

## Regulations and other acts

Gouvernement du Québec

### O.C. 906-2008, 17 September 2008

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

#### Winter driving — Use of tires specifically designed

Regulation respecting the use of tires specifically designed for winter driving

WHEREAS the first paragraph of section 440.1 of the Highway Safety Code (R.S.Q., c. C-24.2), enacted by section 59 of the Act to amend the Highway Safety Code and the Regulation respecting demerit points (2007, c. 40) and replaced by section 48 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14), provides that, between 15 December and 15 March, the owner of a taxi or a passenger vehicle registered in Québec may not put the vehicle into operation unless it is equipped with tires specifically designed for winter driving, in compliance with the standards prescribed by government regulation, and that the prohibition also applies to any person renting out passenger vehicles in Québec not equipped with that type of tires;

WHEREAS the second paragraph of section 440.1 specifies that the government regulation may also prescribe the cases in which the prohibition in the first paragraph does not apply, those in which it is replaced by the obligation to obtain a certificate authorizing a taxi owner or person who owns or rents out a passenger vehicle to put the vehicle into operation in Québec without equipping it with tires specifically designed for winter driving, the formalities required for obtaining the certificate and the authority that may issue the certificate;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the use of tires specifically designed for winter driving was published in Part 2 of the *Gazette officielle du Québec* of 9 July 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation respecting the use of tires specifically designed for winter driving with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation respecting the use of tires specifically designed for winter driving, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

#### Regulation respecting the use of tires specifically designed for winter driving

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 440.1; 2007, c. 40, s. 59; 2008, c. 14, s. 48)

1. From 15 December to 15 March, all tires with which a taxi or passenger vehicle is equipped must be specifically designed for winter driving.
2. The prohibition referred to in the first paragraph of section 440.1 of the Highway Safety Code does not apply
  - (1) to the spare tire of a taxi or passenger vehicle;
  - (2) to a motorcycle used as an emergency vehicle within the meaning of section 4 of the Highway Safety Code;
  - (3) when purchasing a passenger vehicle or a taxi from a vehicle dealer for a period of 7 days following its date of purchase;
  - (4) to a passenger vehicle to which is affixed a detachable licence plate issued in accordance with the Regulation respecting road vehicle registration made by Order in Council 1420-91 dated 16 October 1991;
  - (5) to a passenger vehicle to which is affixed a temporary registration certificate issued in accordance with the Regulation respecting road vehicle registration, for the period of validity indicated on the certificate but without exceeding by 7 days the date of issue of the certificate;
  - (6) to a motor home, namely a motor vehicle permanently designed to provide living quarters; and

(7) to a passenger vehicle or taxi, as the case may be, in respect of which a certificate is issued by the Société de l'assurance automobile du Québec under section 3.

**3.** The Société de l'assurance automobile du Québec issues to the owner or lessor of a passenger vehicle a certificate authorizing the owner or lessor to put the passenger vehicle into operation, without being equipped with tires specifically designed for winter driving, for a period of 7 days, in the following cases:

(1) when purchasing the vehicle, except in the case referred to in paragraph 3 of section 2 and for the period provided in that paragraph, to allow the owner or lessor to equip the vehicle with tires specifically designed for winter driving;

(2) the owner or lessor uses the vehicle to leave Québec or return to Québec; and

(3) the return trip of a vehicle leased and registered outside Québec to its starting point outside Québec, that, on the expiry of the leasing period, is left by the lessee at a place in Québec.

Subparagraphs 1 and 2 of the first paragraph also apply to a taxi.

During the period referred to in section 1, the Société may not issue more than 4 certificates in respect of a vehicle covered by this section.

**4.** The owner or lessor of a vehicle must apply to the Société to obtain the certificate in section 3.

**5.** The certificate contains the following information:

- (1) the make, model and year model of the vehicle;
- (2) the designation of the licence plate of the vehicle;
- (3) the signature of the person in whose name the certificate is issued;
- (4) its effective date and expiry date; and
- (5) the identification number of the vehicle.

**6.** The driver of the vehicle must have in his or her possession the certificate issued under section 3 or, in the case referred to in paragraph 3 of section 2, the sales contract of the vehicle or a copy of that contract.

The driver must, at the request of a peace officer, hand the officer one of the documents referred to in the first paragraph for examination. The peace officer must return the document to the driver as soon as the peace officer has examined it.

**7.** For the purposes of this Regulation, "tire specifically designed for winter driving" means,

(1) before 15 December 2014, a tire that meets one of the following criteria:

(a) it bears one of the following inscriptions:

- i. "Alaska";
- ii. "Arctic";
- iii. "A/T" or "AT";
- iv. "Blizzard";
- v. "Ice";
- vi. "LT";
- vii. "Nordic";
- viii. "Snow", except "mud and snow";
- ix. "Stud";
- x. "Ultra traction"; or
- xi. "Winter"; or

(b) the pictogram in Schedule A is engraved on it;

(2) as of 15 December 2014, a tire on which the pictogram in Schedule A is engraved.

The pictogram in Schedule A represents a mountain with a six-pointed snowflake whose height corresponds to at least half the height of the highest peak. The mountain outline must be at least 15 millimetres wide and 15 millimetres high and have 3 peaks, the one in the middle being the highest.

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

#### SCHEDULE A

(s. 7)



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