a sliding fifth wheel;

(8) a crack, a weld or a breach in the part of a component of the coupling device that bears a load or that is subjected to tension or sheer stress;

(9) play at the point of contact between the coupling hook and ring in excess of 9.5 mm for the hook or for the ring; and

(10) a component of the coupling device that is poorly mounted, cracked, broken, bent, missing, worn, so mal-adjusted that it might break free, fall off or where more than 20 % of the fasteners are missing or inefficient.

§7. Major defects: tires and wheels

169. The following are major defects:

(1) a single tire or dual tires in the same wheel assembly that are so cut or worn that the cord or steel belt or is exposed, a bulge due to a defect in the carcass or tires designed for off-road driving;

(2) a single tire or dual tires in the same wheel assembly having 2 adjacent grooves less than 0.8 mm in depth or 1.6 mm for a front tire of a vehicle whose net mass is more than 3 000 kg;

(3) a tire that is leaking air or that has foreign material embedded in the tread or sidewall that could cause a puncture;

(4) a tire touching a fixed part of the vehicle or the other tire in the case of dual tires;

(5) a fastening ring for a multipiece wheel that is warped, cracked, bent, broken, not securely mounted, welded or not fit for the rim on which it is mounted;

(6) a wheel fastener that is missing, cracked, broken or not securely mounted;

(7) a wheel that was repaired by welding, a crack, a breach or an elongated bolt hole.

§8. Major defects: Fuel, engine control and exhaust systems

170. The following are major defects:

(1) an engine that does not slow down to idle when the accelerator is released;

(2) a fuel leak other than oozing along the fuel system;

(3) a tank that leaks, excluding oozing, so poorly fixed that it could break loose or that has no cap; and

(4) a leakage of exhaust gases from a fuel engine under the passenger compartment where the floor is perforated or in the engine compartment.

DIVISION VI

MAJOR AND MINOR DEFECTS FOR MOTORCYCLES AND MOPEDS

§1. Minor defects

171. Subject to sections 172 to 177, any departure from the standards established in Division IV of this Chapter constitutes a minor defect.

§2. Major defects: Fuel and engine control systems

172. The following are major defects:

(1) an engine not returning to idle when the throttle is released in every position of the handlebars;

(2) a fuel leak other than oozing along the fuel system;

(3) a tank that leaks, excluding oozing, so poorly mounted that it could break loose or not having a cap.

§3. Major defects: brake system

173. The following are major defects:

(1) no braking on a wheel because of the poor working order of a component of the mechanical or hydraulic brake system;

(2) a crack that extends to the outer edge of the friction surface or on another part of the drum or disc;

(3) when the brakes are applied, a support or rivet of the brake lining that touches the friction surface of the drum or disc;

(4) a flexible hose that bulges when under pressure;

(5) a fluid level in the master cylinder lower than one quarter of the normal level;

(6) a brake fluid leak along the system, other than oozing, where the brake is applied;

(7) a hydraulic brake control that has to be depressed several times in order to pressurize the circuit;

(8) a hydraulic brake control that reaches the end of its travel within 10 seconds where a moderate pressure is applied;

(9) the travel of the brake control exceeds 80 % of the total possible travel; and

(10) a component of the system that is poorly mounted, missing, crimped, damaged, deteriorated or worn out in a way that hampers the good operation of the brakes.

§4. Major defects: Lighting, flashers and electrical system

174. The absence of at least one adequate low beam, taillight or stop light is a major defect on a motorcycle or moped.

§5. Major defects: Body, equipment and accessories

175. The following are major defects:

(1) the floor of the side car is so perforated as to constitute a hazard due to a lack of solidity;

(2) a part of the body, a piece of equipment or an accessory that is not securely mounted and that could sever from the road vehicle.

§6. Major defects: Steering, suspension and frame

176. The following are major defects:

(1) handlebars poorly mounted, cracked, twisted or bent;

(2) a component to mount or position the axle or wheel to the vehicle that is missing, not securely mounted, cracked, broken or that lets the axle or wheel move out of its normal position;

(3) an axle or coil spring that is cracked or broken; and

(4) a part of the frame that is broken, cracked or bent in a way that affects the vehicle's handling, the solidity of a component of the steering, suspension, engine, transmission or any other condition indicating that is very likely to cause an imminent break in the frame.

§7. Major defects: tires and wheels

177. The following are major defects:

(1) a tire that is so cut or worn that the cord shows or that has a bulge due to a fault in the carcass;

(2) a tire that has a tread less than 0.8 mm in depth measured in a main groove or sculpture, but not at the level of the wear indicator;

(3) a tire leaking air or that has foreign material deeply embedded in the tread or sidewall which could cause a puncture;

(4) a tire that touches or that could touch a fixed part of the vehicle;

(5) a part mounting the wheel to the axle that is missing, cracked, broken or insufficiently tight; and

(6) a wheel that has a crack, break or elongated bolt hole.

**CHAPTER III
TECHNICAL APPRAISAL**

**DIVISION I
SCOPE**

178. This Chapter applies to rebuilt damaged vehicles referred to in Title IX.1 of the Code.

**DIVISION II
TERMS AND CONDITIONS APPLICABLE TO
TECHNICAL APPRAISAL**

179. A certificate of technical compliance shall contain at least the following particulars:

(1) the certificate number;

(2) the make, model, year and identification number of the road vehicle;

(3) the name and address of the vehicle owner and the identification number entered on the registration certificate of the vehicle;

(4) the name and address of the person who rebuilt the vehicle and the identification number entered on the registration certificate of the vehicle;

(5) the name and signature of the person who made the technical appraisal, the number assigned to that person by the Société, the mandatary's number, where applicable, the date of the appraisal and the place where it was made; and

(6) an attestation that the vehicle complies with the requirements of section 546.5 of the Code and sections 180 to 186 of this Regulation.

DIVISION III STANDARDS OF TECHNICAL APPRAISAL

180. The technical appraisal provided for in section 546.5 of the Code shall be made according to the standards prescribed in this Division.

181. The alignment of the chassis or monocoque body shall comply with the manufacturer's standards relating to the safe operation of the vehicle, particularly with respect to the position of the suspension and steering components.

182. The wheels shall be aligned in accordance with the manufacturer's standards.

183. A vehicle shall be repaired in such a way as to provide occupant protection that is comparable to the protection existing when the vehicle was manufactured.

184. Unrepairable components of the structure shall be replaced, except for the bulkhead, which shall not be changed.

Repairable components of the body shall be repaired according to the methods and techniques that do not affect their original properties in accordance with the manufacturer's standards.

185. The assembly points of the body shall be in the places recommended by the manufacturer.

Those assembly points shall be accessible when the technical appraisal is made. No waterproof, soundproof or rust protection compound shall have been applied to the underbody of the road vehicle.

186. The components of the chassis or monocoque body shall be repaired and assembled using methods that do not affect the mechanical and metallurgical properties of the constituting materials.

DIVISION IV ROAD VEHICLES THAT MAY NOT BE REBUILT

187. For the purposes of Title IX.1 of the Code, a damaged road vehicle with a monocoque body may not be rebuilt where the compartment floor or front bulkhead cannot be repaired following a collision, a fire or an immersion. The same applies to a motorcycle or moped whose frame cannot be repaired as a result of a collision, fire or immersion.

DIVISION V RECORD OF REBUILDING

188. The record of rebuilding shall contain, in addition to the prescriptions of section 546.4 of the Code, an attestation that the wheels are aligned in accordance with the manufacturer's standards.

DIVISION VI EXCEPTIONS

189. Owners of the following road vehicles that have been damaged and rebuilt are exempt from providing a certificate of technical compliance and a certificate of mechanical inspection before putting them back into operation:

- (1) special mobile equipment;
- (2) a trailer whose net mass is less than 900 kg;
- (3) a farm tractor;
- (4) a snow blower.

CHAPTER IV INSPECTION AND MAINTENANCE UNDER TITLE VIII.1 OF THE CODE

DIVISION I INSPECTION BY DRIVER

190. Inspection of the mechanical condition of a road vehicle under section 519.6 of the Code shall pertain to the following items, in accordance with the applicable safety standards below:

(1) the service brakes provided for in paragraph 4 of section 29 with respect to the level of brake fluid, section 34, paragraphs 2 to 4, 10 and 11 of section 37, paragraphs 2, 4, 5 and 7 of section 164 and paragraph 4 with respect to the minimum pressure and paragraph 5 of section 165;

(2) the parking or emergency brake provided for in paragraphs 1 and 2 of section 38;

(3) the steering mechanism provided for in section 102 with respect to the steering wheel, paragraphs 1 and 2 of section 104 with respect to the steering column, section 107 with respect to the belt and fluid level, paragraph 1 with respect to the steering wheel and column and paragraph 3 of section 166;

(4) the lighting and signals provided for in section 74 and section 14 and paragraph 1 of section 162 with respect to the turn signals, hazard lights, parking lights and low beams;

(5) the tires provided for in paragraph 1 with respect to the wear indicator, paragraphs 2, 3, 6 and 14 of section 119 and paragraphs 1, 3 and 4 of section 169;

(6) the warning buzzer provided for in section 68;

(7) the wipers and windshield washer provided for in section 69 and paragraph 8 of section 162;

(8) the rearview mirrors provided for in sections 65 and 66;

(9) the coupling device provided for in paragraphs 5 and 6 with respect to the engagement of the kingpin, paragraph 7 with respect to locking pins and paragraph 10 of section 168;

(10) the wheels provided for in section 121 with respect to the fixing and paragraphs 6 and 7 of section 169;

(11) the emergency equipment provided for in sections 77 and 78 of this Regulation and section 225 of the Code;

(12) the suspension provided for in section 116 with respect to air leaks and paragraphs 1 to 5 of section 167;

(13) the side rails and cross members of the chassis frame provided for in section 97 with respect to cracks and in paragraph 1 of section 168; and

(14) the securing devices provided for in sections 13 to 19 of the Regulation respecting standards for the securing of loads, made by Order in Council 284-86 dated 12 March 1986.

Such inspection shall be limited to a visual or audio check-up, as the case may be, of the accessible items.

191. Each day, every driver shall inspect the motor vehicle he is going to use.

In the case of a bus, the inspection shall be made every 24 hours. If the bus has remained stationary for more than 24 hours, the inspection shall be made before the vehicle is used.

192. Every driver shall enter in the inspection register accompanying the motor vehicle he drives the following information:

(1) the date on which the inspection was made;

(2) the number of the registration plate of the motor vehicle or the unit number entered on the registration certificate;

(3) a list of the defects found during the inspection or during the trip or, if none, a mention to that effect; and

(4) the signature of the driver.

193. A driver is exempted from completing the inspection register and keeping it up-to-date if he travels within a radius of 160 km from his home terminal and if no defect is discovered during the inspection or trip.

“Home terminal” means

(1) the place or establishment where the driver usually shows up to work; or

(2) any other place where the driver shows up to work for a minimum period of 4 consecutive days.

194. The duly completed inspection register shall stand in place of the report referred to in section 519.7 of the Code.

195. This Division does not apply to

(1) a truck with 2 or 3 axles used principally for carrying unprocessed farm, forest or fisheries products, provided that the carrier is also the producer of those products;

(2) a road vehicle used in the event of a disaster within the meaning of paragraph *d* of section 1 of the Act respecting the protection of persons and property in the event of disaster (R.S.Q., c. P-38.1).

196. If the driver discovers a defect, he shall give without delay the inspection register of the vehicle to the carrier, who shall sign it.

DIVISION II INSPECTION AND MAINTENANCE BY THE CARRIER

197. Maintenance shall comprise all the planned interventions intended to maintain the road vehicle in good working order. More particularly, it shall pertain to the items referred to in Division III of Chapter II in order to ensure that the vehicle complies and remains in compliance with the provisions therein.

When servicing the vehicle, the mechanic shall follow predetermined steps, that is, inspections, adjustments or changes. Furthermore, where the mechanic observes an anomaly making him foresee the poor operation of a part of the road vehicle before the next service, he shall repair, change or adjust it immediately or plan to do it before that service.

198. The inspection of a motor vehicle shall be performed at least once every 6 months.

199. For each road vehicle under his responsibility, the carrier shall keep a maintenance record containing the following information and documents:

- (1) the identification number of the vehicle and the plate number, the make, year, owner's name and, where applicable, the name of the long-term lessor;
- (2) the schedule of upcoming inspections according to the recall criterion used by the carrier and the purpose of each service;
- (3) the sheet referred to in section 200 for each service performed;
- (4) proof that the repairs have been made following the service; and
- (5) the dates on which the storage begins and ends, where applicable.

Each time the vehicle is serviced, the carrier shall cause the sheet referred to in section 200 to be completed and signed by the person who serviced it.

200. The maintenance sheets shall contain the following blanks and information:

- (1) a blank to enter the identification number of the vehicle, the number of the licence plate or the unit number appearing on the registration certificate;
- (2) a blank for the number of kilometers indicated by the odometer;

(3) a blank to enter the date of the service;

(4) a list of all the components to be checked at each service according to the road vehicle category in accordance with Division III of Chapter II and a blank beside each item on the list to enter whether the component complies or not; and

(5) a blank to indicate the required repairs, if any.

201. A carrier shall keep the maintenance record of every motor vehicle under his responsibility for the 2 last years of operation of the vehicle. He shall also keep that record for at least 6 months after the transfer of a vehicle.

CHAPTER V MECHANICAL INSPECTIONS MADE OUTSIDE QUÉBEC

202. A mechanical inspection report and an inspection sticker issued for a road vehicle or a combination of road vehicles whose net mass is more than 3 000 kg and for a minibus or a bus other than a minibus and a bus used for personal purposes, are deemed to be valid within the meaning of the Code, where those vehicles are registered outside Québec and the mechanical inspection was carried out in accordance with a compulsory periodic mechanical inspection program provided for in any of the following regulations:

- (1) Alberta: Bus Safety Regulation, AR 235/82; Commercial Vehicle Inspection Regulation, AR 414/91; Commercial Bus Inspection, Equipment and Safety Regulation AR 428/91;
- (2) British Columbia: Inspection Standards (Safety and Repair) Regulation, B.C. Reg. 40/93;
- (3) Prince Edward Island: Motor Vehicle Inspection Regulations, EC 509/82;
- (4) Manitoba: Periodic Mandatory Vehicle Inspection Regulation, Man. 76/94;
- (5) New Brunswick: Motor Vehicle Inspections Regulation, N.B. Reg. 83-185;
- (6) Nova Scotia: Motor Vehicle Inspection Regulations, O.I.C. 80-925, N.S. Reg. 108/80;
- (7) Ontario: Safety Inspections, R.R.O., 1990, Reg. 611;
- (8) Saskatchewan: The Vehicle Inspection Regulations, Chapter V-2.1, Reg. 12 and the Vehicle Inspection Procedures Regulations, Chapter V-2.1, Reg. 13;

(9) Newfoundland: Official Inspection Station Regulation, Nfld, Reg. 1002-96;

(10) United States: Federal Motor Carrier Safety Regulations, Title 49, United States Code of Federal Regulations, sections 396.17 to 396.23.

203. A mechanical inspection report and an inspection sticker issued under a program referred to in section 202 are deemed to be valid, from the date they are issued, for 6 months in the case of a minibus or bus other than a minibus and a bus used for personal purposes, and 12 months for a road vehicle or a combination of road vehicles whose net mass is more than 3 000 kg.

204. A road vehicle referred to in section 202 and registered in Québec may undergo a mechanical inspection in accordance with any program provided for in that section where the vehicle is outside Québec.

The mechanical inspection report and inspection sticker are deemed to be valid within the meaning of the Code for the period provided for in section 203, provided that the owner or lessee of the road vehicle or the carrier referred to in Title VIII.1 of the Code who is responsible for it sends the Société a copy of the mechanical inspection report without delay and that the sticker is affixed to the vehicle.

CHAPTER VI IDENTIFICATION OF CERTAIN ROAD VEHICLES

205. In order to be assigned an identification number, the road vehicle referred to in section 210.1 of the Code shall undergo a mechanical inspection and bear an inspection sticker.

206. The Société shall issue a new number if it is provided with proof that the plate bearing the identification number has been lost, destroyed or stolen.

CHAPTER VII PREVENTIVE MAINTENANCE PROGRAM IN PLACE OF MECHANICAL INSPECTION UNDER CHAPTER I.1 OF TITLE IX OF THE CODE

DIVISION I GENERAL

207. Every preventive maintenance program shall comprise all the planned interventions intended to maintain the road vehicle subject to mechanical inspection under section 521 of the Code in good working order. More particularly, it shall pertain to the items provided for in Divisions III and IV of Chapter II in order to ensure that the vehicle complies and remains in compliance with the provisions therein.

When servicing a vehicle, the mechanic shall follow predetermined steps, that is, inspections, adjustments or changes. Furthermore, where the mechanic observes an anomaly making him foresee the poor operation of a part of the road vehicle before the next service, he shall repair, change or adjust it immediately or plan to do it before that service.

DIVISION II CERTIFICATION OF A PREVENTIVE MAINTENANCE PROGRAM

208. The Société shall, in accordance with section 543.4 of the Code, certify a preventive maintenance program in place of mandatory periodic mechanical inspection if it meets the following minimum standards:

(1) the road vehicles subject to the program must comply with the provisions of Divisions III and IV of Chapter II;

(2) the owner who applies for the certification of his program shall have at his disposal a place sheltered from frost and bad weather ensuring access to the various parts of the road vehicle;

(3) the mechanics assigned to the preventive maintenance of light vehicles and medium-weight vehicles shall

(a) hold a vocational study diploma recognized by the Ministère de l'Éducation in automobile mechanics and have 2 years of relevant experience in the repair of the mechanisms of a road vehicle, particularly the suspension, steering and brake system; or

(b) have 5 years of relevant experience in the repair of the mechanisms of a road vehicle, particularly the suspension, steering and brake system; or

(4) the records shall contain the following information and documents for each vehicle covered by the program:

(a) the identification number of the vehicle and the plate number, the make, year, owner's name and, where applicable, the name of the long-term lessor;

(b) the schedule of upcoming services according to the recall criterion used by the carrier and the purpose of each service;

(c) the maintenance sheet completed and signed as described in section 210 by the mechanic who serviced the vehicle for each service performed since the begin-

ning of the program or for the 2 last years of operation, whichever is shortest;

(d) for a heavy vehicle, a register of the brake lining measurements if they are not provided on the maintenance sheets;

(e) proof that the repairs have been made following the service; and

(f) the dates on which the storage begins and ends, where applicable.

209. The information and documents that the owner must provide when applying for the certification of a preventive maintenance program are the following:

(1) the resolution or power of attorney authorizing the applicant's representative to sign the documents on his behalf;

(2) the record number appearing on the registration certificate of the road vehicle or the owner's Québec business number appearing in the Centre informatique du registre des entreprises du Québec;

(3) where applicable, the number assigned to the owner by the Société as a person authorized to make the mechanical inspection of road vehicles on behalf of the Société;

(4) a blank copy of each of the maintenance sheets used under his program;

(5) a document specifying the maintenance intervals;

(6) for heavy vehicles, a copy of the brake measurement register if the measurements are not indicated on maintenance sheets;

(7) a description of the road vehicle fleet, including the vehicle categories, the number of vehicles per category, their gross vehicle weight rating and, where applicable, a list of the vehicles that the owner intends to exclude from the program;

(8) the address of the maintenance locations, the number of vehicles maintained at each location and a list of the mechanics referred to in paragraph 3 of section 208 for each location and, if the owner has the preventive maintenance program carried out by a third person, the name and address of the latter;

(9) proof of competency demonstrating that the mechanics identified on the list mentioned in paragraph 8 meet the conditions mentioned in paragraph 3 of section 208; and

(10) authorization in writing allowing the Société to consult any record or document that it has with respect to the vehicles subject to the preventive maintenance program and their use.

An application for certification shall be submitted on the form provided by the Société to that end.

210. The maintenance sheets provided for in paragraph 4 of section 209 shall contain the following blanks and information:

(1) a blank to fill in the identification number of the road vehicle, the number of the licence plate or the unit number appearing on the registration certificate;

(2) a blank for the number of kilometers indicated by the odometer;

(3) a blank to fill in the date of the service;

(4) a list of all the components to be checked at each service according to the road vehicle category in accordance with Divisions III and IV of Chapter II and a blank beside each item on the list to enter whether the component complies or not;

(5) a blank to indicate the required repairs, if any;

(6) a blank for the mechanic's signature and number; and

(7) for heavy vehicles, a blank to indicate the brake lining measurements, if not provided on another document.

211. A certificate evidencing certification shall indicate that the preventive maintenance program for the road vehicles listed in the Schedule to the certificate meets the standards established by the Code and the regulations thereunder and that the owner is exempt from compulsory periodic mechanical inspection for the vehicles identified on that Schedule.

212. The sticker of the preventive maintenance program shall contain the mentions "Société de l'assurance automobile du Québec" and "preventive maintenance sticker". Furthermore, it shall contain a sequential number determined by the Société, preceded by the letter "P", the Société's logo and the effective and expiry dates.

213. The sticker of the preventive maintenance program shall be valid for one year from the date on which it is affixed to the vehicle.

DIVISION III OBLIGATIONS OF OWNERS SUBJECT TO RECOGNIZED PROGRAMS

214. The owner of the road vehicles covered by a certified preventive maintenance program shall

(1) maintain the vehicles or have them maintained so that they comply with the provisions of Divisions III and IV of Chapter II;

(2) carry out or cause to be carried out the preventive maintenance of the vehicles at the minimum intervals determined in Schedule II; however, if a vehicle is stored when a service is due, it shall be carried out in the month preceding the obtention of the right to put the vehicle back into operation;

(3) fill in or cause to be filled in the blanks on the maintenance sheets in accordance with section 210 and, if the sheets do not indicate the brake measurements, on the brake measurement register;

(4) maintain the vehicles or have them maintained at a location complying with the standards provided for in paragraph 2 of section 208; and

(5) maintain the vehicles or have them maintained by a mechanic whose qualifications meet the conditions mentioned in paragraph 3 of section 208 according to the vehicle category to maintain.

215. An owner shall keep a record containing the following information and documents for each road vehicle covered by a certified preventive maintenance program:

(1) the identification number of the vehicle and the plate number, the make, year, owner's name and, where applicable, the name of the long-term lessor;

(2) the schedule of upcoming services according to the recall criterion used by the owner and the purpose of each service;

(3) the maintenance sheet referred to in section 210 by the mechanic who serviced the vehicle for each service performed;

(4) for a heavy vehicle, a register of the brake lining measurements if the measurements are not indicated on maintenance sheets;

(5) proof that the repairs have been done following the service; and

(6) the dates on which the storage begins and ends, where applicable.

Each time the vehicle is serviced, the owner shall cause the sheet referred to in section 210 to be completed and signed by the mechanic who serviced it.

216. An owner of a road vehicle subject to a certified preventive maintenance program shall keep or cause to be kept the record referred to in section 215 for the 2 last years of operation of the road vehicle and, if he transfers the vehicle, he shall keep the record for 6 months after the transfer.

DIVISION IV OFFENCES AND CANCELLATION

217. An owner who contravenes paragraph 4 or 5 of section 214, who enters false or inaccurate information in the records referred to in section 215 or who sells or gives a sticker of the preventive maintenance program commits an offence and is liable to a fine of \$300 to \$600 or, if the owner is a carrier, a fine from \$600 to \$2000.

218. An owner who contravenes paragraph 3 of section 214 or section 216 commits an offence and is liable to a fine of \$100 to \$200 or, if the owner is a carrier, a fine from \$300 to \$600.

219. The Société shall cancel the certification of an owner under section 543.10 of the Code where the owner contravenes paragraph 1 or 2 of section 214 for the third time in the 3 years preceding the cancellation.

220. This Regulation replaces the Regulation respecting the mechanical inspection and identification of road vehicles, made by Order in Council 2069-82 dated 15 September 1982, and the Regulation respecting the mechanical inspection reciprocal agreement between the Gouvernement du Québec and certain North American jurisdictions, made by Order in Council 313-88 dated 9 March 1988.

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

SCHEDULE I

(s. 84)

Date d'expiration	
Mois	Année
1	1998
2	1999
3	2000
4	2001
5	2002
6	2003
7	2004
8	2005
9	2006
10	2007
11	2008
12	2009

NG/GN

Québec

Numéro de certificat de l'installateur

SCHEDULE II

(s. 208)

MAINTENANCE SCHEDULE

In this Schedule, "S" means service to be performed

Categories of road vehicles		Maintenance intervals				
The vehicle shall be serviced according to the annual mileage or to the number of months specified therein, whichever comes first	Months Mileage	3	4	6	6	6 12
				10 000	20 000	5 000
Bus and other vehicle engaged in the transportation of schoolchildren		E				
Bus except a school bus		E(1)				
Motorcycle						E
Trailer			E(1, 2)			
Taxi		E				
Light and medium-weight emergency vehicle			E			
Heavy emergency vehicle					E	
Fire department vehicle						E
Heavy and medium-weight vehicle		E(1)				
Road vehicle used by a driving school		E(1)				

Notes:

1. If the annual mileage is less than 20 000 km, the vehicle may be serviced every 6 months.
2. A trailer shall be serviced every 6 months instead of every 4 months if the owner provides the Société with a copy of the directive he adopted concerning the application of the inspection provided for in Division I of Chapter IV, provided that the directive is complied with.

In addition to the standards provided for in Division I of Chapter IV, the directive shall provide for the following points:

- (1) a practical training for the drivers on the inspection, particularly on the items listed in section 190;
- (2) a 10-minute period granted every day to drivers to inspect their vehicles;
- (3) controls used by the owner to enforce inspection.

2288

Draft Regulation

Act respecting the Québec Pension Plan
(R.S.Q., c. R-9; 1997, c. 73)

Benefits**— Amendements**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting benefits, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

This Regulation is made necessary by the assent, given on 17 December 1997, to the Act to reform the Québec Pension Plan and to amend various legislative provisions (1997, c. 73).

The regulatory provisions are mainly intended to specify the circumstances in which a proof of civil status must be presented to the Régie, to provide for the documents and information that must be presented by de facto spouses who desire, from 1 July 1999, either to apply for partition of their retirement pension or partition of their pensionable earnings. The Regulation defines the concept of substantially gainful employment as applied to verifying maintenance of eligibility for a disability pension. Finally, it provides for the documents that must accompany an application for transfer of the retroactive amount of a disability pension to the administrator of a disability insurance plan. These provisions will, consequently, have some impact on contributors to the Québec Pension Plan.

Further information may be obtained from Mr. Jean-Luc Boisjoli, Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec) G1V 4T3 (tel.: (418) 643-7890, fax: 643-9590).

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Claude Legault, President and General Manager of the Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 4T3. Comments will be forwarded by the Board to the Minister of Employment and Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act, under which this Regulation may be made.

LOUISE HAREL,
Minister of State for Employment and Solidarity,
Minister of Employment and Solidarity

Regulation to amend the Regulation respecting benefits*

Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 219, para. c, g, h, h.1, l, t and x; 1997, c. 73, s. 84)

1. Section 1 of the Regulation respecting benefits is amended by adding, at the end, the following sentence:

“A proof of civil status does not, however, have to be provided unless requested by the Board.”.

2. Section 8 of the Regulation is amended by replacing the word “succession” by the word “heirs”.

3. Section 9 of the Regulation is replaced by the following section:

“**9.** A pension may, on written application to the Régie, be paid semi-annually, by cheque or by direct deposit, in June for the benefits payable for the months of January through June and in December for the benefits payable for the months of July through December.

Any pension of which the amount is less than \$10 may also, on the Board’s own initiative, be paid semi-annually, in the said months.”.

4. Section 12 of the Regulation is replaced by the following section:

“**12.** A contributor who wishes his pension to be paid to him before 65 years of age shall state in his application the date as of which he stopped or will stop working or, if the application pertains to a phased retirement based on an agreement with his employer, the date on which the reduction of his remuneration reached or will reach at least 20 %.”.

5. Section 15 of the Regulation is amended

(1) by inserting, in the first paragraph, after the word “pension”, the words “between married spouses”;

(2) by adding, after paragraph 3 of the first paragraph, the following paragraph:

“(4) the period, if any, of conjugal relationship prior to the spouses’ marriage, which period shall be attested by the signing of the application by both spouses.”;

(3) by inserting, after the first paragraph, the following paragraph:

“Where the application is made by de facto spouses, it shall be accompanied with, in addition to the information referred to in paragraph 1 of the first paragraph, the following information and documents:

(1) the date on which the conjugal relationship began;

(2) a statement that neither of the spouses is married to another person;

(3) a mention of any period during which the spouses did not live together in a conjugal relationship.”;

(4) by replacing, in the second paragraph, the words “a statement by that spouse to the effect that no contribution has been paid for him” by the words “a statement that no contributions were paid for the spouse who is not the recipient of such pension”.

6. The Regulation is amended by adding, after section 15, the following section:

“**15.1** For the purpose of partitioning a retirement pension, de facto spouses are reputed not to have lived in a conjugal relationship during the period beginning on the first day of the month in which they stopped living in a conjugal relationship and ending on the last day of the month preceding the one in which they resumed living in a conjugal relationship.”.

7. Section 16 of the Regulation is amended by striking out, in the first paragraph the words “; in addition, where the contributor has a spouse, his income must be equal to 50 % or more of the sum of his income and that of his spouse”.

8. The Regulation is amended by adding, after section 19, the following sections:

“**19.1** For the purpose of applying the third paragraph of section 96 of the Act, an occupation is deemed to be substantially gainful if the average monthly income therefrom for the three previous months, multiplied by 12, is equal to or greater than 12 times the maximum disability pension payable for the month following the last of the said months.

19.2 The request for transfer of the retroactive amount of a disability pension, which is referred to in the third paragraph of section 145 of the Act, shall

* The Regulation respecting benefits, approved by Order in Council 967-94, dated 22 June 1994 (1994, G.O. 2, 2343), was amended by Order in Council 102-97, dated 29 January 1997 (1997, G.O. 2, 826).

(1) include the contributor's name and social insurance number as well as the name and address of the administrator of the disability insurance plan;

(2) authorize the Board to deduct, from the retroactive amount of the disability pension that may become payable to the contributor, the amount that must be remitted to the administrator of the disability insurance plan;

(3) authorize the Board and the administrator of the disability insurance plan to provide to one another the information required to make a deduction from the retroactive amount and to remit the said deduction to the administrator;

(4) include a confirmation, from the administrator of the disability insurance plan, of the monthly insurance benefit that would not have been paid under the said plan because of integration with the disability pension payable under the Act, as well as the period of integration for which the said benefit was paid.

19.3 The deduction and remittance owing to the administrator of an insurance plan, as referred to in section 145 of the Act, may not be made except where the following conditions are met:

(1) The contributor signed the request for transfer referred to in section 19.2 no more than 12 months prior to his application for a disability pension;

(2) The Board received the request for transfer before the contributor was deemed to be entitled to a disability pension;

(3) The amount of the deduction and remittance is more than \$50.”.

9. Section 21 of the Regulation is amended by adding, after paragraph 4, the following paragraph:

“(5) where the application for partition covers a period of conjugal relationship prior to marriage, the agreement referred to in section 22.3, which agreement shall accompany the application referred to in section 22.4.”.

10. Section 22 of the Regulation is replaced by the following section:

“**22.** When an application for partition is withdrawn in accordance with section 102.8 or 102.10.8 of the Act, the Board shall forthwith inform each of the former spouses at their last know addresses.

In order for partition to be carried out notwithstanding the withdrawal of the application, a new application for partition must be made.”.

11. The Regulation is amended by adding, after section 22.1, the following sections:

“**22.2** Former de facto spouses are deemed, for the purpose of partitioning their earnings, not to have lived in a conjugal relationship during the period beginning on the first day of the year in which they stopped living in a conjugal relationship and ending on the last day of the year in which they resumed living in a conjugal relationship.

22.3 The agreement on partition of earnings between former de facto spouses, including an agreement on partition for a period of conjugal relationship prior to marriage, shall include

(1) the name, address and social insurance number of each of the former de facto spouses;

(2) the beginning date of the conjugal relationship and, where known at the time of signing the agreement, the ending date of the conjugal relationship;

(3) the beginning and ending dates of all periods of interruption of the conjugal relationship;

(4) the provision, if any, that the application may be made by only one of the spouses;

22.4 For the purpose of section 102.10.7 of the Act, the application for partition shall include

(1) the name, address and social insurance number of each of the former de facto spouses;

(2) the name and address of each child born of their union or adopted jointly or of any child of one of them who was adopted by the other;

(3) the beginning and ending dates of the conjugal relationship;

(4) the signature of both former de facto spouses or of the spouse who, under the terms of the agreement referred to in section 22.3, is authorized to make singly an application for partition.

The application shall be accompanied with the convention on partition referred to in section 22.3, if any.”.

12. Section 24 of the Regulation is amended

(1) by replacing paragraph 2 and 3 by the following paragraphs:

“(2) under sections 99 and 116.1, section 116.2 except insofar as factor “G” therein defined is concerned and sections 116.5, 116.6, 119, 120, 123, 124, 131, 133, 134 to 138 and 179, only the first two digits after the decimal point shall be retained and, where the third digit is greater than 4, the second digit shall be increased by one unit;

(3) for the purpose of calculating factor “G” as defined in section 116.2 and after making the calculations referred to in sections 116.3 and 116.4, no digit after the decimal point shall be retained and, where the first digit is greater than 4, the number shall be increased by one unit;”;

(2) by replacing, in paragraph 4, “and 107,” by “, 107 and 107.1”.

13. Section 26 of the Regulation is amended by inserting, after the word “three”, the words “, four or five”.

14. This Regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*, with the exception of paragraph 1 to 3 of section 5 and sections 6, 9, 10 and 11, which will come into force on 1 July 1999.

Index Statutory Instruments

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

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