

Draft Regulation

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

Fees exigible and return of confiscated objects — Amendments

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 fees exigible under the Highway Safety Code and the return of confiscated objects” made by the Société de l’assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval after 45 days have elapsed from the date of this publication.

The draft Regulation proposes to forego the charge of \$4.75 for pre-authorized debit payment of fees exigible for vehicle registration.

The draft Regulation also proposes to apply the rules regarding interest to debit payments of the fees exigible for driver licensing. Various steps are also set out to harmonize provisions of the draft Regulation with those of the draft Regulation to amend the Regulation respecting road vehicle registration and of the draft Regulation to amend the Regulation respecting licences.

Further information on the matter is available by contacting Mr. Bernard Drolet, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C. P. 19600, Québec (Québec) G1K 8J6; tel. 418 528-3225.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C. P. 19600, Québec (Québec) G1K 8J6.

JOHN HARBOUR,
Chairman and CEO
Société de l’assurance automobile du Québec

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par., subpars. 1, 1.1, 3 and 3.1)

1. The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended by substituting “68 and 72 to 75” for “67 to 69 and 72 to 77” in subparagraphs 3.2 and 3.3 of section 2.

2. Section 2.1 is revoked.

3. The following is substituted for section 3:

“**3.** The supplementary fee exigible for failure to pay, during more than 26 days, the registration fee, the additional registration fee, and the fees covered by sections 68 and 72 to 75 of the Regulation respecting road vehicle registration, and the insurance contribution covered by section 10 of the Regulation respecting insurance contributions, made by resolution AR-2372 of the Société de l’assurance automobile du Québec dated 24 September 2006, corresponds to the higher of:

(1) \$10;

(2) the amount calculated using the following formula:

$$F = S \times I \times J/360$$

where:

F: is the supplementary fee;

S: is the total of unpaid fees set under subparagraphs 3.2 and 3.3 of section 2 of this regulation and the unpaid registration fee, the unpaid additional registration fee covered by sections 68 and 72 to 75 of the Regulation respecting road vehicle registration, and the unpaid

* The last amendment to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 (1991, G.O. 2, 1695), was made by the regulation approved by O.C. 229-2005 dated 23 March 2005 (2005, G.O. 2, 779). For prior amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2006, updated to 1 April 2006.

insurance contribution covered by section 10 of the Regulation respecting insurance contributions, made under the Automobile Insurance Act (R.S.Q., c. A-25);

I: is the interest rate corresponding to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31);

J: is the number of days during which the owner of a road vehicle is prohibited under the third paragraph of section 31.1 of the Highway Safety Code from putting his vehicle back into operation.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year.”.

4. Section 4 is amended by substituting “61.1, 63, 66 and 68” for “62 to 64, 66 to 69 and 71 to 73” in subparagraphs 3.2 and 3.3.

5. The following is inserted after Division 3.1:

“DIVISION 3.1.1

**FEE FOR INSTALMENT PAYMENT BY
PRE-AUTHORIZED DEBITS**

4.1.1. A person who uses pre-authorized debits for instalment payment of vehicle registration or driver’s licence fees must, in addition to the fees exigible under the Regulation, pay interest charges.

The interest charge on each debit is calculated using this formula:

$$F = S \times I \times J/360$$

where:

F: is interest;

S: is the outstanding balance;

I: is the interest rate corresponding to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu, in force:

(1) on the 60th day preceding the due date for the first debit payment, with respect to the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code;

(2) on the day of issue of a probationary licence, of a restricted licence issued under section 76 of the Highway Safety Code or of a driver’s licence, with respect to the fees exigible upon issue of that licence;

(3) on the first day of the month preceding the month of the due date under sections 19 and 21 to 24 of the Regulation respecting road vehicle registration:

(a) with respect to the fees exigible to retain the right to operate a registered vehicle and the fees exigible for the apportioned registration of a vehicle, on condition there not be any other payments by pre-authorized debit due on the same date for other amounts exigible;

(b) with respect to the fees exigible upon issue of a vehicle’s registration or the fees exigible for a change to a vehicle’s registration, where the period for which the fees are payable ends on the due date for debit payment of the fees exigible to retain the right to operate another of the owner’s vehicles for which payment is made by pre-authorized debit;

(4) on the day of issue of a vehicle’s registration, with respect to the fees exigible upon issue of the registration of a vehicle other than one covered by subparagraph *b* of paragraph 3 and with respect to the fees exigible for any subsequent registration and with respect to the fees exigible to retain the right of travel with a vehicle for which payment by pre-authorized debit is done subsequently, where the period for which the latter amounts are payable ends on the due date for payment of the first amounts;

J: represents:

(1) 0, for the first debit payment, with respect to the fees exigible to retain the right to operate a registered vehicle and the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code;

(2) for the first debit payment, with respect to the fees exigible upon issue of a vehicle’s registration, for a change to a vehicle’s registration, on issue of a probationary licence, of a restricted licence under section 76 or of a driver’s licence, the number of days from the date of registration issue or change or licence issue through the date of the next debit payment;

(3) for the second debit payment, with respect to the fees exigible to retain the right of travel with a vehicle and the fees exigible under section 93.1 of the Highway Safety Code for which payment is in default for no more than 26 days, the number of days from the payment due date through the date of the second debit payment;

(4) for debit payments not covered by subparagraphs 1 to 3, the number of days from the date of the last debit payment through the date of the next debit payment.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year;

(3) days entering into the calculation of the supplementary fee for default of payment under sections 3 and 4.2 shall not be considered.”.

6. The following is substituted for section 4.2:

“**4.2.** The supplementary fee exigible for failure to pay, during more than 26 days, the fees and the insurance premium covered by sections 61.1, 63, 66 and 68 of the Regulation respecting licences, and the insurance contribution covered by sections 18 to 21 of the Regulation respecting insurance contributions, corresponds to the higher of:

(1) \$10;

(2) the amount calculated using the following formula:

$$F = S \times I \times J/360$$

where:

F: is the supplementary fee;

S: is the total of unpaid fees set under subparagraph 3.2 and 3.3 of section 4 of this regulation, the unpaid fees set under by sections 61.1, 63, 66 and 68 of the Regulation respecting licences and the unpaid insurance contribution covered by sections 18 to 21 of the Regulation respecting insurance contributions;

I: is the interest rate corresponding to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu;

J: is the number of days during which the holder of a licence is prohibited from driving under the third paragraph of section 91.1 of the Highway Safety Code.

For the purpose of counting the number of days:

(1) the last day of the months of January, March, May, July, August, October and December is not considered;

(2) two days are added to the number of days for February, but one in a leap year.”.

7. A driver’s licence holder born in an uneven year is exempt from payment of the fees exigible under the first paragraph of section 93.1 of the Highway Safety Code that would otherwise come due on his birthday in 2008.

8. Notwithstanding section 9, section 5 does not apply to licences issued before 1 January 2008 nor to amounts exigible under section 93.1 of the Highway Safety Code for which the payment due date is prior to 1 January 2008.

9. This regulation comes into force on 1 January 2008 except for section 5, in matters of a licence to drive vehicles, which comes into force on 1 October 2007.

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Draft Regulation

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

Licences

— Amendments

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 licences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes to allow the duties, insurance contribution and fees equal to or greater than \$48 required to obtain a driver’s licence, a probationary licence or a restricted licence or to maintain a driver’s licence, to be paid in six or twelve direct debit instalments.

The proposed measures have no negative impact on enterprises, including small and medium-sized businesses, and will allow the public to stagger the cost of obtaining or maintaining a driver’s licence over time.