

Gouvernement du Québec

O.C. 909-2003, 27 August 2003

An Act to ensure safety in guided land transport
(R.S.Q., c. S-3.3)

Rail safety
— **Amendments**

Regulation to amend the Regulation respecting rail safety

WHEREAS, under paragraphs 10 and 10.1 of section 54 of the Act to ensure safety in guided land transport (R.S.Q., c. S-3.3), the Government may make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting rail safety was published in Part 2 of the *Gazette officielle du Québec* of 2 April 2003, with a notice that the Regulation could be made on the expiry of 45 days following that publication;

WHEREAS no comments were received following the publication of the draft Regulation in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting rail safety, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting rail safety*

An Act to ensure safety in guided land transport
(R.S.Q., c. S-3.3, s. 54, 1st par. subpars. 10 and 10.1)

1. The Regulation respecting rail safety is amended by substituting “96” for “98” in the second paragraph of section 41.

* The Regulation respecting rail safety, made by Order in Council 1401-2000 dated 29 November 2000 (2000, *G.O.* 2, 5585), has not been amended since it was made.

2. The following is substituted for Chapter III:

“CHAPTER III
TRANSPORTATION OF DANGEROUS SUBSTANCES

DIVISION I
INTERPRETATION

91. In this Regulation,

“Transportation of Dangerous Goods Regulations” means

the Transportation of Dangerous Goods Regulations made by Order in Council P.C. 2001-1336 dated 1 August 2001 and bearing registration number SOR/2001-286 dated 1 August 2001, *Canada Gazette*, Part II, 15 August 2001.

92. The words and expressions appearing in the Transportation of Dangerous Goods Regulations have the meaning assigned by those Regulations or the Transportation of Dangerous Goods Act, 1992 (1992, 40-41 Elizabeth II, c. 34) except in the following cases where:

“consignor” means a person who offers dangerous substances for transport;

“handling” means, regardless of the facilities where it takes place, loading, unloading, containerizing or packing of dangerous substances transported or to be transported by railway; and

“inspector” means any person authorized by the Minister of Transport to act as an inspector for the purposes of this Regulation.

Where the provisions of the Transportation of Dangerous Goods Regulations are inconsistent with the provisions of this Regulation, the latter prevails.

DIVISION II
CLASSIFICATION

93. Any dangerous good within the meaning of the Transportation of Dangerous Goods Act is designated as a dangerous substance.

A dangerous substance belongs to the class attributed to it according to Schedule 1 to or Part 2 of the Transportation of Dangerous Goods Regulations.

94. A consignor shall classify a dangerous substance in accordance with paragraphs 1 to 5 of section 2.2 of the Transportation of Dangerous Goods Regulations before offering it for transport.

DIVISION III DOCUMENTATION

95. The requirements related to the shipping documents prescribed by sections 3.1 to 3.4, 3.8, 3.10 and 3.11 of the Transportation of Dangerous Goods Regulations apply to the transportation and handling of dangerous substances.

The shipping document must contain the minimum information prescribed in sections 3.5 and 3.6 of the Transportation of Dangerous Goods Regulations.

DIVISION IV SAFETY MARKS

96. The safety marks prescribed in Part 4 of the Transportation of Dangerous Goods Regulations must be displayed in accordance with the provisions of those Regulations.

DIVISION V SAFETY STANDARDS AND RULES

97. The safety standards and rules to which section 1.3 and Schedules 1, 2 and 3 to the Transportation of Dangerous Goods Regulations refer apply, with the necessary modifications, to the transportation and handling of dangerous substances.

The same applies to sections 1.5 to 1.13, 1.15 to 1.20, 1.25 to 1.27, 1.29, 1.31 to 1.34, 1.36 to 1.43 and 1.45 to 1.47 of the Transportation of Dangerous Goods Regulations.

98. No person shall handle, offer for transport or transport dangerous substances in means of containment unless the provisions of Part 5 of the Transportation of Dangerous Goods Regulations are complied with.

99. Sections 6.1 to 6.8 of Part 6 of the Transportation of Dangerous Goods Regulations apply to the transportation and handling of dangerous substances.

100. Section 7.1 respecting the requirement for an emergency response assistance plan under the Transportation of Dangerous Goods Regulations applies to the transportation and handling of dangerous substances.

101. Any person who has possession of dangerous substances at the time of an accidental release of such substances shall report the accidental release immediately in accordance with section 8.1 of Part 8 of the Transportation of Dangerous Goods Regulations.

102. The provisions of Part 10 of the Transportation of Dangerous Goods Regulations also apply to the transportation and handling of dangerous substances.”.

3. Section 109 is amended by substituting “sections 94 to 102” for “sections 97 to 100”.

4. 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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Gouvernement du Québec

O.C. 910-2003, 27 August 2003

Act respecting roads
(R.S.Q., c. V-9)

Autoroute 10 — Parts declared to be the property of Ville de Longueuil

Parts of Autoroute 10 declared to be the property of
Ville de Longueuil

WHEREAS Autoroute 10 in Ville de Longueuil was acquired and administered by the Office des autoroutes du Québec before 1 January 1983 and, under section 7 of the Act respecting roads (R.S.Q., c. V-9), it is State property;

WHEREAS the parts of Autoroute 10, segment 01, section 042, in the sectors of Avenue Malo and Boulevard Lapinière, designated by the lots described below, were never part of the inventory of the roads under the management of the Minister of Transport;

WHEREAS, under section 46 of the Act respecting roads (R.S.Q., c. V-9), the Government may, by order, declare that a part of an autoroute which is the property of the State shall become, without indemnity, the property of the local municipality in whose territory it is situated, from the publication of the order in the *Gazette officielle du Québec*;

WHEREAS it is expedient to declare the part of Autoroute 10, segment 01, section 042, in the sector of Avenue Malo, designated as being lots 2198 and 2199 of the cadastre of the parish of Laprairie de La Madeleine, registration division of Laprairie, shown on plan XX20-5371-9504-X2-2 prepared by Réjean Bourgault, l.s., under number 1109 of his minutes, to be the property of Ville de Longueuil, without indemnity;