

Regulations and other Acts

Gouvernement du Québec

O.C. 382-2010, 28 April 2010

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Hunting and fishing controlled zones — Amendments

Regulation to amend the Regulation respecting hunting and fishing controlled zones

WHEREAS, under subparagraphs 2 and 8 of the first paragraph of section 110 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), with regard to a controlled zone, the Government may, by regulation, set the fees or maximum fees payable to carry on a recreational, hunting or fishing activity, to travel about the territory or for membership in an agency that is party to a memorandum of agreement;

WHEREAS, under the second paragraph of that section, the amount of fees exigible may vary according to the activity carried on, the species of wildlife hunted or fished, the period of the stay, the sector or the place, or the period or date of the recreational, hunting or fishing activity;

WHEREAS the Government made the Regulation respecting hunting and fishing controlled zones (R.R.Q., c. C-61.1, r.78);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation to amend the Regulation respecting hunting and fishing controlled zones, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 3 February 2010 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 without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting hunting and fishing controlled zones, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting and fishing controlled zones

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, 1st par., subpars. 2 and 8, and 2nd par.)

1. The Regulation respecting hunting and fishing controlled zones (R.R.Q., c. C-61.1, r.78) is amended in section 16 by replacing “\$20” by “\$30”.

2. Section 19 is amended

(1) by replacing “\$7.91” in subparagraphs *a*, *b* and *c* of subparagraph 1 of the first paragraph by “\$9.50”;

(2) by replacing “\$3.17” in subparagraph 2 of the first paragraph by “\$3.80”.

3. Section 20 is amended

(1) by replacing “\$113.80” in paragraphs 1, 2 and 3 by “\$136.50”;

(2) by replacing “\$189.66” in paragraphs 4, 6 and 7 by “\$227.60”;

(3) by replacing “\$189.66” in paragraph 5 by “\$350.00”;

(4) by replacing “\$379.33” in paragraph 8 by “\$550.00”.

4. Schedule II is amended

(1) by replacing “\$20.02” in lines 1, 2 and 3 by “\$24.00”;

(2) by replacing “\$33.19” in lines 4, 6 and 7 by “\$39.80”;

(3) by replacing “\$33.19” in line 5 by “\$60.00”.

5. Schedule III is amended

- (1) by replacing “\$79.03” in line 1 by “\$94.80”;
- (2) by replacing “\$94.83” in line 2 by “\$113.80”;
- (3) by replacing “\$105.37” in line 3 by “\$126.40”.

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

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M.O., 2010**Order number AM 2010-08 of the Minister for Transport dated 28 April 2010**

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

Pilot project concerning side-by-side vehicles

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 side-by-side vehicles;

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 the use of side-by-side vehicles is authorized on the following grounds:

(1) to try out the use of such off-highway vehicles, while ensuring the safety of all users of off-highway vehicles;

(2) to try out the use of such vehicle, particularly on the trails of all-terrain vehicle clubs;

(3) to collect information on the use of such vehicle 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, a side-by-side vehicle is a motor all-terrain vehicle with side-by-side seating for the operator and at least 1 passenger. The vehicle has a steering wheel, at least 4 driving wheels and a net mass of no more than 700 kg.

3. Side-by-side vehicles are subject to the application of the Act respecting off-highway vehicles as if they had been subjected to it under subparagraph 3 of the first paragraph of section 1 and subparagraph 1 of the first paragraph of section 46 of the Act.

Despite the foregoing, the provisions of this Order have precedence over any incompatible provision of the Act.