



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 90

(2004, chapter 27)

An Act to amend the Act respecting off-highway vehicles

Introduced 16 December 2004
Passage in principle 16 December 2004
Passage 16 December 2004
Assented to 17 December 2004

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EXPLANATORY NOTES

The purpose of this bill is to exclude, for a limited time, certain legal proceedings arising from the operation of an off-highway vehicle.

Furthermore, the bill contains a provision concerning certain regulations that may be made under the Act respecting off-highway vehicles before 1 January 2005.

Bill 90

AN ACT TO AMEND THE ACT RESPECTING OFF-HIGHWAY VEHICLES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting off-highway vehicles (R.S.Q., chapter V-1.2) is amended by inserting the following section after section 87:

“87.1. No legal action founded on neighbourhood disturbances or any other damage relating to noise, odours or other contaminants may be brought for facts occurring between 16 December 2001 and 1 May 2006, if the alleged damage is due to the operation of a vehicle to which this Act applies in places authorized under this Act or a regulation under this Act.

Legal action against the operator or owner of an off-highway vehicle alleged to have contravened a provision of this Act or a regulation under this Act is, however, admissible.”

2. The Regulations Act (R.S.Q., chapter R-18.1) does not apply to a regulation made by the Government under section 46 of the Act respecting off-highway vehicles before 1 January 2005. Such a regulation may come into force on the day it is made, and it must be published in the *Gazette officielle du Québec*.

3. This Act comes into force on 16 December 2004.