

**26.** Sections 170 to 170.2 are replaced by the following:

“**170.** Subject to sections 173 to 175, the amount of the reimbursement of fees is the product obtained by multiplying the monthly fees applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.

**170.1.** The amount of the reimbursement of the additional duty in respect of a road vehicle in the category of road vehicles referred to in section 2.1 is the product obtained by multiplying the additional monthly duty applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.

**170.2.** The amount of the reimbursement of the additional duty in respect of a road vehicle in the category of road vehicles referred to in the first paragraph of section 2.1.1 is the product obtained by multiplying the additional monthly duty applicable to the road vehicle concerned by the number of calendar months, less two, from the date of the application for reimbursement or, in the cases referred to in section 169, from the date of the event or the date of the new registration of the vehicle, to the date of expiry of the period for which the owner had the right to operate the vehicle.”

**27.** Section 176 is replaced by the following:

“**176.** The amount of the reimbursement of the contribution of motorists to public transit is the product obtained by multiplying the monthly contribution of \$2.50 by the number of calendar months, less two, from the date of the event or the date of the new registration, to the date of expiry of the period for which the contribution of motorists to public transit had been paid.”

**28.** This Regulation comes into force on 1 January 2008.

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Gouvernement du Québec

**O.C. 266-2007, 28 March 2007**

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

**Licences**  
— **Amendments**

Regulation to amend the Regulation respecting licences

WHEREAS, under section 93.1, paragraphs 4, 4.1, 4.2, 5 to 5.2 and 6 of section 619 and sections 619.2 and 619.3 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may, by regulation, prescribe the duties exigible for a licence, establish the calculation method, the intervals and method of payment of duties, fees and insurance contribution related to the licence and provide for any other related conditions;

WHEREAS the Government made the Regulation respecting licences by Order in Council 1421-91 dated 16 October 1991;

WHEREAS it is expedient to amend the Regulation to establish the intervals of payment for a driver's licence on an annual basis and to provide for the methods of payment for a driver's licence, probationary licence and restricted licence on an instalment basis;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting licences was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting licences, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale Region:

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

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting licences\*

Highway Safety Code  
(R.S.Q., c. C-24.2, ss. 93.1, 619, pars. 4, 4.1, 4.2, 5 to 5.2 and 6, ss. 619.2 and 619.3)

**1.** The Regulation respecting licences is amended by replacing sections 57 and 58 by the following:

“**57.** The duties payable for a probationary licence are \$32.

However, the amount of the duties payable for the issue of a probationary licence is the product obtained by multiplying \$1.33 by the number of months, including parts of a month, less one, between the date of issue of the licence and the date of expiry, if

(1) the applicant is in the case referred to in section 92.0.1 of the Highway Safety Code;

(2) the applicant’s previous probationary licence was cancelled at the applicant’s request or revoked; or

(3) the applicant is 23 years of age or older.

**58.** In the case of a person whose previous probationary licence was revoked and the person did not apply for reimbursement of the part of the duties to which the person was entitled, an amount is subtracted from the duties payable for a new probationary licence in accordance with the provisions of the second paragraph.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of revocation of the previous probationary licence and the date on which it was to expire is subtracted from the amount calculated under the second paragraph of section 57.”

**2.** The Regulation is amended by revoking Division IV of Chapter VIII.

**3.** Sections 60 and 61 are replaced by the following:

“**60.** The annual duties to be paid under the first paragraph of section 93.1 of the Highway Safety Code are \$16 for a driver’s licence, except a licence exclusively in class 6D or 8 for which the annual duties are \$21.

**61.** If, on the issue of a licence, the authorization to drive is valid for less or more than 12 months, the amount of the duties payable is the product obtained by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, during which the licence holder is authorized to drive.

**61.1.** Where a person’s probationary licence has expired and the person has not paid the duties under section 61 and the fees prescribed in 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, for a first driver’s licence, or informed the Société of his or her intent not to obtain a first driver’s licence before the expiry of the probationary licence must, to obtain a first driver’s licence during the period in which payment is required, pay those amounts and the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

A person referred to in the first paragraph whose right to obtain a licence was suspended for part of the period for which payment was required must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period not covered by the suspension, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to obtain a first driver’s licence until the end of that period.”

**4.** Section 62 is revoked.

**5.** Section 63 is replaced by the following:

“**63.** A driver’s licence holder who has not paid, on the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of his or her licence and informed the Société by that date of his or her intent not to renew it must pay those amounts and the additional fees prescribed in the Regulation respecting fees exigible under

\* 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 September 2006.

the Highway Safety Code and the return of confiscated objects, to obtain authorization to again drive a road vehicle until the end of the 12-month period for which the amounts are payable.

If the amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the amounts for the 12-month period during which authorization to drive is applied for are payable, in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.”.

**6.** Section 64 is revoked.

**7.** Sections 65 and 66 are replaced by the following:

“**65.** An amount is subtracted from the duties payable for a new driver’s licence in accordance with the second paragraph if the person did not apply for reimbursement of part of the duties paid for the previous driver’s licence while entitled thereto.

The product obtained by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, excluding parts of a month, between the date of revocation of the previous driver’s licence and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been revoked is subtracted from the amount calculated under section 61.

**66.** A driver’s licence holder who has not paid, on the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of the licence and informed the Société by that date of his or her intent not to renew it, but whose licence was cancelled or revoked during the 12-month period for which the annual payment was to be made, must pay, on cancellation or on the issue of a new driver’s licence if it is issued during the 12-month period, the duties for the part of the 12-month period preceding the cancellation or revocation of the licence, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

If the amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the licence was cancelled or revoked is considered and only the amounts for the part of that period preceding the cancellation or

revocation are payable in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

The duties payable are calculated by multiplying \$1.33 in the case of a driver’s licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver’s licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, within the part of the 12-month period preceding the cancellation or revocation of the licence.”.

**8.** Section 67 is revoked.

**9.** Sections 68 to 70 are replaced by the following:

“**68.** A driver’s licence holder who has not paid, by the due date determined in section 73.5, the annual duties and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and has not applied for the cancellation of the licence and informed the Société by that date of his or her intent not to renew the licence, but whose licence was suspended for part of the 12-month period for which payment was to be made, must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period not covered by the suspension, and the fees and additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to again drive a road vehicle until the end of that period.

If the annual amounts have not been paid by the due dates, in respect of two periods and more than 12 months, only the 12-month period during which the suspension was lifted is considered and only the amounts for the part of that period not covered by the suspension are payable in addition to the additional fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects.

**69.** A holder of a driver’s licence that was suspended during a payment period under section 73.5 is exempt from paying the annual duties for the duration of the suspension. If the suspension is lifted during the part of the 12-month period for which payment was to be made, the licence holder must pay, when the suspension is lifted, the duties for the part of that period not covered by the suspension and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, to be authorized to again drive a road vehicle until the end of that period.

**70.** A holder of a driver's licence that was suspended for part of the 12-month period for which the annual duties were to be paid who has obtained reimbursement of those amounts must pay, when the suspension is lifted if it is lifted during that period, the duties for the part of that period following the end of the suspension, to be authorized to again drive a road vehicle until the end of that period.

**70.1.** The amount of the duties payable under sections 68 to 70 is the product obtained by multiplying \$1.33 in the case of a driver's licence, except a licence exclusively in class 6D or 8, or \$1.75 in the case of a driver's licence exclusively in class 6D or 8, by the number of months, including parts of a month, less one, within the 12-month period considered.”.

**10.** Sections 71 to 73.2 are revoked.

**11.** Sections 73.3 and 73.4 are replaced by the following:

“**73.3.** The amount of the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code, except a licence exclusively in class 8, is the product obtained by multiplying \$1.33 by the number of months, including parts of a month, less one, between the date of issue and the expiry date.

The amount of the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code where the licence is exclusively in class 8 is the product obtained by multiplying \$1.75 by the number of months, including parts of a month, less one, between the date of issue and the expiry date.

**73.4.** An amount is subtracted from the duties payable for the issue of a restricted licence pursuant to section 76 of the Highway Safety Code if the person did not apply for reimbursement of part of the duties paid for the previous driver's licence while entitled thereto.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date on which the probationary licence is revoked and the date on which it was to expire is subtracted from the amount calculated under section 73.3, if the previous licence was a probationary licence.

The product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date on which the driver's licence is revoked and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code, had the licence not been revoked, is subtracted

from the amount calculated under section 73.3, if the previous licence was a driver's licence other than a licence exclusively in class 6D or 8. The product obtained by multiplying \$1.75 by the number of months, excluding parts of a month, between the date on which the driver's licence is revoked and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code, had the licence not been revoked, is subtracted from the amount calculated under section 73.3, if the previous licence was a driver's licence exclusively in class 6D or 8.”.

**12.** The following Division is inserted after section 73.4:

“**DIVISION V.2**  
**TERMS OF PAYMENT**”

**73.5.** The amounts to be paid under the first paragraph of section 93.1 of the Highway Safety Code must be paid every year within the 3-month period ending on the birthday of the driver's licence holder.

Despite the first paragraph, if, on the issue of a licence, no more than 3 months remain before the expiry date, the payment due date for the annual fees, duties and insurance contribution is postponed for 12 months.

A licence holder who elects to pay by direct debit pursuant to section 73.6 is deemed to comply with the first paragraph of section 93.1 of the Highway Safety Code if he or she complies with this Division.

**73.6.** Direct debit payments may be made if the total of the amounts to be paid pursuant to the first paragraph of section 93.1 of the Highway Safety Code and the tax on the insurance contribution is equal to or greater than \$48, provided that

(1) no cheque or debit transaction for amounts owed to the Société under the Highway Safety Code has been refused by a financial institution in the two preceding years;

(2) the licence holder authorizes the financial institution and the Société to make the transactions on a single account and provides the details of that account; and

(3) the licence holder has obtained all the signatures and authorizations required.

**73.7.** Direct debit payments may be made within 12 months of the due date determined in section 73.5, according to one of the following schedules:

(1) annually: one debit transaction on the due date;

(2) bimonthly or monthly: a debit transaction on the due date and the others every two months or every month according to the schedule chosen.

**73.8.** A person to whom a probationary licence, a restricted licence under section 76 of the Highway Safety Code or a driver's licence is issued may pay the duties, fees, insurance contribution and tax on the contribution by direct debit within 15 months following the issue or in the period between the date of issue and the due date determined in section 73.5, whichever is shorter, on the conditions set out in sections 73.6 and 73.9 to 73.11.

A licence holder who elects to pay by direct debit pursuant to this section is deemed to comply with the second paragraph of section 93.1 of the Highway Safety Code if the licence holder complies with this Division.

**73.9.** A person to whom a driver's licence, a restricted licence under section 76 of the Highway Safety Code or a probationary licence is issued must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date on which the licence is issued;

(2) bimonthly or monthly:

(a) for a driver's licence holder, according to the conditions established in paragraph 2 of section 73.7 provided that the debit transactions are concurrent with or subsequent to the date of issue;

(b) for a restricted licence or a probationary licence holder, a first debit transaction on the day following the date of issue of the licence and the others every two months or every month according to the schedule chosen.

**73.10.** A driver's licence holder electing for direct debit payment for the duties, the insurance contribution prescribed in the Regulation respecting insurance contributions made by the Société de l'assurance automobile du Québec by Resolution AR-2380 dated 1 November 2006 and the fees prescribed in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, who has not paid them on the due date determined in section 73.5 and has not applied for the cancellation of his or her licence and informed the Société by that date of his or her intent not to renew it must choose one of the following debit transaction schedules:

(1) annually: one debit transaction on the day following the date of authorization to drive a road vehicle;

(2) bimonthly or monthly: a first debit transaction on the day following the date of authorization to drive a road vehicle and the others on the dates determined in paragraph 2 of section 73.7.

**73.11.** The following rules apply to direct debit transactions:

(1) the minimum amount of a transaction is \$4;

(2) the number of transactions may not be changed before the next due date, except a change required to comply with paragraph 1;

(3) the amounts of the transactions must be equal except for the last, which may be less;

(4) other amounts payable to the Société related to the driving of road vehicles may be added to the amount payable by direct debit, provided that the transaction dates remain the same; such amounts may not, however, be paid by direct debit if all the transactions of amounts payable for a licence have been made;

(5) an amount that is added to or subtracted from the amount payable by direct debit following the issue of a licence or the addition or removal of a class is apportioned over all the transactions;

(6) if the authorized financial institution is not open on the scheduled day of a transaction, the transaction is postponed to the next business day;

(7) if the due date determined in section 73.5 falls on the 31st day of January, March, May, July, August, October or December and a debit transaction is scheduled for February, April, June, September or November, the transaction is made on the last day of the month;

(8) if the due date determined in section 73.5 is the 29th or 30th day of a month and a debit transaction is scheduled in February, the transaction is made on the last day of February;

(9) unless the licence holder gives notice to the contrary, the method of payment and the debit transaction schedule chosen by the licence holder are automatically renewed on the next due date determined in section 73.5;

(10) a licence holder who terminates direct debit payments must so inform the Société and pay the balance owing at that time;

(11) direct debit payments are interrupted and the balance owing becomes payable if

(a) a transaction cannot be made, in particular because there are insufficient funds or the account identified by the licence holder under paragraph 2 of section 73.6 has been closed, and the default is not remedied 10 days after notice thereof is given to the licence holder by the Société; or

(b) two debit transactions cannot be made during the annual payment period; and

(12) if the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code, the debit transactions continue to be made unless the licence holder informs the Société that they are terminated, in which case the balance owing becomes payable.”.

**13.** Sections 79 to 84.3 are replaced by the following:

“**79.** Where a probationary licence is cancelled or revoked, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the date on which the licence was to expire.

**80.** Where the holder of a probationary licence dies, the amount of the reimbursement of duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death or revocation, whichever occurs first, and the date on which the licence was to expire.

**81.** Where a probationary licence is suspended, the amount of the reimbursement of duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

**82.** Where a driver’s licence other than a licence exclusively in class 6D or 8 is cancelled or revoked, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been cancelled or revoked.

**83.** Where the holder of a driver’s licence other than a licence exclusively in class 6D or 8 dies, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death and the

payment due date for the amounts payable under the first paragraph of section 93.1 of the Highway Safety Code had the licence not been cancelled or revoked.

**84.** Where a driver’s licence other than a licence exclusively in class 6D or 8 is suspended, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

**84.1.** In the case of cancellation or revocation of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the cancellation or revocation and the date on which the licence was to expire.

**84.2.** In the case of death of a holder of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of death and the date on which the licence was to expire.

**84.3.** In the case of suspension of a restricted licence issued pursuant to section 76 of the Highway Safety Code, other than a licence exclusively in class 8, the amount of the reimbursement of the duties is the product obtained by multiplying \$1.33 by the number of months, excluding parts of a month, between the date of the suspension and the date on which the suspension is lifted.

**84.4.** The amount of a reimbursement applicable to a licence exclusively in class 6D or 8, in the cases referred to in sections 82 to 84.3, is calculated by applying the rules in those sections, with the reference to “\$1.33” replaced by “\$1.75”.

**14.** Despite section 60, as enacted by section 3, sections 73.5 to 73.7 and 73.11, enacted by section 12, and section 10:

(1) sections 59 and 61 of the Regulation respecting licences, as they read on 30 September 2007, continue to apply to payments due before 1 January 2008, and sections 73.6 to 73.11, as enacted by section 12, do not apply to such payments;

(2) a driver’s licence holder born in an odd-numbered year is exempt from paying the duties that would otherwise become due on the holder’s birthday in 2008;

(3) sections 60, 73.1 and 73.2 of the Regulation respecting licences, as they read on 30 September 2007, continue to apply to payments for a driver's licence issued before 1 January 2008.

**15.** The holder of a driver's licence must pay, in addition to the amounts payable under section 73.5, introduced by section 12, any due amount referred to in section 59 of the Regulation respecting licences, as it read on 30 September 2007, to obtain authorization to again drive a road vehicle during the 24-month period following the due date.

Despite the foregoing, the amounts corresponding to a period during which the driver's licence is suspended, revoked or cancelled are not payable.

**16.** This Regulation comes into force on 1 January 2008, except section 2, section 3 to the extent that it concerns section 60, section 12 to the extent that it concerns sections 73.5 to 73.7 and 73.11, section 13 to the extent that it concerns sections 82 to 84 and 84.4, and section 14, which come into force on 1 October 2007.

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Gouvernement du Québec

## **O.C. 267-2007, 28 March 2007**

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

### **Fees exigible and return of confiscated objects — Amendments**

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

WHEREAS, under subparagraphs 1, 1.1, 3 and 3.1 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation determine the amount of the fee exigible for obtaining the registration of a road vehicle, for retaining the right to drive a registered vehicle, for the issue of a licence authorizing the driving of a vehicle and for maintaining the authorization to drive, and establish the terms and conditions of payment of such fees;

WHEREAS, the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was approved by Order in Council 646-91 dated 8 May 1991;

WHEREAS, at its sitting held on 16 October 2006, the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS, under section 625 of the Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS it is expedient to amend the Regulation to provide for fees for the payment in instalments of the registration of a road vehicle and of a driver's licence, a probationary licence and a restricted licence, and for consequential amendments;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects was published in Part 2 of the *Gazette officielle du Québec* of 20 October 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, at the sitting of the board of directors held on 1 December 2006, the Société made amendments to the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale Region:

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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