

(d) \$90 for the taking of a road test on a public roadway for a probationary licence or a driver's licence of classes 6A, 6B and 6C;

(e) \$25 \$ on the taking of a road test for a probationary licence or driver's licence of a class other than those covered by subsections *b* to *d*;"

22° striking out subsection 10;

23° by the addition of the following sentence after the second paragraph:

"No fees are exigible for a request to cancel a driver's licence."

**2.** This Regulation comes into force on February 5, 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 purpose of the draft Regulation is to modify the information to be included on a driver's licence in paper form provided to a person pending the issue of a licence in plastic form, as well as the nature of such a licence. Adjustments are made to give effect to the amendments made to the Highway Safety Code by the Act to amend the Highway Safety Code and other legislative provisions (2004, c. 2) concerning the form of certain categories of driver's licences.

The draft Regulation sets a time limit within which a person who settles in Canada must apply for a licence exchange. A transitional measure is also included for persons who settled in Canada before the coming into force of the Regulation.

The draft Regulation makes certain adjustments or clarifications to licence classes and their characteristics. Certain definitions in the Regulation are also clarified.

Lastly, the draft Regulation revises certain rules and conditions authorizing the driving of vehicles that transport persons and goods.

The proposed measures in the draft Regulation apply to all citizens and have no special impact other than to ensure road safety.

As for enterprises, the revised rules governing access to the driving of vehicles that transport persons and goods should help to reduce the labour shortage in that industry while continuing to ensure road safety.

Further information may be obtained by contacting Monic Boucher, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, C.P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4860.

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 and Minister responsible for the Capitale-Nationale region, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

MICHEL DESPRÉS,  
*Minister of Transport and Minister  
responsible for the Capitale-Nationale region*

## Regulation to amend the Regulation respecting licences \*

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 619, pars. 1, 2, 3 and 6)

**1.** The Regulation respecting licences is amended by replacing section 1 by the following:

"**1.** In this Regulation,

"net mass" means the mass of a road vehicle as indicated by the manufacturer at the time of shipment or as indicated on the weight certificate issued when the road vehicle was altered or fitted with an accessory or with equipment in order to bring it into conformity with its intended use;

\* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by the regulation made by Order in Council 948-2002 dated 21 August 2002 (2002, *G.O.* 2, 4507). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 April 2006.

“truck tractor” means a motor vehicle that has no room for loads and that is permanently equipped with a fifth wheel.”.

**2.** Section 2 is amended

- (1) by striking out “31” and “37”;
- (2) by replacing “41” by “42”.

**3.** Section 5 is amended

(1) by inserting the following after subparagraph 7 of the first paragraph:

“(7.1) at the end of the indication required under subparagraph 7, the word “temporary” if the licence meets the requirements of the second paragraph;”;

(2) by replacing the second paragraph by the following:

“A licence that contains the word “temporary” in accordance with subparagraph 7.1 must meet the following requirements:

- (1) be issued in paper form;
- (2) be issued for the time required for a plastic licence to be issued;
- (3) be valid for a period of 20 days from its date of issue; and
- (4) the conditions for obtaining, renewing or replacing a plastic licence have been met.”.

**4.** Section 7.1 is replaced by the following:

“**7.1.** A probationary licence and a driver’s licence are issued in plastic form.

A temporary probationary licence and a temporary driver’s licence are issued in paper form.

A licence authorizing the driving of a moped only is issued in paper form or in plastic form, at the choice of the applicant.”.

**5.** Section 7.2 is replaced by the following:

“**7.2.** A learner’s licence and a restricted licence are issued in paper form or in plastic form, at the choice of the applicant.”.

**6.** Sections 7.3 to 7.4 are revoked.

**7.** Section 7.5 is replaced by the following:

“**7.5.** A licence in paper form does not bear a photograph of the licence holder.”.

**8.** Section 7.6 is revoked.

**9.** Section 7.7 is amended by replacing “A plastic probationary licence and a plastic driver’s licence do not” in the first sentence by “A licence does not”.

**10.** Section 7.8 is amended by replacing “A plastic probationary licence and a plastic driver’s licence do not” by “A licence does not”.

**11.** Section 7.9 is amended by replacing “A plastic probationary licence or a plastic driver’s licence” by “A licence”.

**12.** Section 7.10 is amended by replacing “his driver’s” by “a”.

**13.** Section 7.11 is amended by replacing “his driver’s” by “a”.

**14.** The following is inserted after section 9:

“**9.1.** Subject to the conditions attached to it, a class 1, 2 or 3 learner’s licence allows its holder to drive a road vehicle covered by a licence of that class and equipped with a manual transmission or an air braking system even if the indication or indications to that effect are not entered in the licence holder’s file.”.

**15.** Section 13 is amended by replacing “coming into force” in the second paragraph by “issue”.

**16.** Section 16 is amended

(1) by replacing “has no room for loads and is permanently equipped with a fifth wheel” in paragraph 1 by “is a truck tractor having two axles and a net mass of 4,500 kg or more or a truck tractor having three axles or more”;

(2) by replacing “Institut de police” in paragraph 4 by “École nationale de police”.

**17.** Section 17 is amended

(1) in paragraph 1 by striking out “, where applicable,” and by inserting “if the document is written in a language other than French or English” after “submits”;

(2) by adding the following after paragraph 4:

“(5) submit a French or English translation if the licence is in a language other than French or English.”.

**18.** Section 25 is amended by replacing paragraph 2 by the following:

“(2) have successfully completed an emergency vehicle driving course offered by the École nationale de police du Québec, Corporation d’urgences-santé, the Institut de protection contre les incendies du Québec or the École nationale des pompiers du Québec, or an equivalent emergency vehicle driving course;”.

**19.** Section 26 is revoked.

**20.** Section 27 is amended by striking out the last paragraph.

**21.** Section 28 is replaced by the following:

“**28.** A driver’s licence must belong to one of the following classes:

- (1) class 1;
- (2) class 2;
- (3) class 3;
- (4) class 4A;
- (5) class 4B;
- (6) class 4C;
- (7) class 5;
- (8) class 6A;
- (9) class 6B;
- (10) class 6C;
- (11) class 6D;
- (12) class 8.

Subject to section 29, those classes are mutually exclusive.

**28.1.** Class 1 authorizes the driving of

(1) a combination of road vehicles consisting of a truck tractor having two axles and a net mass of 4,500 kg or more and hauling one or more trailers or semi-trailers;

(2) a combination of road vehicles consisting of a truck tractor having three axles or more and hauling one or more trailers or semi-trailers; and

(3) a combination of road vehicles consisting of a truck complying with the standards of section 28.3, hauling a trailer or semi-trailer the net mass of which is 4,500 kg or more and used solely for transporting the machinery, implements or fixtures with which it is permanently equipped or hauling any other trailer or semi-trailer having a net mass of 2,000 kg or more.

Class 1 authorizes the driving of a combination of road vehicles described in the first paragraph equipped with a manual transmission or an air braking system or the driving of a road train as defined in the Special Road Train Operating Permits Regulation, made by Order in Council 1874-86 dated 10 December 1986, if the indication or indications to that effect are entered in the licence holder’s file.

**28.2.** A class 2 licence authorizes the driving of a bus designed to transport more than 24 passengers at a time.

That class authorizes the driving of a road vehicle described in the first paragraph that is equipped with a manual transmission or an air braking system if the indication or indications to that effect are entered in the licence holder’s file.

**28.3.** A class 3 licence authorizes the driving of a truck having two axles and a net mass of 4,500 kg or more and of a truck with three axles or more.

That class authorizes the driving of a road vehicle described in the first paragraph that is equipped with a manual transmission or an air braking system if the indication or indications to that effect are entered in the licence holder’s file.

In this section, “truck” means a road vehicle having a net mass of more than 3,000 kg and manufactured solely for transporting goods or equipment permanently attached to it or for transporting such equipment and goods.

**28.4.** A class 4A licence authorizes the driving of an emergency vehicle.

**28.5.** A class 4B licence authorizes the driving of a bus designed to transport 24 passengers or less at a time, and a minibus.

**28.6.** A class 4C licence authorizes the driving of a taxi.

**28.7.** A class 5 licence authorizes the driving of a motor vehicle having two axles and a net mass of less than 4,500 kg, a motor vehicle permanently converted into a dwelling, a special mobile equipment vehicle and a service vehicle.

In this section, “service vehicle” means a motor vehicle equipped to refuel, repair or tow road vehicles.

**28.8.** A class 6A licence authorizes the driving of any motorcycle.

**28.9.** A class 6B licence authorizes the driving of a motorcycle with an engine piston displacement of 400 cc or less.

**28.10.** A class 6C licence authorizes the driving of a motorcycle with an engine piston displacement of 125 cc or less.

**28.11.** A class 6D licence authorizes the driving of a moped.

**28.12.** A class 8 licence authorizes the driving of a tractor used for agricultural or related purposes.”.

**22.** Section 30 is amended

(1) by replacing “has no room for loads and is permanently equipped with a fifth wheel” in paragraph 1 by “is a truck tractor having two axles and a mass net of 4,500 kg or more or a truck tractor having three axles or more”;

(2) by replacing paragraph 2 by the following:

“(2) a class 3 driver’s licence also allows the holder to drive a road vehicle covered by a licence of that class where that road vehicle hauls a trailer or semi-trailer having

(a) a net mass of less than 2,000 kg; or

(b) a net mass of 2,000 kg or more but less than 4,500 kg and used solely for transporting the machinery, implements or fixtures with which it is permanently equipped;”;

(3) by replacing “Institut de police” in paragraph 5 by “École nationale de police”;

(4) by adding the following after paragraph 5:

“(6) a class 1, 2 or 3 driver’s licence also allows the holder to drive a road vehicle authorized by that class, for the sole purposes of learning to drive it or undergoing the proficiency examination of the Société, where

that vehicle is equipped with a manual transmission or an air braking system even if the indication or indications to that effect are not entered in the licence holder’s file, provided that the licence holder is accompanied as required by section 99 of the Highway Safety Code.”.

**23.** Section 32 is amended

(1) in paragraph 1 by striking out “, where applicable,” and by inserting “if the document is written in a language other than French or English” after “submits”;

(2) by adding the following after paragraph 4:

“(5) submit a French or English translation if the licence is in a language other than French or English.”.

**24.** The following is inserted after section 32:

“**32.1.** An application for a licence exchange referred to in sections 91 and 91.1 of the Highway Safety Code must be made within 12 months of the applicant’s settlement in Canada.

A person who settled in Canada before (*insert the date of coming into force of this Regulation*) must apply for a licence exchange within 12 months following that date.

**32.2.** To be granted the exemption referred to in section 91.3 of the Highway Safety Code, a person must apply for a licence within 12 months of the person’s settlement in Canada.

A person who settled in Canada before (*insert the date of coming into force of this Regulation*) must apply for a licence within 12 months following that date.”.

**25.** Section 34 is revoked.

**26.** Section 43 is amended by replacing “Institut de police du Québec or its equivalent” in subparagraph *b* of paragraph 3 by “École nationale de police du Québec, Corporation d’urgences-santé, the Institut de protection contre les incendies du Québec or the École nationale des pompiers du Québec, or an equivalent emergency vehicle driving course”.

**27.** Section 44 is amended by replacing paragraph 1 by the following:

“(1) have held a class 3 learner’s licence for three months, or for one month if the person

(a) is 25 years of age or older; or

(b) holds or has held a class 5 driver's licence and has held such a licence or a class 5 probationary licence for a total of 60 months;”.

**28.** Section 45 is replaced by the following:

“45. To obtain a class 2 driver's licence, a person must

(1) have held a class 2 learner's licence for three months, or for one month if the person

(a) is 25 years of age or older;

(b) holds or has held a class 3 driver's licence; or

(c) holds or has held a class 5 driver's licence and has held such licence or a class 5 probationary licence for a total of 60 months; or

(2) hold a class 2 learner's licence for the time of a training comprising at least 20 hours of driving on public roads if the person meets one of the requirements in subparagraphs *a* to *c* of subparagraph 1. That training must be offered by an operator of heavy vehicles within the meaning of the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., c. P-30.3), as amended by the Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions (2005, c. 39), that has been assigned a satisfactory rating under that Act and that has not been the subject of any intervention of the Société within the last two years related to the implementation of the administrative policy adopted under that Act.

That person must also hold or have held a class 5 driver's licence and have held such licence or a class 5 probationary licence for a total of 24 months.”.

**29.** Section 46 is amended

(1) by replacing paragraph 1 by the following:

“(1) have held a class 1 learner's licence for three months, or for one month if the person

(a) is enrolled in the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport and has successfully completed all the compulsory sections in the program required prior to road driving without a supervisor;

(b) is 25 years of age or older;

(c) holds or has held a class 2 or class 3 driver's licence; or

(d) holds or has held a class 5 driver's licence and has held such a licence or a class 5 probationary licence for a total of 60 months;”;

(2) by replacing subparagraph *b* of paragraph 3 by the following:

“(b) for a total of 24 months, if the person has successfully completed

i. a program comprising 300 hours of driving a road vehicle authorized by the licence applied for on public roads; the program must include at least 40 hours of driving provided by a heavy vehicle driving school and an on-the-job training period with the number of hours necessary to complete the 300 hours required; or

ii. the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport.”.

**30.** Sections 46.2 to 48 and 50.3.1 are revoked.

**31.** Sections 50.4, 50.5 and 50.6 are amended by striking out “plastic”.

**32.** This Regulation comes into force on 7 February 2007.

7828

## Draft Regulation

Supplemental Pension Plans Act  
(R.S.Q., c. R-15.1)

### Certain categories of pension plans — Exemption from the application of the Act — 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 the exemption of certain categories of pension plans from the application of the Supplemental Pension Plans Act, the text of which appears below, may be made by the government upon the expiry of 45 days following this publication.

The draft Regulation is intended to facilitate the establishment of pension plans on the initiative of workers' associations or workers. To this end, it defines the characteristics of a new category of defined benefit pension plans, called “member-funded pension plans”, which it exempts from the application of several provisions of the Supplemental Pension Plans Act.