

Draft Regulation

Transport Act
(R.S.Q., c. T-12)

Commission des transports du Québec — Procédure

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 the procedure of the Commission des transports du Québec, the text of which appears below, may be adopted by the Commission des transports du Québec upon the expiry of a time limit of 45 days effective from this publication.

These amendments are further to the adoption, on June 21, 2001, of the Act to amend the Transport Act and the Act respecting owners and operators of heavy vehicles. They propose a non-discriminatory system of access to information and allow the same quality of information regarding the files of legal and natural persons to be provided to members of the public who deal with the Commission des transports du Québec.

Additional information may be obtained regarding this regulation by contacting M^e Natalie Lejeune, Secretary and Director of Legal Services, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1, by phone at (514) 873-6304 or by fax at (514) 873-5947.

Any person who has comments regarding this matter is asked to transmit them in writing, before this time limit expires, to M^e Natalie Lejeune, Secretary and Director of Legal Services, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1. These comments will be analyzed by the Commission des transports du Québec.

NICOLE POUPART,
*President of the Commission
des transports du Québec*

Regulation to amend the Regulation respecting the procedure of the Commission des transports du Québec *

Transport Act
(R.S.Q., c. T-12, a. 48)

1. The Regulation respecting the procedure of the Commission des transports du Québec is amended by the insertion, after section 44, of the following division and sections:

“DIVISION V.1 FILES OF THE COMMISSION

44.1. Upon receipt of an application, the Commission assigns it a number and opens a file, if necessary.

44.2. The numbers are assigned consecutively in chronological order.

44.3. The Commission maintains an up-to-date list in Québec and Montréal of all the applications filed with it.

44.4. The Commission sets up and maintains a filing system of all applications and all related documents are deposited therein.

44.5. Repealed.

44.6. A document issued by the Commission or included in its files, except for a permit certificate, is authentic when it is certified and signed by the secretary, a director or a lawyer of the Commission.

44.7. The public may have access, during normal business hours, to the list of applications filed.

44.8. A person, on request, may have access to and obtain a copy of any public document.

44.9 The following information from the Bulk Trucking Register is public, in addition to that of the Registre des propriétaires et des exploitants de véhicules lourds: the operator's number in the Registre des propriétaires et des exploitants de véhicules lourds, the operator's number in the Bulk Trucking Register, the number of trucks recorded in the register and their registration number, the number of the broker and the brokerage zone where the operator is a member and, as the case may be, the sticker number assigned to the operator.

* The Regulation respecting the procedure of the Commission des transports du Québec was adopted by the Commission on October 19, 1998 (1998, G.O. 2, 6006). It was amended by the Regulation published on February 9, 2000 (2000, G.O. 2, 1025).

44.10. The following information from the list of truckers is public, in addition to that of the Registre des propriétaires et des exploitants de véhicules lourds: the trucker's number in the Registre des propriétaires et des exploitants de véhicules lourds.

44.11. The following information from the Commission's files is public, in addition, as the case may be, to that of the Registre des propriétaires et des exploitants de véhicules lourds: as the case may be, the applicant's number in the Registre des propriétaires et des exploitants de véhicules lourds and the information he provides to the Commission in support of his application in matters where the Commission exercises discretionary power.

Also public is information concerning membership contracts for brokerage services and the director's hiring contract, an applicant's knowledge, experience and skills, information of a similar nature concerning the applicant's human resources, the list of shareholders or members of an applicant and their participation in the company, its fleet of vehicles, information of a similar nature contained in the contracts and letters of credit or support produced and the confidential part of its annual report of operations or financial statements."

2. This regulation replaces sections 104 to 114 of the Rules of practice and rules for the internal management of the Commission des transports du Québec, decreed by Order-in-Council 147-82 of January 20, 1982, maintained in force by subsection 1° of section 56 of the Regulation respecting the procedure of the Commission des transports du Québec published in the *Gazette officielle du Québec* of November 11, 1998.

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