

SCHEDULE I

(s. 2)

Vehicle class	Towing charges	Daily impounding charges
Class 1 vehicle	\$75	\$13
Class 2 vehicle	\$40	\$ 8
Class 3 vehicle	\$40	\$ 5
Class 4 vehicle	\$25	\$ 5

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Gouvernement du Québec

O.C. 1427-97, 29 October 1997Highway Safety Code
(R.S.Q., c. C-24.2)**Dealers and recyclers**
— Amendments

Regulation amending the Regulation respecting dealers and recyclers

WHEREAS under paragraph 1 of section 620 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 136 of Chapter 56 of the Statutes of 1996, the Government may by regulation establish the conditions and formalities of issue of a licence or permit referred to in Title III of that Code;

WHEREAS under paragraph 2 of that section, the Government may by regulation determine the information that must appear on a licence or permit referred to in Title III of the Code, and prescribe the form and term of validity of such a licence or permit;

WHEREAS under paragraph 3 of that section, the Government may by regulation fix the amount of the security that must be furnished under Title III of the Code and establish the form, terms and conditions according to which security must be furnished and the conditions subject to which the requirement to furnish security may be terminated;

WHEREAS under paragraph 4 of that section, the Government may by regulation establish classes of licences and the conditions attaching to a licence or permit under Title III of the Code;

WHEREAS under paragraph 4.1 of that section enacted by section 136 of Chapter 56 of the Statutes of 1996, the Government may by regulation establish the form and

retention rules applicable to the register to be kept by a recycler under Title III of the Code;

WHEREAS under paragraph 4.2 of that section enacted by section 136 of Chapter 56 of the Statutes of 1996, the Government may by regulation determine the major components of a vehicle for the purposes of section 155 of the Code;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation amending the Regulation respecting dealers and recyclers was published in Part 2 of the *Gazette officielle du Québec* of 23 July 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient for the Government to make the Regulation with amendments;

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

THAT the Regulation amending the Regulation respecting dealers and recyclers, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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 title of DIVISION II of the Regulation respecting dealers and recyclers is amended by deleting the words “OR A PERMIT”.

2. Section 2 of the Regulation is amended:

(1) by replacing the first paragraph with 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”;

* The Regulation respecting dealers and recyclers was enacted by Order in Council 1693-87 dated 4 November 1987 (1987, *G.O.* 2, 3955).

(3) by replacing subparagraph 3 with 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 with 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, as well as an attestation from the municipality that the place of business complies with zoning regulations and the interim control bylaws in force;”;

(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 subparagraph *a* of subparagraph 8 with 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 with the following:

“motorcycles, snowmobiles, mopeds and farm machinery”;

(10) by deleting subparagraph 10;

(11) by replacing subparagraph 11 with the following:

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

(12) by replacing subparagraph 12 with 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 section 2, the figure “30” with the figure “20”.

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

4. Section 3 of the Regulation is amended:

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

(2) by replacing subparagraph 1 with 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 with 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 the Regulation is amended by deleting the words “AND PERMIT”.

6. Section 4 of the Regulation is replaced with the following:

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

Nevertheless, any licence which is scheduled to expire between December 1, 1997 and November 30, 1998 may be renewed for a period of twelve months.

From December 1, 1998, all licences are renewable for a twenty-four month period.”.

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

8. Section 6 of the Regulation is repealed.

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

10. Section 8 of the Regulation is amended by deleting the words “or permit”.

11. Section 9 of the Regulation is repealed.

12. Section 10 of the Regulation is amended by replacing the second paragraph with the following :

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

13. Section 11 of the 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 the Regulation is replaced with 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. The Regulation is amended by inserting, after section 12, the following Division:

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

12.1 The register of the recycler is a directory on paper or computerized record of all the information prescribed by section 155 of the Highway Safety Code as 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 purposes of section 155 of the 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 light truck.”.

16. Section 13 of the Regulation is amended:

(1) by deleting the words “or permit”;

(2) by adding the following paragraph:

“Where the surety has paid a debt, the licence holder must provide additional security of that amount such that the total security is always equal to the amount prescribed by section 19 of 20.”

17. Section 14 of the Regulation is amended:

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

(2) by replacing subparagraph 4 with the following:

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

(3) by replacing, in subparagraph 6, the figure “90” with the figure “45”;

(4) by replacing subparagraph 8 with the following:

“(8) the statement that the liability of the surety for the duration of the guarantee is limited to the amount prescribed by section 19 or 20;”;

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

18. Section 15 of the 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” with the figure “45”;

(3) by replacing subparagraph 8 with the following:

“(8) the statement that the liability of the surety for the duration of the guarantee is limited to the amount prescribed by section 19 or 20;”.

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

20. Section 19 of the Regulation is amended:

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

(2) by substituting “, mopeds and farm machinery” for “and mopeds” in subparagraph 2;

(3) by replacing subparagraph 3 with the following:

“(3) the amount of \$25,000 for a business dealing in motorcycles, snowmobiles, mopeds and farm machinery.”.

21. This regulation comes into force on December 1, 1997 with the exception of sections 12.1 to 12.3 enacted by section 15 of this regulation, which come into force on May 1, 1998.

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Gouvernement du Québec

O.C. 1428-97, 29 October 1997

An Act respecting the Société de l'assurance automobile du Québec
(R.S.Q., c. S-11.011)

Delegation of powers

Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec

WHEREAS the first paragraph of section 15 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011) provides that the documents and copies emanating from the Société or forming part of its records are authentic when signed by a person authorized to that effect by regulation;

WHEREAS section 17.1 of the Act provides that the Société, by by-law, may delegate the powers vested in it by that Act, the Highway Safety Code (R.S.Q., c. C-24.2) and the Automobile Insurance Act (R.S.Q., c. A-25);

WHEREAS by Order in Council 954-93 dated 30 June 1993, the Government approved the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec, and it is expedient to amend it;

WHEREAS at a sitting of the board of directors held on 17 September 1997, the Société made the Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec*

An Act respecting the Société de l'assurance automobile du Québec
(R.S.Q., c. S-11.011, s. 15, 1st par. and s. 17.1)

1. Section 17 of the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec is amended by substituting the following for the first paragraph:

“**17.** The Chairman and Chief Executive Officer may exercise the powers vested by sections 62, 156, 161.1, 519.67 and 519.69 of the Highway Safety Code (R.S.Q., c. C-24.2).

He may delegate the powers vested by section 62 of the Code to the vice-president for highway safety.”.

2. The Regulation is amended by inserting the following after section 19:

“**19.1** The vice-president for highway safety, the director of driver's licences and vehicle registration, the medical assessment service chief, the chief of services to business and the chief of services to individuals may each exercise the powers vested by section 11 of the Code.

Each service chief referred to in the first paragraph may delegate to any staff member of the service under his authority the powers vested by section 11 of the Code.”.

* The last amendment to the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec, approved by Order in Council 954-93 dated 30 June 1993 (1993, G.O. 2, 3697) was made by the Regulation approved by O.C. 659-95 dated 10 May 1995, (1995, G.O. 2, 1491). For prior amendments, see the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1997, updated to September 1, 1997.