

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sums referred to in the first paragraph of section 93.1 of the Highway Safety Code would be due, if the licence had not been revoked."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restricted licence issued under section 76 of the Highway Safety Code, probationary licence or driver's licence has been revoked is entitled to reimbursement on request, as calculated in accordance with sections 131, 134 and 136.1, of part of the insurance contribution paid."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.

1602

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),

that the “Regulation amending Regulation respecting dealers and recyclers”, the text of which appears hereafter, may be enacted by the government upon the expiry 45 days following this publication.

Certain problems in the application of the Regulation have been identified by the Société de l’assurance automobile du Québec and by its partners and clients. Among other things, the form of the register of major components kept by the recycler and the duration for keeping the information are not prescribed. The information kept in the register is incomplete or imprecise as well as the list of major components. The concept of building and adjacent piece of land on which road vehicles slated for sale are stored and the integrity standards applicable to shareholders and directors, are made stricter and also include business employees.

The draft regulation appended hereto proposes that the information contained in the register must be kept for a period of two years. The concept of building and adjacent piece of land are replaced by the concept of a place of business. Criminal convictions that are not related to the operating of a business, but which involve a vehicle whose owner is a shareholder, director or employee will constitute grounds for a refusal or suspension of the licence.

Recyclers will have to make corrections in their registers in order to comply with the draft regulation. To allow recyclers time to perform requisite inventory work, register standards will come into force 6 months after the other rules.

Further information may be obtained by contacting Mr. Marcel Lesieur, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-1, C.P. 19600, Québec (Québec), G1K 8J6, Telephone (418) 528-4417.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the deadline to the Minister of Transportation, 700, boulevard René-Lévesque est, 29th floor, Québec (Québec), G1R 5H1.

JACQUES BRASSARD,
Minister of Transport

Regulation amending the Regulation respecting dealers and recyclers

Highway Safety Code

(R.S.Q., c. C-24.2, s. 620, subpar. 1 to 4.2; 1996, c. 56, s. 136, subpar. 3)

1. The Regulation respecting dealers and recyclers enacted by decree 1693-87 of 4 November 1987 is amended by deleting, in the title of DIVISION II, the words “OR A PERMIT”.

2. Section 2 of this regulation is amended:

1° by replacing the first paragraph by the following:

“For the issue of a dealer’s or recycler’s licence, a person must meet the following conditions:”;

2° by replacing, in subparagraph 2, the words “of his domicile” by the words “of his place of business”;

3° by replacing subparagraph 3 by the following:

“(3) have a place of business where road vehicles, vehicle carcasses or vehicle parts intended for sale are stored;”;

4° by replacing subparagraph 4 by the following:

“(4) furnish a copy of the title deed or of the lease of the place of business referred to in subparagraph 3 and of every other piece of land where road vehicles, vehicle carcasses or vehicle parts intended for sale are stored;”;

5° by replacing, in subparagraph 7, the words and figures “in either section 152, section 154 or subparagraph 1 of the first paragraph of section 158” by the words “in sections 152 and 154”;

6° by replacing the portion that precedes the sub-subparagraph of subparagraph 8 by the following:

“(8) indicate, in the case of an application for a dealer’s licence, among the following road vehicle categories, the one for which the licence is required:”;

7° by adding, at the end of sub-subparagraph *a* of subparagraph 8, the words “other than farm machinery”;

8° by adding, in sub-subparagraph *b* of subparagraph 8, after the word “mopeds” the words “and farm machinery”;

9° by replacing sub-subparagraph *c* of subparagraph 8 by the following:

“motorcycles, snowmobiles, mopeds and farm machinery”;

10° by deleting subparagraph 10;

11° by replacing subparagraph 11 by the following:

“(11) not have, during the five years preceding his application, been convicted for a criminal offence of receiving stolen goods, fraud or theft involving a road vehicle or its parts unless a pardon was obtained”;

12° by replacing subparagraph 12 by the following:

“(12) be made up solely of shareholders, partners, directors or employees meeting the condition mentioned in subparagraph 11”;

13° by replacing, in the second paragraph of subparagraph 13, the figure “30” by the figure “20”.

3. The title of DIVISION III of this regulation is amended by deleting the words “AND PERMIT”.

4. Section 3 of this regulation is amended:

1° by replacing, in the part that precedes subparagraph 1, the words “and permit must contain” by the words “must contain”;

2° by replacing subparagraph 1 by the following:

“(1) mention that it is a dealer’s licence or a recycler’s licence, as the case may be;”;

3° by deleting, in subparagraphs 2 and 3, the words “or permit”;

4° by replacing subparagraph 6 by the following:

“(6) the address of the place of business;”;

5° by deleting, in subparagraph 7, the words “or permit”.

5. The title of DIVISION IV of this regulation is amended by deleting the words “AND PERMIT”.

6. Section 4 of this regulation is replaced by the following:

“4. The licence is valid for a period of 24 months from the date of its issue.”.

7. The title of DIVISION V of this regulation is amended by deleting the words “AND PERMIT”.

8. Section 6 of this regulation is repealed.

9. Section 7 of this regulation is amended by deleting, in the first paragraph, the words “or permit”.

10. Section 8 of this regulation is amended by deleting the words “or permit” and the words “or permit”.

11. Section 9 of this regulation is repealed.

12. Section 10 of this regulation is amended by replacing the second paragraph by the following:

“This place must be the place of business referred to in subparagraph 3 of section 2.”.

13. Section 11 of this regulation is amended:

1° by deleting, in the first paragraph, the words “or permit”;

2° by deleting, in the second paragraph, the words “or permit”.

14. Section 12 of this regulation is replaced by the following:

“12. The holder of a licence must indicate the licence number on any sales contract pertaining to a road vehicle or one of its major components.”.

15. This regulation is amended by inserting, after section 12, the following section:

**“DIVISION V.1
REGISTER OF THE RECYCLER AND MAJOR
COMPONENTS**

12.1 The register of the recycler is a directory on paper or computer support in which is recorded all the information stipulated in section 155 of this Code amended by section 46 of chapter 56 of the Statutes of 1996.

12.2 The information found in the register must be kept for a period of two years after the date of the sale of the road vehicle or major component.

12.3 The register must be kept at the recycler’s place of business at all times.

12.4 For the application of section 155 of this Code, “major components” are:

1° for all road vehicles: the motor, the chassis frame and light alloy wheels;

2° for all road vehicles except for a motorcycle and a moped: the transmission, the rear axle, the hood, the fenders, the side panels, the trunk lid, the doors, the seats, the dashboard, the siderails whether or not complete, the grill, the roof, the front pillar, centre pillar and rear pillar, the rocker panel and the tailgate;

3° the fork and the faring of a motorcycle and a moped;

4° the cab and the body of a truck and a van.”.

16. Section 13 of this regulation is amended by deleting the words “or permit”;

17. Section 14 of this regulation is amended:

1° by deleting, in subparagraph 3, the words “of the domicile”;

2° by replacing subparagraph 4 by the following:

“(4) the name and address of the licence applicant;”;

3° by replacing, in subparagraph 6, the figure “90” by the figure “45”;

4° by replacing subparagraph 8 by the following:

“(8) the statement that the amount of the security must equal at all times the amount stipulated in section 19 or 20.

The responsibility of the surety is limited to the amount stipulated in these sections.”;

5° by deleting, in subparagraph 10, the words “or permit”.

18. Section 15 of this regulation is amended:

1° by deleting, in subparagraphs 3 and 4, the words “of the domicile”;

2° by replacing, in subparagraph 6, the figure “90” by the figure “45”;

3° by replacing subparagraph 8 by the following:

“(8) the statement that the amount of the security must equal at all times the amount stipulated in section 19 or 20.

The responsibility of the surety is limited to the amount stipulated in these sections.”.

19. Section 16 of this regulation is amended by deleting the words “or permit”.

20. Section 19 of this regulation is amended by replacing subparagraphs 2 and 3 by the following:

“(1) by adding, at the end of subparagraph 1, the words “other than farm machinery”;

“(2) by replacing subparagraphs 2 and 3 by the following:

“(2) by adding after the word “mopeds” the words “and farm machinery”;

(3) a sum of 25,000 \$ for the retail trade of motorcycles, snowmobiles, mopeds and farm machinery”.

21. This regulation enters into force on 1 December 1997 with the exception of sections 12.1 to 12.3 enacted by Section 15 of this regulation, which will enter into force on 1 May 1998.

1603

Draft Regulation

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

Fees exigible — 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 fees exigible under the Highway Safety Code and the return of confiscated objects” 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 fee for obtaining a restricted licence at \$6.

Section 106 of the Code, amended by section 29 of Chapter 56 of the statutes of 1996, provides that the