

Draft Regulations

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Insurance contributions — 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 insurance contributions” made by the Société de l’assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval after forty-five days have elapsed from the date of this publication.

Section 76 of the Highway Safety Code (R.S.Q., c. C-24.2), replaced by section 17 of chapter 56 of the statutes of 1996, provides that a person convicted of driving while under the influence of alcohol may be authorized to drive a road vehicle under a restricted licence if the vehicle is equipped with a device that is designed to ascertain the presence of alcohol in the driver’s body and to prevent the vehicle from being started.

The Regulation sets the monthly insurance contribution payable upon issue of a restricted licence at \$2.80. It also provides for reimbursement on request of the insurance contribution in the event of restricted licence revocation, suspension or cancellation on the holder’s request.

Further information is available from Ms. Huguette Dugas, Société de l’assurance automobile du Québec, 333 boulevard Jean-Lesage, C-4-1, P.O. Box 19600, Québec, QC G1K 8J6, Tel. (418) 528-3512.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333 boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec, QC G1K 8J6

JEAN-YVES GAGNON,
*Chairman and CEO of the
Société d’assurance automobile du Québec*

Regulation to amend the Regulation respecting insurance contributions

Automobile Insurance Act
(R.S.Q., c. A-25, ss. 151, 151.2 and 195.1, par. 2)

1. The Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991 and amended by O.C. 1123-92 dated 29 July 1992, 1512-93 dated 27 October 1993, 718-96 dated 12 June 1996, 439-97 dated 26 March 1997 and 728-97 dated 28 May 1997, is further amended:

(1) by substituting the word “second” for “third” in the first, fourth and fifth paragraphs in section 100;

(2) by revoking the second paragraph;

(3) by substituting the words “third and fourth” for “fourth and fifth” in the third paragraph.

2. Section 106 is amended by substituting the words “the first paragraph” for “the first and second paragraphs” in the second paragraph.

3. Section 118 is amended by substituting the words “the first paragraph” for “the first and second paragraphs” in the second paragraph.

4. Section 124.1 is amended:

(1) by substituting the word “second” for “third” in the first and third paragraphs;

(2) by revoking the second paragraph;

(3) by substituting the words “third and fourth” for “fourth and fifth” in the third paragraph.

5. The Regulation is amended by inserting the following sub-division after section 124.1:

“§4. *Insurance contribution payable upon issue of a restricted licence*

124.2 The insurance contribution payable upon issue of a restricted licence covered by section 76 of the Highway Safety Code is calculated by multiplying the monthly insurance contribution of \$2.80 by the number of full months, plus one, between the issue date of the licence and its date of expiry.

124.3 An amount is subtracted from the insurance contribution payable upon issue of a restricted licence under section 76 of the Highway Safety Code if the applicant did not request reimbursement of part of the insurance contribution paid in connection with the previous licence, although entitled to such, in accordance with the following:

(1) where this was a probationary licence, the amount subtracted from the insurance contribution calculated under section 124.2 is the product obtained by multiplying the monthly insurance contribution applicable upon last payment of the contribution on the probationary licence by the number of full months between the date of probationary licence revocation and the end of the month preceding the one during which the licence was scheduled to expire;

(2) where this was a driver's licence, the amount subtracted from the insurance contribution calculated under section 124.2 is the product obtained by multiplying the monthly insurance contribution applicable upon last payment of the contribution on the driver's licence by the number of full months between the date of driver's licence revocation and the end of the month preceding the one during which the next payment of the sums referred to in the first paragraph of section 93.1 of the Highway Safety Code would be due, if the licence had not been revoked."

6. The following is inserted after section 127:

"**127.1** The holder of a restricted licence issued under section 76 of the Highway Safety Code who requests the cancellation of his licence is entitled to reimbursement, as calculated in accordance with section 136.1, of part of the insurance contribution paid."

7. The following is substituted for section 128:

"**128.** The estate and heirs of the holder of a restricted licence issued under section 76 of the Highway Safety Code, of a probationary licence or of a driver's licence are entitled to reimbursement on request, as calculated in accordance with sections 132, 135 and 136.2, of part of the insurance contribution paid."

8. The following is substituted for the first paragraph of section 129:

"**129.** The person whose restricted licence issued under section 76 of the Highway Safety Code, probationary licence or driver's licence has been revoked is entitled to reimbursement on request, as calculated in accordance with sections 131, 134 and 136.1, of part of the insurance contribution paid."

9. The following is substituted for the first paragraph of section 130:

"**130.** The person whose restricted licence issued under section 76 of the Highway Safety Code, probationary licence or driver's licence has been suspended is entitled to reimbursement on request, as calculated in accordance with sections 133, 136 and 136.3, of part of the insurance contribution paid."

10. The following is inserted after section 136:

"**136.1** In the case of cancellation on request or revocation of a restricted licence issued under section 76 of the Highway Safety Code, the amount of reimbursement of the insurance contribution paid on the driver's licence is calculated by multiplying the monthly insurance contribution applicable upon issue of the licence by the number of full months between the date of cancellation or revocation and the end of the month preceding the one during which the licence was scheduled to expire.

136.2 In the case of the death of the holder of a restricted licence issued under section 76 of the Highway Safety Code, the amount of reimbursement of the insurance contribution paid is calculated by multiplying the monthly insurance contribution applicable upon issue of the restricted licence by the number of full months between the date of death and the end of the month preceding the one during which the licence was scheduled to expire.

136.3 In the case of suspension of a restricted licence issued under section 76 of the Highway Safety Code, the amount of reimbursement of the insurance contribution paid on the licence is calculated by multiplying the monthly insurance contribution applicable upon issue of the licence by the number of full months between the date of licence suspension and the end of the month preceding the one during which the suspension is lifted."

11. This regulation comes into force on December 1, 1997.

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Draft Regulation

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

Dealers and recyclers — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1),