

iii. erecting, installing and repairing structures made of wood including concrete forms, guardrail systems, walkways, stairways and ramps.

Bridgeworker

Class BM1: is a construction worker who performs tasks such as but not limited to

i. safety, including confined space safety, flagging, signing and traffic safety awareness tool and equipment and fall protection hazard material recognition;

ii. non-special trade construction work including semi-skilled and unskilled tasks such as digging, loading, unloading, lifting, carrying, lugging, tending, stockpiling, sweeping, cleaning, asphalt, drilling and blasting, aggregate, concrete (tending, placement, removal), landscaping;

iii. traffic control, environmental remediation including asbestos abatement, hazardous waste abatement, lead abatement, petro-chemical abatement, radiation, and soil remediation;

iv. preparing, cleaning and painting of bridge structures;

Specialized Workers:

Class SW1: is a person who is a qualified crane operator.

Class SW2: is a person who is qualified to perform post-tensioning of pre-stressed concrete.

Class SW3: is a person who is a qualified welder.

Class SW4: is a person who is a qualified truck driver.

Class SW5: is a person who is qualified to operate heavy equipment such as: backhoes, loaders, excavators, dozers, telescopic material handlers (LULL).

Class SW6: is a person who is qualified to operate powered industrial trucks such as forklifts, boom lifts and scissor lifts.

Class SW7: is a person who is a qualified industrial electrician.

Class SW8: is a person who is qualified in water rescue operations.

Class SW9: is a person who is a qualified surveyor.

M.O., 2011

Order number 2011-08 of the Minister of Transport dated June 16, 2011

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

CONCERNING access to the driving of heavy vehicles

THE MINISTER OF TRANSPORT,

CONSIDERING section 633.2 of the Highway Safety Code (R.S.Q., c. C-24.2), which provides that the Minister of Transport may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety, and that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that, under that provision, the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such an order;

CONSIDERING that the rules governing access to the driving of a heavy vehicle prevent youth of 17 or 18 years of age from starting to receive training on the driving of those vehicles;

CONSIDERING that youth with a learner driver's licence who have passed their proficiency examination for a probationary licence authorizing the driving of a passenger vehicle should be allowed to receive training for the driving of a heavy vehicle, including training followed by adequate supervision, during their probationary period for the driving of a passenger vehicle;

CONSIDERING that it is in the public interest to suspend the application of section 99 of the Code and sections 44 to 46 of the Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991*, for 3 years in respect of students participating in the *Programme enrichi d'accès à la conduite de véhicules lourds*, and prescribe, during such suspension, rules that ensure an equivalent level of safety;

* 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 877-2010 dated 20 October 2010 (2010, *G.O.* 2, 2846). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2011, updated to 1 April 2011.

CONSIDERING that the suspension and prescription are to likely to compromise road safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted;

ORDERS AS FOLLOWS:

DIVISION I PURPOSE

1. The application of section 99 of the Highway Safety Code (R.S.Q., c. C-24.2) and of sections 44 to 46 of the Regulation respecting licences (O.C. 1421-91, 91-10-16) is suspended until July 15, 2014 in respect of students of 17 or 18 years of age who participate, on the conditions prescribed by this Order, in the *Programme enrichi d'accès à la conduite de véhicules lourds* so that they may have earlier access to the driving of road vehicles covered by Class 1, Class 2 or Class 3 of driver's licences.

2. The *Programme enrichi d'accès à la conduite de véhicules lourds* refers to either of the 2 programs of study referred to in section 3 and offered by Commission scolaire des Premières-Seigneuries and Commission scolaire de la Rivière-du-Nord, followed by a training period in an undertaking that is to last until the student has completed 24 months as the holder of a Class 5 probationary licence.

The maximum number of students that may be admitted to the *Programme enrichi d'accès à la conduite de véhicules lourds* is 40.

3. Two programs of study are offered: the *Transport par camion* program and the *Conduite d'autobus* program, both recognized by the Minister of Education, Recreation and Sports.

4. The *Transport par camion* program is followed by a training period as an apprentice driver of road vehicles covered by Class 1 or Class 3 licences.

5. The *Conduite d'autobus* program is followed by a training period as an apprentice driver of road vehicles covered by Class 2 licences.

DIVISION II ACCESS TO THE DRIVING OF ROAD VEHICLES COVERED BY CLASS 1, CLASS 2 OR CLASS 3 DRIVER'S LICENCES

6. To be admitted in the *Programme enrichi d'accès à la conduite de véhicules lourds*, a person must

(1) be 17 or 18 years of age;

(2) if the person is an unemancipated minor, written authorization from the person having parental authority or, failing that, the person who has legal custody of the minor for participation in the *Programme enrichi d'accès à la conduite de véhicules lourds* and for the communication and use of the personal information referred to in subparagraphs 11 and 12;

(3) hold a Class 5 probationary licence that still has to run at least 12 months before the holder may apply for a Class 5 driver's licence;

(4) not have seen his or her probationary licence or learner's licence suspended or revoked during the last 2 years;

(5) be admitted to the *Transport par camion* program of study or the *Conduite d'autobus* program of study;

(6) in the case of admission to the *Transport par camion* program, have a training period promised by a participating undertaking as an apprentice driver of road vehicles covered by Class 1 or Class 3 licences;

(7) in the case of admission to the *Conduite d'autobus* program, have a training period promised by a participating undertaking as an apprentice driver of road vehicles covered by Class 2 licences;

(8) participate in at least 1 information session held by a school board referred to in section 2;

(9) provide a health examination or assessment report in accordance with section 73 of the Highway Safety Code and satisfy the medical requirements for a Class 1 or Class 3 learner's licence, in the case of admission to the *Transport par camion* program, or satisfy the medical requirements for a Class 2 learner's licence, in the case of admission to the *Conduite d'autobus* program;

(10) pass a written examination and have an interview with the selection committee to demonstrate his or her skills and interest for highway transportation;

(11) authorize the communication of the personal information necessary for the administration of the *Programme enrichi d'accès à la conduite de véhicules lourds* between the school board where the person is registered, the participating undertaking where the person serves his or her training period, the Société de l'assurance automobile du Québec and the committees referred to in sections 13 and 14; and

(12) authorize the Société to consult and use the personal information related to the *Programme enrichi d'accès à la conduite de véhicules lourds* for all the duration of participation in that program, and for 5 years from the date of issue of the Class 1, Class 2 or Class 3 driver's licence, with a view to assessing the program.

To maintain participation in the *Programme enrichi d'accès à la conduite de véhicules lourds*, a student must satisfy the requirements in subparagraphs 2, 5 to 7, 11 and 12 of the first paragraph and, if 17 years of age at the time of admission, provide the authorizations referred to in subparagraphs 11 and 12 upon turning 18 years of age.

7. Section 99 of the Highway Safety Code is suspended on the conditions that the student has successfully completed all the compulsory parts of the program of study prior to going on the road and holds an attestation to that effect issued by the Société.

8. A student may not engage in transportation

(1) involving dangerous substances as defined in the Transportation of Dangerous Substances Regulation (O.C. 866-2002, 02-07-10);

(2) requiring the issue of a permit provided for in the Regulation respecting special permits (O.C. 1444-90, 90-10-03), the Special Road Train Operating Permits Regulation (O.C. 1874-86, 86-12-10) or section 633 of the Highway Safety Code; or

(3) outside the territory of the province of Québec.

9. The Société removes a student from the *Programme enrichi d'accès à la conduite de véhicules lourds* when

(1) the student's probationary licence or learner's licence is suspended or revoked;

(2) the student is the subject of an intervention under the Conduct Review Policy for Heavy Vehicle Drivers published on the Société's website and adopted under the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., c. P-30.3); or

(3) the student fails to comply with the requirements of section 6 or 8 during the *Programme enrichi d'accès à la conduite de véhicules lourds*.

10. To obtain a Class 1 and Class 3 driver's licence, a student must

(1) have successfully completed the *Transport par camion* program of study;

(2) have successfully completed, in a participating undertaking, a training period as a driver of road vehicles covered by Class 2 or Class 3 until the student has completed a 24-month period as the holder of a Class 5 probationary licence;

(3) have been the holder of a Class 1 and Class 3 learner's licence as of the theoretical examination under the *Programme enrichi d'accès à la conduite de véhicules lourds* until the end of the 24-month period as the holder of a Class 5 probationary licence; and

(4) meet the conditions provided for in the Highway Safety Code for the issue of a licence.

11. To obtain a Class 2 driver's licence, a student must

(1) have successfully completed the *Conduite d'autobus* program of study;

(2) have successfully completed, in a participating undertaking, a training period as a driver of road vehicles covered by Class 2 until the student has completed a 24-month period as the holder of a Class 5 probationary licence;

(3) have been the holder of a Class 2 learner's licence as of the theoretical examination under the *Programme enrichi d'accès à la conduite de véhicules lourds* until the end of the 24-month period as the holder of a Class 5 probationary licence; and

(4) meet the conditions provided for in the Highway Safety Code for the issue of a licence.

DIVISION III

CONTROL OF ACCESS TO THE DRIVING OF ROAD VEHICLES COVERED BY CLASS 1, CLASS 2 OR CLASS 3 DRIVER'S LICENCES

12. The Société is authorized, for the purposes of this Order, to enter into agreements with the school boards referred to therein with respect to

(1) the terms and conditions for the implementation of the *Programme enrichi d'accès à la conduite de véhicules lourds*;

(2) the collection of information on the administration of the *Programme enrichi d'accès à la conduite de véhicules lourds*; and

(3) the forwarding of such information and of information on the management of the *Programme enrichi d'accès à la conduite de véhicules lourds*.

Those agreements are published on the Société's website.

13. The Société is advised about the implementation of the *Programme enrichi d'accès à la conduite de véhicules lourds* by a committee composed of 1 representative from each of the following organizations:

(1) the Association des propriétaires d'autobus du Québec (APAQ);

(2) the Association des propriétaires de machinerie lourde du Québec inc. (APMLQ);

(3) the Association du camionnage du Québec (ACQ);

(4) the Association du transport écolier du Québec (ATEQ);

(5) the Association du transport urbain du Québec (ATUQ);

(6) Camo-route inc.;

(7) the Commission scolaire des Premières-Seigneuries (Centre de formation en transport de Charlesbourg CFTC);

(8) the Commission scolaire de la Rivière-du-Nord (Centre de formation du transport routier Saint-Jérôme CFTR); and

(9) the École du routier professionnel du Québec (1996) inc. (ERPQ).

A representative of the Société also sits on the committee. The committee is presided over by the Société.

14. The Société is assisted in the follow-up of the files of students in the *Programme d'accès à la conduite de véhicules lourds* by a committee composed of the following persons:

(1) a representative from the road transportation industry;

(2) a representative from each of the school boards referred to in section 2; and

(3) a representative from a private transportation training establishment.

A representative of the Société also sits on the committee. The committee is presided over by the Société.

15. The school boards referred to in section 2 are responsible for the application of section 6, except subparagraphs 3, 4 and 9 of the first paragraph and the second paragraph, which fall under the Société's responsibility.

16. To participate in the *Programme enrichi d'accès à la conduite de véhicules lourds*, an undertaking must be approved by the Société. The Société's decision to approve must be based on the following requirements:

(1) the undertaking must be registered in the *Registre des propriétaires et des exploitants de véhicules lourds* with a "satisfactory" safety rating under the Act respecting owners, operators and drivers of heavy vehicles;

(2) the undertaking must not have been the subject of any intervention by the Société in the last 2 years under the Conduct Review Policy for Heavy Vehicle Owners and Operators adopted under that Act and published on the Société's website;

(3) the undertaking has an employee who

(a) is in charge of accompanying a student during the training periods forming part of his or her program of study;

(b) is 25 years of age or older;

(c) has been the holder of a Class 1, Class 2 or Class 3 driver's licence for 60 months or more; and

(d) has been the holder of a Class 1, Class 2 or Class 3 driver's licence for 24 months or more, in relation to the road vehicle the student has to operate; and

(4) the undertaking has an employee who

(a) is in charge of accompanying a student during the training period that follows the student's program of study and that lasts until the student has completed his or her probationary period as the holder of a probationary licence; and

(b) satisfies the conditions provided for in subparagraphs *b* to *d* of paragraph 3.

17. A participating undertaking must make assessments of the student on the road and within the undertaking and provide the Société with assessment reports as required.

18. The Société approves the number of trainees that a participating undertaking may supervise on the basis of the resources available in the undertaking and of the objective to favor the diversity of training periods.

19. The Société may remove from the *Programme enrichi d'accès à la conduite de véhicules lourds* a participating undertaking that fails to comply with the requirements of sections 16 to 18 during the said program.

20. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on July 16, 2014.

SAM HAMAD,
Minister of Transport

1521

M.O., 2011

Order number 2011-09 of the Minister of Transport dated 17 June 2011

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

Amendments to the Pilot Project concerning Low-Speed Vehicles implemented by Order number 2008-07 dated 20 June 2008 and its extension

THE MINISTER OF TRANSPORT,

CONSIDERING the second paragraph of section 633.1 of the Highway Safety Code (R.S.Q., c. C-24.2), which provides that the Minister may, after consultation with the Société de l'assurance automobile du Québec, by order,

(1) authorize pilot projects to test the use of vehicles or to study, improve or develop traffic rules or standards applicable to safety equipment;

(2) prescribe rules relating to the use of a vehicle on a public highway as part of a pilot project and authorize any person or body to use a vehicle in compliance with standards and rules prescribed by the Minister that are different from those provided in the Highway Safety Code and the regulations;

CONSIDERING the third paragraph of section 633.1 of the Code, which provides that

(1) pilot projects are conducted for a period of up to three years, which the Minister may extend by up to two years if the Minister considers it necessary;

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

(3) the Minister may also determine the provisions of an order made under that section the violation of which is an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than \$30 or more than \$360;

CONSIDERING the fourth paragraph of section 633.1 of the Code, which provides that the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to an order made under section 633.1 and an order under the second or third paragraph of section 633.1 is published in the *Gazette officielle du Québec*;

CONSIDERING Order number 2008-07 dated 20 June 2008 (*G.O.* 2, 2566) which authorizes, under certain circumstances and on certain public roads, the use of low-speed electric vehicles of the makes Nemo and Zenn as part of a pilot project;

CONSIDERING that it is expedient, after consultation with the Société, to amend the pilot project in order to also authorize, under certain circumstances and on certain public roads, the use of other low-speed electric vehicles of the makes Canadian Electric Vehicles, Gem, Goupil, Kargo and Vantage as part of the pilot project;

CONSIDERING the Order which is revoked on 17 July 2011, therefore terminating the pilot project on that date;

CONSIDERING that it is expedient, after consultation with the Société, to extend the pilot project for an additional two-year period, under the same conditions as those described in Order number 2008-07 dated 20 June 2008, subject to the amendments listed below.

ORDERS AS FOLLOWS:

1. The heading of Order number 2008-07 dated 20 June 2008 is replaced by the following:

“Pilot project concerning low-speed vehicles”.

2. Section 1 is amended by striking out “of the makes Nemo and Zenn” in the part preceding paragraph 1.

3. Section 2 is replaced by the following:

“2. For the purposes of this Order, a “low-speed vehicle” means a road vehicle powered by an electric motor and including not more than four seats, of one of the following makes:

(1) Canadian Electric Vehicles, manufactured by Canadian Electric Vehicles Ltd.;