

**4.** The Commissioner evaluates the proposals sent pursuant to sections 2 and 3 and draws up the lists as provided in those sections.

**5.** In addition to the publication under the fourth paragraph of section 29 of the Act, the Health and Welfare Commissioner must also publish, on the Commissioner's Internet site, the procedure for selecting persons qualified for appointment to the consultation forum and the date set by the Commissioner pursuant to that section for making appointments to the forum.

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

7878

## Draft Regulation

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

### Exemptions from the application of Title VIII.1 — 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 exemptions from the application of Title VIII.1 of the Highway Safety Code, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes to replace the total exemptions from the application of Title VIII.1 of the Highway Safety Code that concern hours of driving and service and the pre-departure inspection of certain heavy vehicles by partial exemptions that apply only to the pre-departure inspection. The amendment is made to ensure consistency with the proposed Regulation respecting the hours of driving and rest of heavy vehicle drivers, which contains essentially the same exemptions concerning hours of driving and service.

The draft Regulation also makes various adjustments to reflect amendments to the statutory or regulatory instruments to which it refers.

Further information may be obtained by contacting Linda Thériault, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-22, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4886.

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 exemptions from the application of Title VIII.1 of the Highway Safety Code\*

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 42)

**1.** Section 2 of the Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code is amended

(1) by inserting “the provisions concerning the pre-departure inspection in” after “application of” in the part preceding paragraph 1;

(2) by replacing paragraph 1 by the following:

“(1) a heavy vehicle used when required by an emergency service or in the cases of disaster within the meaning of the Civil Protection Act (R.S.Q., c. S-2.3);”;

(3) by replacing “except where the combination of vehicles is subject to the Transportation of Dangerous Substances Regulation made by Order in Council 674-88 dated 4 May 1988, and requires the display of safety marks in accordance with Division V of that Regulation” in paragraph 4 by “except a combination of vehicles that requires the display of safety marks in accordance with Division IV of the Transportation of Dangerous Substances Regulation made by Order in Council 866-2002 dated 10 July 2002”;

\* The Regulation respecting exemptions from the application of Title VIII.1 of the Highway Safety Code, made by Order in Council 622-99 dated 2 June 1999 (1999, *G.O.* 2, 1618) has never been amended.

(4) by replacing paragraph 6 by the following:

“(6) a road vehicle subject to the Transportation of Dangerous Substances Regulation made by Order in Council 866-2002 dated 10 July 2002 that has a net mass of less than 3,000 kg and that does not require the display of safety marks in accordance with Division IV of that Regulation, except minibuses and tow trucks;”.

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

7877

## Draft Regulation

Highway Safety Code  
(R.S.Q., c. C-24.2; 2004, c. 2)

### Heavy vehicle drivers — Hours of driving and rest

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 respecting the hours of driving and rest of heavy vehicle drivers, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes new requirements for hours of driving, service and rest that are equivalent to the requirements to apply throughout Canada as of 1 January 2007. It establishes a maximum number of hours of driving, a minimum number of hours of rest per 24-hour period and a limit to the range of a work shift. Other provisions deal with the maintenance and keeping of a daily log in which drivers record the detail of daily duty time.

The draft Regulation proposes to authorize the Société de l'assurance automobile du Québec to issue permits allowing a departure in certain circumstances from the hours of driving and rest standards, and provides for recognition by the Société of equivalent permits issued by other directors.

The draft Regulation sets out standards to be applied by a peace officer when issuing an out-of-service declaration to a driver and determines the conditions that govern the application and duration of the declaration.

The measures proposed in the draft Regulation have no particular impact on the public besides ensuring high safety.

As for enterprises, the impacts are inherent in the implementation of the regulation since they result from the constraints imposed on carriers to ensure compliance with the new requirements applicable throughout Canada. The regulation ensures fair treatment of carriers and makes it possible for Québec enterprises to remain competitive with other Canadian enterprises.

Further information may be obtained by contacting Linda Thériault, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-22, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4886.

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 respecting the hours of driving and rest of heavy vehicle drivers

Highway Safety Code  
(R.S.Q., c. C-24.2, ss. 519.21.1, 519.21.2, and s. 621, 1st par, subpars. 12, 12.0.1, 12.0.2, 12.1, 12.2, 12.2.1, 12.2.2, 12.4, 39 and 42; 2004, c. 2, s. 42)

### CHAPTER I DEFINITIONS AND SCOPE

**1.** For the purposes of sections 519.8.1, 519.9, 519.10, 519.12, 519.20, 519.21.1 to 519.26, 519.31 to 519.31.3 of the Highway Safety Code and this Regulation,

“cycle” means

(a) cycle 1, under which the hours of service are accumulated over a period of 7 days; and

(b) cycle 2, under which the hours of service are accumulated over a period of 14 days; (*cycle*)

“daily log” means a record containing the information required by sections 29, 31 and 32 and the graph grid in Schedule II; (*fiche journalière*)

“day”, in respect of a driver, means the 24-hour period that begins at the hour designated by the operator and lasts for the duration of the driver's cycle; (*jour*)