

**M.O., 2009****Order number 2009-16 of the Minister for Transport dated 11 November 2009**

An Act respecting off-highway vehicles  
(R.S.Q., c. V-1.2)

Pilot project concerning add-on seats for single-seat snowmobiles

THE MINISTER FOR TRANSPORT,

CONSIDERING the provisions of section 47.1 of the Act respecting off-highway vehicles, which provides that the Minister may by order

(1) authorize the carrying out of pilot projects aimed at testing the use of an off-highway vehicle or of equipment related to its functioning or safety, or at improving or elaborating traffic rules or standards for equipment or safety;

(2) make, during any pilot project, any rule concerning the use of a vehicle and authorize any person or body to use a vehicle according to standards and rules the Minister makes that differ from those provided for by the Act and its regulations;

CONSIDERING the second paragraph of that section, which provides that

(1) such pilot projects are established for a maximum of three years, a period which the Minister may, if the Minister judges it necessary, extend for a maximum of two years;

(2) the Minister may modify or terminate a pilot project at any time;

(3) the Minister may also determine, among the provisions of an order made under that section, those whose violation constitutes an offence, and fix the minimum and maximum fines to which the offender is subject. This amount may not be less than \$50 or more than \$1,000;

CONSIDERING the third paragraph of that section, which provides that an order made under that section is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that it is appropriate to implement a pilot project aimed at allowing the use of add-on seats on single-seat snowmobiles;

CONSIDERING that it is expedient to authorize the implementation of such a project;

ORDERS THE FOLLOWING:

**DIVISION I  
GENERAL**

1. The implementation of the pilot project concerning add-on seats for single-seat snowmobiles is authorized on the following grounds:

(1) to try out the use of such equipment, mainly on the trails of snowmobile clubs, while ensuring the safety of snowmobile users;

(2) to collect information on the use of such equipment to assess its relevancy and, if so, to make minimum standards for its design and traffic safety rules.

2. For the purposes of this Order, an add-on seat is a seat designed to allow a passenger to take place on a single-seat snowmobile and made by a manufacturer other than the snowmobile's manufacturer.

**DIVISION II  
DESIGN AND INSTALLATION STANDARDS**

3. In addition to a backrest, an add-on seat must have molded handles intended for the passenger.

However, two handles reachable by the passenger may replace molded handles provided that each handle is firmly affixed to each side of the snowmobile frame.

4. An add-on seat must bear at all times a mark affixed by the manufacturer including its name or, as the case may be, its trademark.

The mark affixed by the manufacturer must be readable even when the seat is installed on the snowmobile.

5. An add-on seat must be firmly affixed, according to the manufacturer's instructions and recommendations, to a snowmobile for which it was designed.

6. An add-on seat must allow the passenger to use the snowmobile's running board or footrests firmly affixed to each side of the frame.

**DIVISION III**  
STANDARDS OF USE

7. When transporting a passenger, the driver of a snowmobile equipped with an add-on seat must comply with the load limit specified by the snowmobile manufacturer and drive only

(1) on a snowmobile trail referred to in section 15 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2);

(2) on a public highway within the meaning of the Highway Safety Code (c. C-24.2), under the conditions set out in the Act respecting off-highway vehicles;

(3) on a snowmobile trail laid out on a road situated on land in the domain of the State and operated by a snowmobile club under the conditions provided for in section 8.1 of the Act respecting off-highway vehicles or, if there is no such trail on such a road, on the road itself, but only for the distance necessary to reach a snowmobile trail referred to in section 8.1 or section 15 of the Act; or

(4) on a private road open to public traffic, but only for the distance necessary to reach a snowmobile trail referred to in section 8.1 or section 15 of the Act.

**DIVISION IV**  
COLLECTION OF INFORMATION

8. The Minister of Transport is responsible for collecting information on the use of add-on seats.

9. Where a bodily injury is sustained by a person in an accident involving a snowmobile equipped with an add-on seat, snowmobile clubs must immediately send a copy of any accident report to the Department or the Fédération des clubs de motoneigistes du Québec.

10. Any person who provides his or her identify may send the Department written observations on this pilot project.

**DIVISION V**  
PENAL

11. The owner of a single-seat snowmobile transporting a passenger on his or her snowmobile equipped with equipment not complying with sections 3 to 6 commits an offence and is liable to a fine from \$100 to \$200.

12. A snowmobile driver who contravenes the provisions of section 7 commits an offence and is liable to a fine from \$100 to \$200.

**DIVISION VI**  
MISCELLANEOUS AND FINAL

13. This Order has precedence over any incompatible provision of the Act respecting off-highway vehicles.

14. This Order takes effect on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the third anniversary of that date.

NORMAN MACMILLAN,  
*Minister for Transport*

9547