



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 121

(2010, chapter 33)

An Act to improve relations between the people living along off-highway vehicle club trails and the users of those trails and to improve user safety

Introduced 27 October 2010

Passed in principle 18 November 2010

Passed 8 December 2010

Assented to 8 December 2010

EXPLANATORY NOTES

This Act amends the Act respecting off-highway vehicles in order to introduce rules regarding the times and places off-highway vehicles may be operated and the signs and signals erected in those places. Subject to the rules that may be prescribed by a municipality, the operation of such vehicles is permitted in certain places only during predetermined hours and is prohibited at a distance of less than 100 metres from a dwelling on new trails laid out after 31 December 2011.

As of 1 January 2020, operation of off-highway vehicles not equipped with a four-stroke engine or a direct-injection two-stroke engine will be prohibited in certain places unless authorized by ministerial regulation.

Fines are increased for some offences, including the fines for operating an off-highway vehicle on private land without the owner's and the lessee's consent.

The period of immunity from prosecution for disturbances to the surrounding neighbourhood and damage relating to noise, odours or other contaminants is extended to 1 December 2017. The Minister must set up a procedure for dealing with complaints about such disturbances or damage, and the complainant, if the procedure yields no results, may have a mediator appointed to attempt to settle the dispute. If no settlement is reached, an arbitrator may be appointed to resolve the dispute. In addition, within five years, the Minister must report to the Government on the provisions regarding immunity, complaints, mediation and arbitration.

A contribution payable by off-highway vehicle owners is also introduced that will serve to set up or continue financial assistance programs. This contribution is paid to the Land Transportation Network Fund.

Lastly, consequential and transitional provisions are introduced.

LEGISLATION AMENDED BY THIS ACT:

- Highway Safety Code (R.S.Q., chapter C-24.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Act respecting transport infrastructure partnerships (R.S.Q., chapter P-9.001);
- Fuel Tax Act (R.S.Q., chapter T-1);
- Transport Act (R.S.Q., chapter T-12);
- Act respecting off-highway vehicles (R.S.Q., chapter V-1.2).

REGULATION AMENDED BY THIS ACT:

- Regulation respecting road vehicle registration (Order in Council 1420-91, 1991, G.O. 2, 4111).

Bill 121

AN ACT TO IMPROVE RELATIONS BETWEEN THE PEOPLE LIVING ALONG OFF-HIGHWAY VEHICLE CLUB TRAILS AND THE USERS OF THOSE TRAILS AND TO IMPROVE USER SAFETY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING OFF-HIGHWAY VEHICLES

1. The heading of Chapter III of the Act respecting off-highway vehicles (R.S.Q., chapter V-1.2) is replaced by the following heading:

“AREAS AND TIMES OF USE”.

2. Section 8 of the Act is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) by government or ministerial regulation, or by a by-law of a regional county municipality, elsewhere than on a trail referred to in section 15 or in areas subject to the conditions, restrictions or prohibitions referred to in subparagraph 1.”;

(2) by inserting “or ministerial” after “government” in the third paragraph.

3. Section 12 of the Act is amended

(1) by inserting “or a highway in the domain of the State,” after “highway” in paragraph 2;

(2) by adding the following paragraphs:

“The distance of 30 metres provided for in the first paragraph increases to 100 metres for any new trail laid out after 31 December 2011. A trail whose course is changed slightly, following the loss of a right of way, for example, does not constitute a new trail.

A change in the course of a trail, as described in the second paragraph, must not bring off-highway vehicles closer than the distance before the change with

regard to the places described in the first paragraph, unless the distance is at least 100 metres.”

4. The Act is amended by inserting the following section after section 12.1:

“**12.2.** Off-highway vehicles may be operated in the places listed in paragraphs 1 to 4 of section 12.1 only from 6 a.m. to 12 midnight.

The operation of an off-highway vehicle is not restricted to the hours set out in the first paragraph in unorganized territories, the Nord-du-Québec administrative region, the territory of the Municipalité régionale de comté du Golfe-du-Saint-Laurent or any other territory not included in the territory of a regional county municipality and determined by ministerial regulation.

Despite the preceding paragraphs, a regional county municipality may, subject to the by-laws a local municipality may pass under paragraph 2 of section 48, pass a by-law to set the hours during which off-highway vehicles may be operated.”

5. The Act is amended by inserting the following after section 14:

“DIVISION I.1

“SIGNS AND SIGNALS ON TRAILS AND OTHER AREAS OF USE

“**14.1.** Whatever the medium, a sign or signal on a trail or other area of use to which this Act applies has the meaning ascribed to it in a ministerial regulation.

Such a regulation sets out the obligations of off-highway vehicle clubs with regard to signs and signals on their trails, including signs indicating hours of operation that differ from those referred to in section 12.2, and specifies the obligations whose violation constitutes an offence.

“**14.2.** Standards for the manufacture and installation of signs and signals to be erected on a trail are established by the Minister and published in a document prepared by the Ministère des Transports.

An off-highway vehicle club responsible for laying out and operating a trail must comply with the standards. It must also maintain the signs and signals erected on any trail it operates, throughout the period of use of the trail.

The Minister may order the removal, at the club’s expense, of any signs or signals that do not comply with the standards.

“**14.3.** The off-highway vehicle club may, by means of the appropriate signs and signals,

- (1) identify where vehicles must stop or yield;
- (2) identify crossings for pedestrians and users of non-motorized transportation;
- (3) prohibit, restrict or otherwise regulate pedestrian and other non-motorized traffic, as well as the operation of certain classes of motor vehicles;
- (4) prohibit, restrict or otherwise regulate the stopping or parking of off-highway vehicles;
- (5) during exceptional events, sports events or competitions, restrict or prohibit access to a trail by all or some off-highway vehicles for the time specified by the club; and
- (6) for safety reasons, restrict or prohibit access to a trail by all or some off-highway vehicles.

“**14.4.** Only an off-highway vehicle club responsible for a trail may erect signs and signals on it.

It may also remove any sign or signal erected in contravention of the first paragraph.

“**14.5.** No person may erect a signal, sign, indication or other device on a trail without the authorization of the off-highway vehicle club responsible for maintaining the trail.

The club may remove any object erected in contravention of the first paragraph, at the contravener’s expense.

“**14.6.** The signs and signals erected on a private trail open to public traffic or on any other land where public traffic is authorized must comply with the standards of manufacture and installation established by the Minister.

“**14.7.** Every person must comply with the signs and signals erected under this Act.”

6. Section 19 of the Act is amended by adding the following paragraph:

“For the purposes of this Act, the owner of an off-highway vehicle is the person in whose name the vehicle is registered with the Société de l’assurance automobile du Québec in accordance with section 10 of the Highway Safety Code (chapter C-24.2).”

7. The Act is amended by inserting the following section after section 27:

“27.1. Where off-highway vehicular traffic is permitted less than 100 metres away from a dwelling, a facility operated by a healthcare institution or an area reserved for cultural, educational, recreational or sports activities, the speed limit for an off-highway vehicle is 50 km/h. Where such traffic is permitted less than 30 metres from those places, the speed limit is 30 km/h.”

8. The Act is amended by inserting the following section after section 33:

“33.1. An off-highway vehicle that is not equipped with a four-stroke engine or a direct-injection two-stroke engine may be operated in the places listed in paragraphs 1 to 4 of section 12.1 only if authorized to do so by ministerial regulation.”

9. The Act is amended by inserting the following after section 45:

“CHAPTER V.1

“COMPLAINTS, MEDIATION AND ARBITRATION

“45.1. The Minister establishes a procedure for dealing with complaints regarding neighbourhood disturbances and any other damage relating to noise, odours or other contaminants with regard to which no legal action can be taken under this Act.

The procedure is administered by a person designated by the Minister.

“45.2. If the procedure does not result in an agreement, the complainant may, from the 30th day following the filing of the complaint, request the person designated to administer the procedure to appoint a mediator to attempt to settle the dispute.

A mediator is chosen, not later than the 15th day following receipt of the request, from among the mediators on a list drawn up beforehand by the Minister. The mediator’s fees are paid in whole or in part by the Ministère des Transports.

In a directive posted on the department’s Internet site, the Minister sets out

(1) the conditions a mediator must meet to be on the list mentioned in the second paragraph;

(2) the rules and responsibilities a mediator must abide by in the exercise of the functions of office;

(3) the fees payable to a mediator by the department and, if applicable, by the parties; and

(4) the number of meetings, which may not be less than four, for which the mediator's fees are to be paid by the department.

“45.3. If the parties decide to continue mediation beyond the number of meetings provided for in subparagraph 4 of the third paragraph of section 45.2, they alone shall pay the mediator's fees for the additional meetings.

“45.4. The role of the mediator is to permit the parties to exchange their points of view and to foster agreement between them.

The mediator may also give an opinion on the dispute, if it persists, and make recommendations.

“45.5. The mediation sessions are conducted in the presence of the two parties and the mediator.

The parties may, on their own initiative or at the suggestion of the mediator, suspend a session in order to seek advice from counsel or from another person, according to the type of advice sought.

“45.6. The mediator may call an initial mediation session and the parties are required to attend.

“45.7. After consultation with the parties, the mediator defines the rules applicable to the mediation and any measures to facilitate its conduct, and determines the schedule of meetings.

The parties must provide the mediator with all the information or documents the mediator requires for the examination of the dispute.

The mediator may convene any person to obtain that person's point of view.

“45.8. Unless the parties agree otherwise, the mediation process may not continue for more than 60 days after the date on which the mediator is appointed.

The mediator may terminate the mediation before the expiry of that time or the time agreed upon, if the mediator considers in the circumstances that mediation is not useful or appropriate; in such a case, the mediator must notify the parties in writing.

“45.9. The mediator sends the mediation report and a copy of any agreement signed by the parties to the Minister. A copy of the report is also sent to the parties.

“45.10. Nothing that is said or written in the course of a mediation session may be admitted as evidence before a court of justice, before a person or body of the administrative branch exercising adjudicative functions, or before

an arbitrator appointed under section 45.13, without the consent of the parties to the mediation.

“45.11. A mediator may not be compelled to disclose anything revealed to or learned by the mediator in the exercise of the functions of office or to produce a document prepared or obtained in the course of such exercise before a court of justice, before a person or body of the administrative branch exercising adjudicative functions, or before an arbitrator appointed under section 45.13.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person may have access to a document contained in the mediation record.

“45.12. No proceedings may be brought against the mediator for any act performed or omission made in good faith in the exercise of the functions of office.

“45.13. If the mediation does not result in an agreement, the complainant may, between the 30th and 120th day following the filing of the mediation report, request the person designated to administer the procedure for dealing with complaints to appoint an arbitrator to decide the dispute.

The arbitrator is chosen, not later than the 15th day following receipt of the request, from among the arbitrators on a list drawn up beforehand by the Minister.

In a directive posted on the department’s Internet site and published in the *Gazette officielle du Québec*, the Minister sets out the conditions an arbitrator must meet to be on the list mentioned in the second paragraph and the maximum fees an arbitrator may charge the parties.

“45.14. An arbitrator may only order measures

(1) to remedy neighbourhood disturbances by, among other means, erecting sound walls or imposing lower speed limits; and

(2) to stop damage relating to noise, odours or other contaminants by, among other means, re-routing or closing a segment of a trail.

The arbitrator may not order a party to pay damages or, subject to the third paragraph, to pay arbitration expenses.

The arbitrator’s fees and expenses are paid by the parties, unless the arbitrator orders otherwise in a substantiated decision.

“45.15. Arbitrators have all the powers necessary for the exercise of their jurisdiction. They settle disputes in accordance with the applicable rules of law and decide on every question of fact.

“45.16. Except on a question of jurisdiction, no recourse under articles 33 and 834 to 846 of the Code of Civil Procedure (chapter C-25) may be exercised nor any injunction granted against an arbitrator acting in an official capacity.

A judge of the Court of Appeal may, on a motion, annul by a summary proceeding any judgment rendered or order or injunction made contrary to this section.

“45.17. Articles 940 to 940.3, 940.5, 942 to 943.2 and 944.1 to 947.4 of the Code of Civil Procedure (chapter C-25), and the provisions of the Code to which those articles refer, apply, with the necessary modifications, to the arbitration provided for in this chapter.”

10. Section 46 of the Act is amended, in the first paragraph,

- (1) by replacing “30” by “100” in subparagraph 10;
- (2) by striking out subparagraph 12.

11. Section 47 of the Act is replaced by the following section:

“47. The Minister may, by regulation,

(1) allow certain types of off-highway vehicles to be operated on all or part of a public highway maintained by the Minister, on the conditions and for the period of time the Minister determines;

(2) determine any territory not forming part of the territory of a regional county municipality where the operation of off-highway vehicles is not restricted to the hours set out in the first paragraph of section 12.2, in particular where such vehicles are the principal means of transportation;

(3) define the meaning of a sign or signal erected on a trail or in any other place where the operation of an off-highway vehicle is permitted under this Act;

(4) prescribe the obligations of off-highway vehicle clubs with regard to signs and signals on the trails they operate;

(5) establish which off-highway vehicles not equipped with a four-stroke or direct-injection two-stroke engine may be operated in the places listed in paragraphs 1 to 4 of section 12.1; and

(6) determine the regulatory provisions made under this section whose violation constitutes an offence.

The regulatory standards established under this section may include exceptions and may vary according to the types, places of operation or uses of off-highway vehicles determined by the Minister.”

12. The Act is amended by inserting the following section after section 47.1:

“47.2. A regional county municipality may, by by-law, prescribe for all or part of its territory, the hours, which may vary from one part of the territory to another, during which off-highway vehicular traffic is permitted.

A by-law made under the first paragraph takes precedence over a by-law made by a local municipality, except a by-law made under subparagraph 2 of the first paragraph of section 48, that may affect the hours during which off-highway vehicular traffic is permitted, including a by-law concerning the environment, disturbances or safety, or to ensure peace, order and good government.

A copy of any by-law made under the first paragraph must be sent to the Minister within 15 days of being passed. The by-law comes into force 90 days after it is passed unless it is the subject of a notice of disallowance published by the Minister in the *Gazette officielle du Québec*.

A local municipality whose territory is not included in that of a regional county municipality is considered to be a regional county municipality for the purposes of this Act.”

13. Section 48 of the Act is amended

(1) by striking out “or on lands in the domain of the State, elsewhere than in the places subject to the conditions, restrictions and prohibitions referred to in subparagraph 1 of the first paragraph of section 8” in paragraph 2;

(2) by adding the following paragraphs:

“Before passing a by-law under subparagraph 1 of the first paragraph, a public meeting on the proposed by-law must be held to hear concerned citizens, get their written observations and answer their questions. The municipality accepts written observations up to the 15th day following the meeting.

The meeting is held by a committee chaired by the mayor of the municipality and consisting of at least two other council members designated by the mayor. Not later than the 15th day before the meeting, the clerk or the secretary-treasurer of the municipality shall publish, in accordance with the Act governing the municipality, a notice of the date, time, place and purpose of the meeting.

A copy of any by-law made under subparagraph 1 of the first paragraph must, within 15 days after being passed, be sent to the Minister together with a report on the consultation provided for in the preceding paragraphs. The by-law comes into force 90 days after it is passed unless it is the subject of a notice of disallowance published by the Minister in the *Gazette officielle du Québec*.”

14. The Act is amended by inserting the following after section 49:

“CHAPTER VI.1

“CONTRIBUTION OF OFF-HIGHWAY VEHICLE OWNERS

“49.1. A contribution by off-highway vehicle owners is established to set up or continue financial assistance programs aimed, among other things, at assisting off-highway vehicle clubs, developing and maintaining infrastructures for off-highway vehicles, and protecting wildlife and wildlife habitats.

Every owner of an off-highway vehicle must pay the contribution. The owner pays the contribution at the same time as the amount due for vehicle registration or the amounts due under section 31.1 of the Highway Safety Code (chapter C-24.2).

“49.2. The Government may, by regulation, set the amount of the contribution, which may vary according to vehicle type or mass or any other mechanical or physical characteristic of the vehicle.

“49.3. The Société de l’assurance automobile du Québec shall pay the contributions of off-highway vehicle owners into the Land Transportation Network Fund established under section 12.30 of the Act respecting the Ministère des Transports (chapter M-28), within the time and according to the terms prescribed by the Minister of Finance.”

15. Section 54 of the Act is amended

(1) by replacing “\$100 to \$200” in the first paragraph by “\$250 to \$1,000”;

(2) by replacing “\$250 to \$500” in the second paragraph by “\$500 to \$1,000”.

16. Section 55 of the Act is amended by replacing “sections 5, 11, 12 and 12.1” by “section 5, sections 11 to 12.2”.

17. Section 55.1 of the Act is amended

(1) by replacing “without the owner’s or lessee’s consent” by “without the owner’s and the lessee’s consent”;

(2) by replacing “\$250 to \$500” by “\$400 to \$800”;

(3) by adding the following paragraph:

“The owner of an off-highway vehicle who allows the vehicle to be operated on private land without the consent of the owner and the lessee of that land, or

who tolerates such operation, is guilty of an offence and is liable to the fine provided for in the first paragraph.”

18. The Act is amended by inserting the following sections after section 55.1:

“**55.2.** A person who contravenes the first paragraph of section 14.4 or 14.5 is guilty of an offence and is liable to a fine of \$300 to \$600.

“**55.3.** Drivers of off-highway vehicles who contravene section 14.7 are guilty of an offence and are liable to a fine of \$100 to \$200.

Drivers of road vehicles who contravene that section are guilty of an offence and are liable to a fine of \$200 to \$400.

Any other person who contravenes that section is guilty of an offence and is liable to a fine of \$50 to \$100.”

19. The Act is amended by inserting the following section after section 58.2:

“**58.3.** The driver of an off-highway vehicle who contravenes section 33.1 is guilty of an offence and liable to a fine of \$100 to \$200.”

20. Section 87.1 of the Act is amended by replacing “May 2011” in the first paragraph by “December 2017”.

21. Section 87.2 of the Act is replaced by the following section:

“**87.2.** Not later than 8 December 2015, the Minister must report to the Government on the advisability of maintaining in force, amending or repealing section 87.1 and the provisions of Chapter V.1.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. It is examined by the appropriate committee of the National Assembly.”

HIGHWAY SAFETY CODE

22. Section 21 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by adding “or the contribution of off-highway vehicle owners set pursuant to section 49.2 of the Act respecting off-highway vehicles (chapter V-1.2)” at the end of subparagraph 3 of the first paragraph.

23. Section 31.1 of the Code is amended

(1) by inserting “, the contribution of off-highway vehicle owners fixed pursuant to section 49.2 of the Act respecting off-highway vehicles (chapter V-1.2)” after “(chapter T-12)” in the first paragraph;

(2) by replacing “fees or insurance contribution” in the second paragraph by “fees, insurance contribution, contribution of motorists to public transit or contribution of off-highway vehicle owners”;

(3) by inserting “, the contribution of motorists to public transit, the contribution of off-highway vehicle owners” after “insurance contribution” in the fourth paragraph.

24. Section 194.3 of the Code is amended by replacing “and the contribution of motorists to public transit” by “, the contribution of motorists to public transit and the contribution of off-highway vehicle owners”.

25. Section 618 of the Code is amended by inserting “or the contribution of off-highway vehicle owners” after “public transit” in paragraphs 8.8, 11.0.1 and 11.2.

26. Section 648 of the Code is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(10) the contributions of the off-highway vehicle owners referred to in Chapter VI.1 of the Act respecting off-highway vehicles (chapter V-1.2).”;

(2) by replacing “Road and Public Transit Infrastructure Fund” in the second paragraph by “Land Transportation Network Fund”.

27. Sections 648.1 and 648.4 of the Code are amended by replacing “Road and Public Transit Infrastructure Fund” by “Land Transportation Network Fund”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

28. Section 12.30 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended

(1) by replacing “Road and Public Transit Infrastructure Fund” in paragraph 1 by “Land Transportation Network Fund”;

(2) by inserting the following subparagraph after subparagraph *a* of paragraph 1:

“(a.1) programs covered by section 49.1 of the Act respecting off-highway vehicles (chapter V-1.2).”;

29. The heading of subdivision 1 of Division II of Chapter II of the Act is replaced by the following heading:

“§1. — *Land Transportation Network Fund*”.

30. Section 12.32 of the Act is amended by inserting the following paragraph after paragraph 0.1:

“(0.2) the sums paid by the Société de l’assurance automobile du Québec under section 49.3 of the Act respecting off-highway vehicles (chapter V-1.2);”.

31. Section 12.32.1 of the Act is amended by inserting the following paragraph after the first paragraph:

“The sums referred to in paragraph 0.2 of section 12.32 are to be used to fund the financial assistance programs covered by section 49.1 of the Act respecting off-highway vehicles (chapter V-1.2).”

ACT RESPECTING TRANSPORT INFRASTRUCTURE PARTNERSHIPS

32. Sections 16 and 16.1 of the Act respecting transport infrastructure partnerships (R.S.Q., chapter P-9.001) are amended by replacing “Road and Public Transit Infrastructure Fund” by “Land Transportation Network Fund”.

FUEL TAX ACT

33. Section 55.1.1 of the Fuel Tax Act (R.S.Q., chapter T-1) is amended by replacing “Road and Public Transit Infrastructure Fund” by “Land Transportation Network Fund” in the first paragraph.

TRANSPORT ACT

34. Sections 88.4, 88.5 and 88.8 of the Transport Act (R.S.Q., chapter T-12) are amended by replacing “Road and Public Transit Infrastructure Fund” by “Land Transportation Network Fund”.

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

35. Sections 24.1 and 25.3 of the Regulation respecting road vehicle registration, enacted by Order in Council 1420-91 dated 16 October 1991 (1991, G.O. 2, 4111), are amended by inserting “, contribution of off-highway vehicle owners” after “contribution of motorists to public transit”.

36. Section 61 of the Regulation is amended by adding the following paragraphs:

“The contribution of off-highway vehicle owners established under section 49.1 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2), payable to obtain the registration of an off-highway vehicle and the right to operate it, is the product obtained by multiplying the monthly contribution calculated according to the paragraph that follows by the number of calendar

months, including parts of a month, less 1, during which the owner of the vehicle has the right to operate it.

The monthly contribution of off-highway vehicle owners is the quotient obtained by dividing by 12 the amount set pursuant to section 49.2 of the Act respecting off-highway vehicles.

Despite the other provisions of this section, the contribution of off-highway vehicle owners payable to obtain the registration of a snowmobile with a net mass of 450 kg or less and the right to operate the snowmobile is calculated on the basis of the percentage set forth in paragraph 1 of section 62 of the amount fixed under section 49.2 of the Act respecting off-highway vehicles.”

37. Section 67 of the Regulation is amended by inserting “, the contribution of off-highway vehicle owners fixed under section 49.1 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2)” after “(R.S.Q., c. T-12)”.

38. Sections 68, 72 and 73 of the Regulation are amended by inserting “, the contribution of off-highway vehicle owners fixed under section 49.1 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2)” after “(R.S.Q., c. T-12)” in the first paragraph.

39. Sections 74 and 75 of the Regulation are amended by replacing “and annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act (R.S.Q., c. T-12)” by “, annual contribution of motorists to public transit fixed under section 88.3 of the Transport Act (R.S.Q., c. T-12) and contribution of off-highway vehicle owners fixed under section 49.1 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2)”.

40. Section 75.1 of the Regulation is amended by adding the following paragraph at the end:

“The contribution of off-highway vehicle owners payable under sections 67 and 72 to 75 is the product obtained by multiplying the monthly contribution calculated under section 61 by the number of calendar months, including parts of a month, less 1, within the part of the 12-month period considered.”

41. Section 139 of the Regulation is amended by striking out the second sentence of the second paragraph.

42. Section 141 of the Regulation is amended by replacing “69 \$” in the second paragraph by “\$44.50”.

43. The heading of Chapter VI of the Regulation and of subdivision 1 of that chapter are replaced by the following:

“CHAPTER VI**“REIMBURSEMENT OF FEES, OF THE CONTRIBUTION OF MOTORISTS TO PUBLIC TRANSIT AND OF THE CONTRIBUTION OF OFF-HIGHWAY VEHICLE OWNERS**

“§1. — Cases of reimbursement of fees, of the contribution of motorists to public transit and of the contribution of off-highway vehicle owners”.

44. Section 162 of the Regulation is amended by replacing “and the contribution of motorists to public transit” in the first paragraph by “, annual contribution of motorists to public transit and contribution of off-highway vehicle owners”.

45. Section 163 of the Regulation is amended by replacing “and of the contribution of motorists to public transit” by “, of the annual contribution of motorists to public transit and of the contribution of off-highway vehicle owners”.

46. Section 164 of the Regulation is amended by replacing “and the contribution of motorists to public transit” in the first paragraph by “, the annual contribution of motorists to public transit and the contribution of off-highway vehicle owners”.

47. The heading of subdivision 2 of Chapter VI of the Regulation is replaced by the following heading:

“§2. — Calculation of the reimbursement of fees, of the contribution of motorists to public transit and of the contribution of off-highway vehicle owners”.

48. Section 174 of the Regulation is amended by adding the following paragraph at the end:

“The amount of the reimbursement of the contribution of off-highway vehicle owners paid, in the case of a snowmobile with a net mass of 450 kg or less, corresponds to a percentage, set forth in the second paragraph, of the amount fixed under section 49.2 of the Act respecting off-highway vehicles.”

49. The Regulation is amended by inserting the following section after section 176:

“176.1. The amount of the reimbursement of the contribution of off-highway vehicle owners is the product obtained by multiplying the monthly contribution calculated under section 61 by the number of calendar months, less 2, 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 has been paid.

Despite the first provision of this section, the contribution for a snowmobile with a net mass of 450 kg or less corresponds to a percentage, set forth in the

second paragraph of section 174, of the amount fixed under section 49.2 of the Act respecting off-highway vehicles.”

TRANSITIONAL AND FINAL PROVISIONS

50. Until the coming into force of a government regulation pursuant to section 49.2 of the Act respecting off-highway vehicles (R.S.Q., chapter V-1.2), the contribution of off-highway vehicle owners is \$21 for an all-terrain vehicle and \$40 for a snowmobile with a net mass of 450 kg or less.

51. Unless the context indicates otherwise, a reference in any document to the Road and Public Transit Infrastructure Fund is a reference to the Land Transportation Network Fund.

52. This Act comes into force on 1 January 2011 except

- (1) sections 14 and 22 to 51, which come into force on 1 February 2011;
- (2) section 7, which comes into force on 1 October 2011;
- (3) sections 2 and 4, paragraph 1 of section 13 and section 16, which come into force on 1 December 2011;
- (4) section 8, subparagraph 5 of the first paragraph of section 47 of the Act respecting off-highway vehicles as replaced by section 11, and section 19, which come into force on 1 January 2020;
- (5) section 5, paragraph 2 of section 10, subparagraphs 3 and 4 of the first paragraph of section 47 of the Act respecting off-highway vehicles as replaced by section 11, and section 18, which come into force on 30 June 2011, unless the Government sets an earlier date or earlier dates for the coming into force of these provisions.