

Regulation respecting the Île-Laval Wildlife Preserve

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 125, par. 3, and s. 162, par. 14;
2000, c. 48, s. 28)

1. This Regulation applies to the Île-Laval Wildlife Preserve, established by Minister's Order 2001-011 dated 27 March 2001.

2. No one may stay in the wildlife preserve.

3. From 15 April to 15 August, no one may enter or travel about the wildlife preserve or engage in any activity therein, unless the person

(1) is not accompanied by a domestic animal; and

(2) uses the corridors, trails, observation platforms or footbridges designated for that purpose.

The first paragraph does not apply to a person who, in the performance of his duties, carries out scientific research or inspection, protection, surveillance or maintenance work in the wildlife preserve.

4. No one may light a campfire in the wildlife preserve.

5. No one may, in the wildlife preserve, carry on an activity that may alter any biological, physical or chemical component of the wildlife habitat.

6. A person who contravenes any provision of sections 2 to 5 commits an offence.

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

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Draft Regulation

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2)

Off-highway 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 Off-highway Vehicles Regulation, 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 specify the scope of the Act respecting off-highway vehicles, to prescribe safety standards for those vehicles and the sleighs and trailers they tow, and to establish obligations for drivers and passengers.

The draft Regulation fixes the conditions for operating off-highway vehicles on public highways, off the roadway, and the conditions trail security officers should meet. It also prescribes the obligations of off-highway vehicle clubs, in particular as regards trail signs and it determines the provisions the infringement of which constitutes an offence.

Further information may be obtained by contacting Claude Martin, Direction du transport terrestre des personnes, Ministère des Transports, 700, boulevard René-Lévesque Est, 24^e étage, Québec G1R 5H1, tel. (418) 644-0324.

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

GUY CHEVRETTE,
Minister of Transport

Off-highway Vehicles Regulation

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2, s. 46)

DIVISION 1 APPLICATION OF THE ACT

1. The Act respecting off-highway vehicles (R.S.Q., c. V-1.2) does not apply to a snowmobile with a engine displacement of 150 cubic centimetres or less, or to an all-terrain vehicle with an engine displacement of 100 cubic centimetres or less, where the vehicle is driven on private property, in a reserved area or an area specifically laid out for such vehicles by an off-highway vehicle club and where the driver under 14 years of age is supervised by an adult.

2. Section 4 of the Act does not apply to a sleigh or trailer towed by an off-highway vehicle belonging to a farm or forest producer where the vehicle is used for farming or forest operations and is not used on an off-highway vehicle club trail.

3. The following provisions of the Act do not apply to the snowmobiles and motorized all-terrain vehicles referred to in subparagraphs 1 and 2 of the first paragraph

of section 1 of the Act, or to the use of such vehicles in a location north of the 50th parallel that is not linked to the Québec highway network by a public highway within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2):

(1) sections 3 and 5;

(2) if applicable to sleigh equipment, sections 6 and 29 where the traditional Inuit sleigh, the “qamutiq”, is concerned;

(3) the first paragraph of section 11, provided that the traffic rules applicable to road vehicles on public highways are complied with;

(4) sections 12, 18, 19, 21 to 23 and 27; and

(5) section 20 with respect to the civil liability insurance certificate.

4. With respect to the areas referred to in section 3, drivers of off-highway vehicles shall be especially careful because the pension of the Act respecting off-highway vehicles referred to in section 3 and various provisions of this Regulation do not apply to those areas and the use of an off-highway vehicle should not be more dangerous there than in other regions of Québec.

The same shall apply to passengers of off-highway vehicles or sleighs and trailers towed by such vehicles.

DIVISION 2 VEHICLE STANDARDS

5. Brake lights on an off-highway vehicle built after 1 January 1998 shall turn on when pressure is applied to the brakes and be visible from a distance of not less than 150 metres.

6. The rear-view mirror of an off-highway vehicle shall not have sharp edges, or be broken, cracked or tarnished. Tarnish is tolerated on the sides of the mirror but may not exceed 10% of the total mirrored surface.

The mirror shall be horizontally and vertically adjustable and must stay in the position selected.

7. The exhaust system of an off-highway vehicle shall be equipped with an exhaust pipe including a muffler.

The sound level of an off-highway vehicle may not exceed 82 decibels.

No part of the exhaust system may be altered, removed or replaced to make the exhaust system noisier than the one installed by the manufacturer.

8. The speedometer of an off-highway vehicle manufactured after 30 June 2002 shall indicate the speed according to the metric system.

9. Each passenger seat on a snowmobile shall be equipped with:

(a) a handle facing the seat, wide enough to be gripped with both hands by a passenger wearing winter gloves or mitts; or

(b) a handle on each side of the seat, wide enough to be gripped with one hand by a passenger wearing winter gloves or mitts.

DIVISION 3 STANDARDS APPLICABLE TO A SLEIGH OR TRAILER TOWED BY AN OFF-HIGHWAY VEHICLE

10. A trailer or sleigh that is towed by an off-highway vehicle built after 1 January 1998 shall be equipped with brake lights that turn on when pressure is applied to the brakes and be visible from a distance of not less than 150 metres.

11. A trailer or sleigh that is towed by an off-highway vehicle and carries passengers shall be designed for passenger transport.

12. A trailer or sleigh towed by an off-highway vehicle shall be equipped with a safety device that keeps it attached to the vehicle if the rigid tow bar breaks.

13. A trailer towed by an all-terrain vehicle shall be equipped with fenders for both the front wheels and the back wheels.

14. Sections 10 to 12 do not apply to a traditional Inuit sleigh, the “qamutiq”, towed by an off-highway vehicle in a location north of the 50th parallel that is not linked to the Québec highway network by a public highway within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2).

DIVISION 4 OBLIGATIONS OF THE DRIVER

15. It is prohibited to drive an off-highway vehicle on a trail operated by an off-highway vehicle club, unless the driver holds an access right issued by the club and has in his possession a document attesting that right, except in the following cases:

(1) the holder of a trapping permit issued under the Regulation respecting trapping and the fur trade made

by Order 99026 of the Minister for Wildlife and Parks dated 31 August 1999 must use the trail to travel in the territory where he is authorized to trap or to enter or exit the territory; or

(2) the owner of residence must use the trail to reach it.

16. It is prohibited to drive an off-highway vehicle more than 30 km/h in a place referred to in paragraph 1 of section 12 of the Act respecting off-highway vehicles and more than 50 km/h on a trail referred to in paragraph 4 of that section if such trail is located less than 30 metres from a residence, a facility operated by a health institution, or from an area reserved for cultural, educational, recreational or sports activities.

17. The driver of an off-highway vehicle shall make a full stop before crossing a public highway, a private road open to public vehicular traffic or a railway and proceed only after making sure that there is no risk of collision.

18. It is prohibited to drive an off-highway vehicle in reverse unless it is possible to do so without hindering traffic and without risk of collision.

19. It is prohibited to leave the key in the ignition of a parked off-highway vehicle. Where no key is required to start the motor, the person who has charge of the vehicle shall ensure that no child under 14 can start it.

20. It is prohibited for the driver of an off-highway vehicle to have a passenger ride in front of him.

21. It is prohibited for the driver of an off-highway vehicle to carry a greater number of passengers than there are passenger seats.

22. It is prohibited for the driver of an off-highway vehicle towing a trailer or a sleigh to carry passengers if the trailer or sleigh is not designed for passenger transport.

23. It is prohibited for the driver of an off-highway vehicle towing a trailer or a sleigh designed for passenger transport to carry more passengers than the number of passenger seats.

24. The driver of an off-highway vehicle carrying a passenger under 14 years of age shall ensure that the latter complies with section 23 of the Act respecting off-highway vehicles at all times.

25. The driver of an off-highway vehicle who crosses a public highway or drives on it shall have in his possession the licence referred to in the third paragraph of section 18 of the Act.

26. The driver of an off-highway vehicle involved in an accident shall stay on the scene of the accident or return there immediately after the accident and provide help to any person who has been injured or has suffered damages.

27. Where a person has been injured in an accident involving an off-highway vehicle, the driver of the vehicle shall call a peace officer so that a report may be made and a copy sent to the Société de l'assurance automobile du Québec within eight days of the accident.

28. The driver of an off-highway vehicle involved in an accident shall notify the Société immediately if the vehicle is a write-off.

29. Sections 16, 19, 24, 25, 27 and 28 do not apply to off-highway vehicles being used in a location north of the 50th parallel that is not linked to the Québec highway network by a public highway within the meaning of the Highway Safety Code.

Sections 22 and 23 do not apply to a traditional Inuit sleigh, the "qamutiq", towed by an off-highway vehicle in a territory referred to in this section.

DIVISION 5 OBLIGATIONS OF THE PASSENGER

30. The passenger of an off-highway vehicle shall sit behind the driver and remain seated, facing forward and keeping his feet on the footrests while the vehicle is in motion.

31. It is prohibited for the passenger of a trailer or sleigh towed by an off-highway vehicle to stand up while it is in motion.

DIVISION 6 HELMETS

32. Any person sitting an off-highway vehicle or in a trailer or sleigh towed by an off-highway vehicle shall wear a helmet that complies with one of the standards specified in section 2 of the Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers made by Order in Council 1015-95 dated 19 July 1995.

Section 3 of the Regulation, concerning the standards of use, also applies to the persons governed by the first paragraph.

This section does not apply to off-highway vehicles travelling in a location north of the 50th parallel that is not linked to the Québec highway network by a public highway within the meaning of the Highway Safety Code.

DIVISION 7 TRAVEL ON PUBLIC HIGHWAYS

33. An off-highway vehicle may be driven on a public highway, off the roadway, the shoulder or the ditch area, where all the following conditions are combined:

(1) the public highway is the only means of avoiding a natural physical obstacle or land reserved for recreational, farming or industrial purposes that are incompatible with the presence of off-highway vehicles, or the only means of reaching a supply point;

(2) the highway connects two segments of a trail or links the trail to a supply point;

(3) a written agreement between the person in charge of maintaining the highway and the operator of the trail states the conditions for the layout and maintenance of the trail and its surroundings and the conditions for use by off-highway vehicles to ensure the safety of all highway users and to prevent or limit damage to the trail, its surroundings and anything found there; and

(4) the driver complies with the conditions for use in accordance with paragraph 3.

DIVISION 8 TRAIL SUPERVISORS

34. Trail security officers shall comply with the following conditions;

(1) be of full age;

(2) not have been found guilty of or have pleaded guilty to a criminal offence related to driving a road vehicle or an off-highway vehicle within the past five years unless that person was granted a pardon;

(3) have made the declaration under oath provided for in Schedule 1 before a person authorized to take oaths.

35. A trail security officer may only perform his duties on trails operated by an off-highway vehicle club that has recruited him, unless he has written authorization from another club for the trails it operates, or on trails operated by clubs that belong to the same association as the club that recruited him.

DIVISION 9 OFF-HIGHWAY VEHICLE CLUBS AND TRAFFIC SIGNS

36. An off-highway vehicle club shall, for the entire period the trail is in operation, keep the traffic signs it has installed in good condition.

37. The club shall, at every trail intersection or at an intersection referred to in section 17 where there is no mandatory Stop sign, install regulatory traffic lights.

38. The traffic signs that an off-highway vehicle club is required to install on the trails it operates are:

(1) the regulatory traffic signs shown in Schedule 2 including:

(a) the P-10, a mandatory Stop sign, especially pursuant to section 17 and at trail intersections;

(b) the P-70, a Speed Limit sign;

(c) the P-80-3, a Two-way Traffic sign;

(d) the P-90-D, an Obstruction Ahead sign;

(2) the warning signs shown in Schedule 3 including:

(a) the D-10-1, an Advance Stop sign;

(b) the D-50-1, an Advance Signals Ahead sign;

(c) the D-90-1, a Divided Trail sign;

(d) the D-90-2, an End of Divided Trail sign;

(e) the D-110-1-D and D-110-1-G, 90° Turn signs;

(f) the D-290-D and D-290-G, Hazard Markers; and

(3) the roadwork signs shown in Schedule 4 including:

(a) the T-50-1, a Men at Work sign;

(b) the T-50-P, a Distance Tab;

(c) the T-80-9 and T-80-10, Closed Trail signs;

(d) the T-90-1, T-90-2-D and T-90-2-G, Detour signs;

(e) the T-90-3-D and T-90-3-G, Advance Detour signs.

39. The traffic signs referred to in section 38 and any other signs installed by a club shall bear the following colours, markings and numbers:

(1) regulatory signs shall consist of a white background with a black border 6 millimetres wide and 4 millimetres from the edge of the sign and a black symbol or black letters, except for the mandatory stop sign, which, on a red background, has white letters 127 millimetres in height and a white border 12 millimetres wide;

(2) warning signs, except for hazard markers, shall consist of a yellow background with a black border 6 millimetres wide and 4 millimetres from the edge of the sign and a black symbol, except for D-10-1, which is red; and

(3) roadwork signs shall consist of an orange background with a black border 6 millimetres wide and 4 millimetres from the edge of the sign and a black symbol.

40. The shapes of traffic signs shall be as follows:

(1) rectangular shapes for regulatory signs, except for the mandatory Stop sign which is octagonal in shape;

(2) rhombic and square shapes for warning signs and roadwork signs, except for hazard markers, which are rectangular.

41. The minimum dimensions of traffic signs are as follows:

(1) rectangular shapes: 300 millimetres x 375 millimetres;

(2) rhombic or square shapes: 300 millimetres x 300 millimetres.

Notwithstanding subparagraph 1 of the first paragraph, D-290-D and D-290-G signs shall measure at least 150 millimetres x 450 millimetres.

Notwithstanding subparagraph 2 of the first paragraph, P-10, D-10 and D-50-1 signs shall measure at least 450 millimetres x 450 millimetres.

Larger signs than those prescribed in the first paragraph shall have proportionally larger components, including the symbols and markings they bear.

42. All highway signs shall be reflectorized, except for black symbols or markings.

43. Traffic signs shall be installed so that they are visible at all times, are located not less than 500 millimetres and not more than two metres from the right side of trails, and are facing approaching traffic.

44. The height of traffic signs, between the bottom edge of the sign or of the accompanying tab sign and the trail surface shall be not less than one metre and not more than two metres, unless it is necessary to raise it so that it remains visible above the snow.

45. Traffic signs shall be installed where the provision applies. However, the mandatory Stop sign (P-10) shall be placed as close as possible to the intersection or road or railway crossing, at a distance of not more than two metres.

Warning signs, except for D-290-D and D-290-G signs, shall be installed between 30 and 100 metres before the obstruction or danger it indicates.

46. No advertising, tourist information or illustrations may appear on traffic signs or their support, or cause traffic signs to be blocked from view.

47. Any trail whose width is not indicated by a fence or other means and that crosses an area more than 150 metres in length where there are no trees, shall be marked by the operator with red markers for showmobiles or blue markers for all-terrain vehicles, on each side of the trail and spaced not more than 90 metres apart.

Each marking shall be not less than 25 millimetres in diameter and not less than 1.5 metres in height; however, each marking may be raised higher to remain visible above the snow.

Each marking shall bear near the upper edge a stripe or plate 25 millimetres in width by 75 millimetres in height made of a resistant material and solidly affixed to the marker. The surface of the stripe or plate shall be white or yellow and reflectorized.

DIVISION 10

OFFENCES

48. The owner of an off-highway vehicle who contravenes a provision of sections 5 to 9 commits an offence and is liable to the fine prescribed in section 53 of the Act respecting off-highway vehicles.

49. The driver of an off-highway vehicle who contravenes a provision of sections 10 to 13, 15 to 18, 20 to 28 or 33 commits an offence and is liable to the fine prescribed in section 53 of the Act.

50. Any person who contravenes a provision of sections 19 and 30 to 32 commits an offence and is liable to the fine prescribed in section 53 of that Act.

**DIVISION 11
FINAL PROVISIONS**

51. This Regulation replaces the Regulation respecting snowmobiles (R.R.Q., 1981, c. C-24, r. 21) and the Regulation respecting all-terrain vehicles made by Order in Council 58-88 dated 13 January 1988.

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

**SCHEDULE 1
(s. 34)**

TRAIL SECURITY OFFICER'S OATH

"I (full name), declare under oath that I will faithfully, impartially and fairly, to the best of my knowledge and ability, carry out my duties as trail security officer and that I will exercise my power in the same manner.

I also declare under oath that I will not disclose without due authorization confidential information that I may have access to in the performance of my duties."

**SCHEDULE 2
(s. 38, par. 1)**

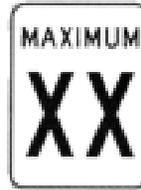
REGULATORY SIGNS



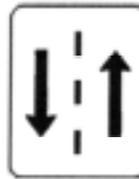
P-10
Mandatory Stop sign
450 × 450



P-10
Mandatory Stop sign
450 × 450



P-70
Speed Limit sign
300 × 375



P-80-3
Two-way Traffic sign
300 × 375



P-90-D
Obstruction Ahead sign
300 × 375

**SCHEDULE 3
(s. 38, par. 2)**

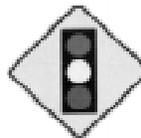
WARNING SIGNS



D-10-1
Advance Stop sign
450 × 450



D-10-1
Advance Stop sign
450 × 450



D-50-1
Advance Signals
Ahead sign
450 × 450



D-110-1-D
90° Turn
300 × 300



D-110-1-G
90° Turn
300 × 300



D-90-1
Divided Trail sign
300 × 300



D-90-2
End of Divided
Trail sign
300 × 300



D-290-D
Hazard marker
150 × 450



D-290-G
Hazard marker
150 × 450



T-90-1
Detour sign
300 × 300



T-90-2-D
Detour sign
300 × 300



T-90-2-G
Detour sign
300 × 300



T-90-3-G
Advance Detour sign
300 × 300

4336

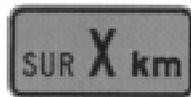
SCHEDULE 4

(s. 38, par. 3)

ROADWORK SIGNS



T-50-1
Men at Work sign
300 × 300



T-50-P
Distance tab
300 × 150



T-80-9
Snowmobile Trail
Closed sign
300 × 300



T-80-10
All-terrain Vehicle Trail
Closed sign
300 × 300

Draft Regulation

Civil Code of Québec
(1991, c. 64)

Code of Civil Procedure
(R.S.Q., c. C-25)

Courts of Justice Act
(R.S.Q., c. T-16)

Tariff of court costs in civil matters and court office fees

— Amendment

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 Tariff of Court Costs in Civil Matters and Court Office Fees, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation amends the Tariff in order to introduce provisions prescribing the payment of costs for any proceeding introductive of suit relating to child custody or obligations of support.

The draft Regulation is not likely to have a significant effect on businesses.