

WHEREAS under section 619.1, the Government may fix, by regulation, the duties exigible for obtaining the registration of a road vehicle and of the duties exigible under section 31.1 on the basis of the class or sub-class of road vehicles to which the vehicle belongs;

WHEREAS by Order in Council 1420-91 dated 16 October 1991, the Government made the Regulation respecting road vehicle registration;

WHEREAS in accordance with section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made notwithstanding the prior publication requirement in section 8 of that Act where 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 on the date of its publication in the *Gazette officielle du Québec* where the authority making 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, in the view of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the Act respecting off-highway vehicles (1996, c. 60) imposes the obligation on clubs of all-terrain vehicle users to make the trails under their responsibility safe; the proposed Regulation increases registration fees by \$6 for these vehicles to allow the setting up of a program of financial assistance for the benefit of the Fédération québécoise des clubs motocyclistes associés and its member clubs;

— since registration renewal must take place between January 1st and March 31st of each year and the vast majority of such vehicle owners expect to have received the payment notice for those fees from the Société de l'assurance automobile du Québec, it has become a matter of urgency, in order to meet the financial requirements resulting from the obligation to ensure the safety of trails, and taking into account the approaching end of the renewal period, that the Regulation be made without prior publication and that it come into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the “Regulation to amend the Regulation respecting road vehicle registration”, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting road vehicle registration\*

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 618, par. 12 and s. 619.1)

**1.** Section 2 of the Regulation respecting road vehicle registration is amended by inserting the definition of “all-terrain vehicle”:

““all-terrain vehicle” means a motorized off-road vehicle equipped with handlebars and at least two wheels, that is designed to be straddled and whose net weight does not exceed 600 kilograms; (*véhicule tout terrain*)”.

**2.** Section 139 is amended by adding the following at the end of the second paragraph:

“However, in the case of an all-terrain vehicle, the fees payable are \$50.”.

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

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Gouvernement du Québec

**O.C. 200-98, 17 February 1998**

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

### Determination of income and employment and the payment of the indemnity in section 83.30 of the Act — Amendments

Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act

WHEREAS under paragraphs 6 to 10 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), la

\* The latest amendments to the Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111) were made by the regulation approved under O.C. 55-98 dated 14 January 1998 (1998, *G.O.* 2, 503). For prior amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Société de l'assurance automobile du Québec may make regulations on the matters mentioned therein;

WHEREAS the Société made the Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act;

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 24 December 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act\***

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 195, pars. 6 to 11)

**1.** Section 3 of the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act is amended by adding the following to section 3:

“However, notwithstanding section 6, the gross income indicated in Schedule III is that in force on the day of the accident.”

**2.** The following is substituted for section 6:

“6. The gross income of a victim who, at the time of the accident, does not hold employment corresponding to employment determined for him or her by the Société and who, in the five years preceding the day of the accident, never held such employment is that indicated in Schedule III in force on the day when the Société determines employment and readjusted using all the adjustment factors provided for in Schedule I.”

**3.** The following is substituted for section 7:

“7. For the purposes of sections 15, 20, and 31 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day of the accident.

For the purposes of sections 45 and 48 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day when the Société determines employment.”

**4.** The following is substituted for Schedule III:

### **“SCHEDULE III** (ss. 3, 6 and 7)

#### **EMPLOYMENT CATEGORIES AND CORRESPONDING GROSS INCOMES**

1. The employment categories are the occupational titles contained in the “Professions” file of the computerized data listing on educational and occupational training “Répertoire informatisé des données en information scolaire et professionnelle» (Repères) by the Société de gestion du réseau informatique des commissions scolaires (Société GRICS).

2. Gross income corresponding to each employment category is the amount that represents the median on the scale of the annual average minimum earnings indicated in the listing for each occupation. Where the lower limit on the scale is absent or equal to zero, gross income is the amount that represents the upper limit of the average minimum earnings.

Where the average minimum earnings shown is the hourly wage, it shall be calculated on an annual basis by multiplying it by 2000.

3. Changes made to the listing during a year become an integral part of the Regulation from the next January first.

4. Notwithstanding section 2, the gross income of a victim for whom the Société determines employment

\* The Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act, approved by Order in Council 1923-89 dated 13 December 1989 (1989, *G.O.* 2, 4652), has not been amended since it was made.

under section 48 of the Act cannot be lower than gross income determined on the basis of the minimum wage as defined in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads on the day when it must be applied, calculated on an annual basis by multiplying it by 2000.

Where employment determined under this section is part-time employment, gross income is established on the basis of the minimum wage prescribed in the preceding paragraph and calculated on an annual basis by multiplying it by the number of hours for which the victim is considered fit to hold employment.

5. Notwithstanding section 2, gross income cannot be higher than the Maximum Yearly Insurable Earnings set by section 54 of the Automobile Insurance Act (R.S.Q., c. A-25).”.

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