

## Draft Regulations

### Draft Regulation

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

#### Demerits point

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 respecting demerit points, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The Regulation replaces the current Regulation respecting demerit points as well as the Table of demerit points attached thereto.

The proposed Table of demerit points includes, in particular, new offences and revises the number of demerit points associated with offences.

Further information may be obtained by contacting Micheline Briand, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, C.P. 19600, Québec (Québec) G1K 8J6, telephone: (418) 528-3075.

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<sup>e</sup> étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,  
*Minister of Transport*

### Regulation respecting demerit points

Highway Safety Code  
(R.S.Q., c. C-24.3, s. 619, pars. 9, 9.2 and 9.3)

#### DIVISION I INTERPRETATION

1. Any references in this Regulation must be read taking into account amendments that may be made to the legislative and regulatory provisions referred to.

#### DIVISION II DEMERIT POINT SYSTEM

2. Demerit points shall be assigned for any offence against the provisions of the Highway Safety Code (R.S.Q., c. C-24.2) listed in the table of demerit points in the Schedule, according to the number of points listed for each offence.

3. The same number of demerit points shall be assigned for any offence the description of which corresponds to one of the offences listed in the Schedule and committed against a provision of:

(1) a by-law in force in a municipality;

(2) a Statute of Canada other than the Criminal Code (R.S.C., 1985, c. C-46) or a regulation of Canada in the case of an offence committed in a territory under the jurisdiction of the Government of Canada.

4. A total of at least 7 demerit points must be entered in the record of a person to entail the sending of the notice prescribed in section 114 of the Highway Safety Code.

5. A total of at least 15 demerit points must be entered in the record of a person to entail the cancellation of the licence or the suspension of the right to obtain a licence.

In the case of a person referred to in section 191.2 of the Code, a total of at least 4 demerit points must be entered in the person's record to entail the suspension of the licence or the suspension of the right to obtain a licence.

#### DIVISION III PROVISIONS OF DIVISION IV OF CHAPTER II OF TITLE II OF THE HIGHWAY SAFETY CODE APPLICABLE TO THE HOLDER OF A LEARNER'S LICENCE OR A PROBATIONARY LICENCE

6. The provisions of Division IV of Chapter II of Title II of the Highway Safety Code apply, subject to the first paragraph of section 111, to the holder of a learner's licence or a probationary licence.

The Société de l'assurance automobile du Québec shall suspend the licence of a person referred to in the first paragraph and who is convicted of an offence within the meaning of section 110 of the Code or the right to obtain a licence, in accordance with section 191.2 of the Code.

#### **DIVISION IV** **TRANSITIONAL AND FINAL**

7. Demerit points appearing in the record of a person on the day preceding that of the coming into force of this Regulation shall be deemed to be demerit points entered in the record in accordance with this Regulation.

#### **SCHEDULE** (ss. 2 and 3)

##### TABLE OF DEMERIT POINTS

Summary description of offence for reference purposes only	Sections of the Highway Safety Code		Points
	Description	Penal Provisions	
1. Driving while unaccompanied	99 or 100	140.1	4
2. Failure by a driver involved in an accident to do his duty	168, 169, 170 or 171	178 or 179	9
3. Driving with the presence of alcohol in the blood or failing to provide a breath sample	202.2 or 202.8	202.8	4
4. Failure to obey the orders or signals of a peace officer, school crossing guard or flag man	311	314.1	3
5. Speeding or reckless driving	327	512	4
6. Speed in excess of a limit prescribed or indicated on traffic signs	299, 328 or 329	516	
Exceeding the speed limit by:			
11 to 20 km/h			1
21 to 30 km/h			2
31 to 45 km/h			3
46 to 60 km/h			5
61 to 80 km/h			7

8. This Regulation replaces the Regulation respecting demerit points, made by Order in Council 1424-91 dated 16 June 1991 (1991, G.O. 2, 4183).

Notwithstanding the foregoing, the demerit points prescribed by Schedule I to the Regulation shall remain applicable to the offences committed before the coming into force of this Regulation.

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

Summary description of offence for reference purposes only	Sections of the Highway Safety Code		Points
	Description	Penal Provisions	
81 to 100 km/h			9
more than 100 km/h			12 + 3 points for every additional 20 km/h in excess of 100 km/h over the speed limit
7. Passing where prohibited by a line marking off a lane	326.1	510	3
8. Failure to reduce speed to take into account atmospheric or environmental conditions	330	507	2
9. Following another vehicle more closely than is prudent	335	509	2
10. Accelerating while being passed by another vehicle	340	510	2
11. Passing a bicycle when there is not enough space in the traffic lane	341	510	2
12. Successively passing vehicles in a zigzag pattern	342	510	4
13. Prohibited passing in the lane reserved for traffic moving in the opposite direction	345	510	4
14. Prohibited passing to the right	346	510	3
15. Prohibited passing to the left	348	510	3
16. Failure to yield the right of way to pedestrians and cyclists at an intersection	349	504 or 509	2
17. Failure to yield the right of way to vehicles moving in the opposite direction	350	504 or 509	2
18. Failure to obey a red light	359 or 360	504 or 509	3
19. Failure to stop before turning right on a red light	359.1	504 or 509	3
20. Failure to obey a stop sign	368, 369 or 370	504 or 509	3
21. Failure to wear a seat belt	396 or 401	508	3
22. Failure to make an obligatory stop at a level crossing	411	504 or 509	3
23. Failure to come to a stop at a level crossing when driving a bus, a minibus or a road vehicle carrying certain categories of dangerous substances	413	510	9

Summary description of offence for reference purposes only	Sections of the Highway Safety Code		Points
	Description	Penal Provisions	
24. Prohibited driving in reverse	416 or 417	509 or 506	3
25. Driving for a wager, a stake or a race	422	512	6
26. Sudden unnecessary braking	436	506	2
27. Failure to obey the flashing lights or stop sign of a school bus	460	510	9
29. Failure to wear a protective helmet	484	508	3
28. Prohibited driving of a road vehicle carrying dangerous substances in a tunnel (section 11 of the Transportation of Dangerous Substances Regulation, made by Order in Council 674-88 dated 4 May 1988)	622	646	9

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## Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Île-Laval Wildlife Preserve

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 respecting the Île-Laval Wildlife Preserve, 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 set standards and conditions for the use of the territory and resources of the Île-Laval Wildlife Preserve.

To that end, it provides that no one may stay in the wildlife preserve. It also prescribes the conditions on which a person may enter the wildlife preserve, travel about or carry on an activity therein.

To date, study of the matter has revealed a positive impact on users and businesses.

Further information may be obtained by contacting :

Mr. Michel Jean  
Société de la faune et des parcs du Québec  
Direction des territoires fauniques et de la réglementation  
675, boulevard René-Lévesque Est, 11<sup>e</sup> étage  
Québec (Québec)  
G1R 5V7

Telephone : (418) 521-3880, ext. 4095  
Fax : (418) 646-5179  
E-mail : michel.jean@fapaq.gouv.qc.ca

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 responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,  
*Minister responsible for Wildlife and Parks*