

8. The following is inserted after section 35:

“**35.1.** To obtain a class 6E driver’s licence, a person must

(1) hold a class 5 driver’s licence and

(a) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course for 3-wheel motorcycles; or

(b) submit a certificate from a driving school recognized by a body approved by the Société, showing that the person has successfully completed the theoretical and practical parts of the driving course for motorcycles; or

(2) hold a driver’s licence or a probationary licence in class 6A, 6B or 6C.

The holder of a class 6E driver’s licence who does not hold a class 6A, 6B or 6C driver’s licence may not act as supervisor for the holder of a learner’s licence driving a motorcycle.

A class 6E driver’s licence is issued to a person referred to in subparagraph 1 of the first paragraph in the form of a certificate in paper form containing the information set out in subparagraphs 1 to 3 of the first paragraph of section 5. Such certificate is valid from the date of issue for the term of the class 5 driver’s licence or until a licence that includes class 6E may be issued in plastic form, whichever occurs first.”

9. The heading of Division V.1 of Chapter VIII is amended by striking out “pursuant to section 76.1.1 of the Code”.

10. Section 73.3 is amended by striking out “pursuant to section 76.1.1 of the Highway Safety Code (R.S.Q., c. C-24.2)” in the first paragraph and by striking out “pursuant to section 76.1.1 of the Highway Safety Code” in the second paragraph.

11. Section 73.4 is amended by striking out “pursuant to section 76.1.1 of the Highway Safety Code (R.S.Q., c. C-24.2)” in the first paragraph.

12. Sections 73.8 and 73.9 are amended by striking out “, a restricted licence under section 76.1.1 of the Highway Safety Code (R.S.Q., c. C-24.2)” in the first paragraph.

13. Sections 75.1 and 76 are amended by striking out “issued pursuant to section 76.1.1 of the Code”.

14. Section 77 is amended by striking out “issued pursuant to section 76.1.1 of the Code” in the first paragraph.

15. Section 78 is amended in the first paragraph by striking out “issued pursuant to section 76.1.1 of the Code” in the first paragraph.

16. Sections 84.1 to 84.3 are amended by striking out “pursuant to section 76.1.1 of the Highway Safety Code (R.S.Q., c. C-24.2)”.

17. This Regulation comes into force on 1 January 2012, except sections 1 and 9 to 16, which come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1550

Draft Regulation

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

Transportation of dangerous substances — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Transportation of Dangerous Substances Regulation, the Regulation respecting safety standards for road vehicles and the Regulation respecting demerit points, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation harmonizes the provisions of the Transportation of Dangerous Substances Regulation with those of the Transportation of Dangerous Goods Regulations, made by the Government of Canada. It also allows for the evolution of the Transportation of Dangerous Substances Regulation. It amends provisions concerning the safe transportation of contaminated soils, petroleum products and liquefied petroleum gases. It also improves the provisions respecting the training of persons who engage in the transportation of dangerous substances, tunnel traffic rules and the various other safety standards and requirements regarding the transportation of dangerous substances. Lastly, the fines are modified to take into account the amendments made to the Regulation and to clarify the scope of their application.

The draft Regulation has little impact on enterprises since most amendments made are meant to relax or specify the provisions of the Transportation of Dangerous Goods Regulation. However, the obligation to equip vehicles carrying liquefied petroleum products in means of containment of more than 450 litres with fire extinguishers in the cab or outside will entail a cost of approximately \$40 per truck not already complying with that requirement.

Further information on the draft Regulation may be obtained by contacting Raynald Boies, Service de la normalisation technique, Direction du transport routier des marchandises, Ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 2^e étage, Québec (Québec) G1R 5H1; telephone 418 644-5593, extension 2365; fax: 418 528-5670; email: raynald.boies@mtq.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SAM HAMAD,
Minister of Transport

Regulation to amend the Transportation of Dangerous Substances Regulation, the Regulation respecting safety standards for road vehicles and the Regulation respecting demerit points*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, par. 9, s. 621, 1st par., subpars. 37 and 38, and s. 622, 1st par., subpars. 1 to 8)

Transportation of Dangerous Substances Regulation

I. The Transportation of Dangerous Substances Regulation is amended in section 1

* The Transportation of Dangerous Substances Regulation, made by Order in Council 866-2002 dated 10 July 2002 (2002, *G.O.* 2, 4073), was last amended by the regulation made by Order in Council 994-2010 dated 17 November 2010 (2010, *G.O.* 2, 3186). The Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998 (1998, *G.O.* 2, 4557), was last amended by the regulation made by Order in Council 161-2008 dated 27 February 2008 (2008, *G.O.* 2, 959). The Regulation respecting demerit points, made by Order in Council 1003-2001 dated 29 August 2001 (2001, *G.O.* 2, 4893), was amended once by the Act to amend the Highway Safety Code and the Regulation respecting demerit points (S.Q., 2007, c. 40). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

(1) by replacing “B620-98: Highway Tanks and Portable Tanks for the Transportation of Dangerous Goods, as amended” in the definition of “tank truck” by “B620”;

(2) by replacing “tractor” in the definition of “tank truck” by “towing vehicle”;

(3) by replacing “who offers dangerous substances for transport” in the definition of “consignor” by “who is present in Canada and who

(1) is designated as the consignor in the shipping document;

(2) imports or will import dangerous substances in Canada;

(3) where paragraphs 1 and 2 do not apply, has possession of dangerous substances immediately before they are transported; or

(4) where paragraphs 1 to 3 do not apply, is the operator or the carrier of dangerous substances;”;

(4) by inserting the following after the definition of “handling”:

“offer for transport” means, with respect to dangerous substances not being transported,

(1) to choose an operator or a carrier, or to allow such choice, with a view to transporting the substances;

(2) to prepare the substances, or to allow their preparation, so that an operator or a carrier takes possession of them for transportation purposes;

(3) to allow an operator or a carrier to take possession of the substances for transportation purposes;”;

(5) by replacing “, SOR/2001-286, dated 1 August 2001, and published in the *Canada Gazette*, Part II, on 15 August 2001, and amended by the regulations made by Order in Council P.C. 2002-1404 dated 8 August 2002, SOR/2002-306, dated 8 August 2002 and published in the *Canada Gazette*, Part II, on 28 August 2002, by the regulations made by Order in Council P.C. 2003-123 dated 14 July 2003, SOR/2003-273, dated 24 July 2003, published in the *Canada Gazette*, Part II, on 13 August 2003 and by the regulations made by Order in Council P.C. 2003-1924, SOR/2003-400 dated 3 December 2003, published in the *Canada Gazette*, Part II, on 17 December 2003” in the definition of “Transportation of Dangerous Goods Regulations” by “(*Canada Gazette*, Part II, Supplement of 15 August 2001, 1)”;

(6) by inserting “1992” in the second paragraph before “Transportation of Dangerous Goods Act”;

(7) by striking out “, as they read on 15 August 2002” in the second paragraph;

(8) by inserting ““farmer”,” in the second paragraph after “the definitions of”;

(9) by replacing “and “order”” in the second paragraph by “, “protective direction” and “person””;

(10) by inserting the following after the second paragraph:

“The provisions of the Transportation of Dangerous Goods Regulations that form an integral part of this Regulation must be interpreted taking into account the definitions in the first paragraph.”.

2. Section 2 is amended

(1) by striking out “for transport”;

(2) by adding “for transport” at the end.

3. The following is inserted after section 2:

“**2.1.** In this Regulation, a reference to safety standards or safety requirements not cited in section 1.3.1 of the Transportation of Dangerous Goods Regulations, in a regulation or in an Act includes any subsequent amendments made to them.”.

4. Section 3 is amended

(1) by replacing “1.3” by “1.3.1”;

(2) by replacing “apply to” by “form an integral part of”;

(3) by adding the following paragraph at the end:

“The safety standards and requirements are cited in this Regulation in the corresponding short form appearing in Column 1 of the Table in section 1.3.1 of the Transportation of Dangerous Goods Regulations.”.

5. Section 4 is replaced by the following:

“**4.** The rules of interpretation provided for in section 1.3 of the Transportation of Dangerous Goods Regulations and in sections 1.5 to 1.29 and 1.31 to 1.47 of those Regulations form an integral part of this Regulation.

Despite sections 1.21 and 1.22 of the Transportation of Dangerous Goods Regulations, the standards referred to in Part 5 of those Regulations apply to large means of containment intended for the transportation of petroleum products referred to in section 19 of this Regulation.

Despite section 1.35 of the Transportation of Dangerous Goods Regulations, sections 3.1, 3.2, 3.4 to 3.7, 3.10 and 3.11 of those Regulations, the requirements concerning the UN number provided for in section 4.15 and sections 6.1, 6.2 and 6.4 to 6.6 of those Regulations apply where the petroleum products referred to in section 1.35 are contained in a large means of containment transported by the trailer or semi-trailer of a combination of road vehicles.”.

6. Section 6 is revoked.

7. The words “AND CONTAMINATED SOIL” are struck out in the heading of Division II.

8. Section 7 is amended by inserting “1992” before “Transportation of Dangerous Goods Act”.

9. Section 9 is replaced by the following:

“**9.** Contaminated soils also constitute dangerous substances.

Contaminated soil is soil that, without being a dangerous substance referred to in section 7, has a contaminant concentration equal to or in excess of the limit values prescribed in Schedule I or Schedule II to the Land Protection and Rehabilitation Regulation, made by Order in Council 216-2003 dated 26 February 2003.

Only sections 11 and 17 apply to dangerous substances referred to in the first paragraph.”.

10. Section 10 is amended

(1) by replacing “1 to 5” by “(1) to (5)”;

(2) by replacing “en” in the French version by “pour le”.

11. Section 11 is replaced by the following:

“**11.** A shipper must, before offering for transport contaminated soils referred to in the second paragraph of section 9, classify them according to the limit values prescribed in Schedule I or Schedule II to the Land Protection and Rehabilitation Regulation.”.

12. Section 12 is amended by replacing “apply to” by “form an integral part of”.

13. Section 15 is amended

(1) by replacing “apply to” in the first paragraph by “form an integral part of”;

(2) by striking out the second and third paragraphs.

14. Section 16 is revoked.**15.** Section 17 is replaced by the following:

“**17.** Contaminated soils referred to in the second paragraph of section 9 must be transported in a closed means of containment or in a dump vehicle.

Where contaminated soils are transported in a dump vehicle, an impermeable tarpaulin must,

(1) if the contaminated soils have a contaminant concentration equal to or in excess of the limit values prescribed in Schedule II to the Land Protection and Rehabilitation Regulation, cover the top of the dumper entirely so that rain or snow cannot fall in and contaminants cannot escape;

(2) in the other cases, keep the contaminated soils inside the dumper.

In all cases, where a liquid can leak from the contaminated soils, the means of containment or the dumper must be watertight.”.

16. Section 18 is revoked.**17.** Section 19 is amended by replacing the table in the first paragraph by the following:

“Shipping name	UN Number	Packing group
Aviation fuel	UN1863	I or II or III
Gasoline	UN1203	II
Diesel fuel; fuel oil or light heating oil	UN1202	III
Kerosene	UN1223	III
Ethanol and gasoline mix	UN3475	II
Crude oil	UN1267	I or II or III
Petroleum products, N.O.S. or petroleum distillates, N.O.S.	UN1268	I or II or III ”.

18. Section 20 is amended by replacing “23 to 30 in addition to the requirements of the safety standards prescribed in Part 5 of the Transportation of Dangerous Goods Regulations” by “24 to 30”.

19. Section 21 is replaced by the following:

“**21.** Despite section 15, petroleum products may be loaded for transport in small means of containment with a capacity of 450 litres or less complying with

(1) CGSB-43.150;

(2) CSA B376 “Portable Containers for Gasoline and Other Petroleum Fuels” published by the Canadian Standards Association;

(3) NFPA 30 “Flammable and Combustible Liquids Code” published by the National Fire Protection Association; or

(4) ULC/ORD-C142.13-1997 “Mobile refuelling tanks” published by the Underwriters’ Laboratories of Canada, but, in the latter case, only if the means of containment were manufactured before 15 March 2005.”.

20. Section 23 is revoked.

21. Section 25 is amended by replacing the first paragraph by the following:

“**25.** The electrical wiring of a tank truck must be covered with a polymer so that it is permanently insulated.”.

22. Section 26 is revoked.**23.** Section 27 is replaced by the following:

“**27.** One or two dry chemical fire extinguishers with an effective total rating of at least 40 BC must be installed near each tank of a tank truck used to transport petroleum products.

A tank truck used to transport petroleum products or any other motorized road vehicle or combination of road vehicles transporting petroleum products in a means of containment with a capacity of more than 450 litres must be equipped with a fire extinguisher of at least 5 BC installed in the cab or affixed outside the cab.

The fire extinguishers referred to in the first and second paragraphs must be readily accessible.

Those fire extinguishers must also be charged and be inspected each year in accordance with the standard NFPA 10 “Standard for Portable Fire Extinguishers” published by the National Fire Protection Association. An inspection tag must be affixed to the fire extinguisher, except during the first year of use.”

24. Section 29 is replaced by the following:

“**29.** All the valves of a tank truck used to transport petroleum products that are connected to the means of containment must be closed, except during unloading. During unloading, valves must be opened by a person who is adequately trained and holds a training certificate in accordance with Division VI of this Regulation, or be under the supervision of such a person.

29.1. A person who opens the valves of a tank truck used to transport petroleum products must carry the original or a copy of his or her training certificate or be in the presence and under the direct supervision of a person carrying the original or a copy of his or her training certificate.”

25. Section 30 is amended by replacing “The driver of a tank truck may not use it” by “No person may use a petroleum product contained in a tank truck”.

26. Section 31 is amended

(1) by inserting, in the table of the first paragraph and after the line

“ISOBUTYLENE	UN1055”,
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the following line:

“LIQUEFIED PETROLEUM GASES	UN1075”.
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(2) by replacing “31.5 of the Transportation of Dangerous Substances Regulation in addition to complying with the standards prescribed in Part 5 of the Regulations” in the second paragraph by “31.6”.

27. Section 31.4 is replaced by the following:

“**31.4.** One or two dry chemical fire extinguishers with an effective total rating of at least 40 BC must be installed near each tank of a tank truck used to transport liquefied petroleum gases.

As of 1 June 2012, a tank truck used to transport liquefied petroleum gases or any other motorized road vehicle or combination of road vehicles transporting

liquefied petroleum gases in a means of containment with a capacity of more than 450 litres must be equipped with a fire extinguisher of at least 5 BC installed in the cab or affixed outside the cab.

The fire extinguishers referred to in the first and second paragraphs must be readily accessible.

Those fire extinguishers must also be charged and be inspected each year in accordance with the standard NFPA 10 “Standard for Portable Fire Extinguishers” published by the National Fire Protection Association. An inspection tag must be affixed to the fire extinguisher, except during the first year of use.”

28. The following is inserted after section 31.5:

“**31.6.** No person may use liquefied petroleum gas contained in a tank truck to fill a gas cylinder with a capacity equal to or less than 46 litres, or a liquefied petroleum gas tank that supplies a motorized road vehicle for propulsion purposes.

DIVISION V.IV EXPLOSIVES

31.7. No person may transport Class 1 explosives when the total net explosives quantity exceeds one of the limits set in section 9.5 of the Transportation of Dangerous Goods Regulations.”

29. Section 32 is replaced by the following:

“**32.** The provisions of this Division do not apply where the handling, offering for transport or transportation of a dangerous substance, as the case may be, is exempted from the application of Part 6 of the Transportation of Dangerous Goods Regulations.

32.1. Sections 6.1, 6.2 and 6.4 to 6.6 of the Transportation of Dangerous Goods Regulations form an integral part of this Regulation.

The employer’s obligations provided for in subsection 6.1 (2) of the Transportation of Dangerous Goods Regulations apply to every consignor, operator or carrier of dangerous substances who entrusts, directly or indirectly, the handling, offering for transport or transportation of a dangerous substance to a person who is not the employer’s employee.

32.2. The training certificate must be issued in accordance with section 6.3 of the Transportation of Dangerous Goods Regulations, contain the information prescribed in subsection 1 of that section and be signed in accordance with subsection 3 of that section.

32.3. A consignor, operator or carrier of dangerous substances who entrusts, directly or indirectly, the handling, offering for transport or transportation of a dangerous substance to a person who is not his or her employee must have access to a copy of the training certificate of that person and to a copy of the person's record of training or statement of experience.

32.4. The driver of a road vehicle or combination of road vehicles transporting dangerous substances must carry the original or a copy of his or her training certificate or be in the presence and under the direct supervision of a person carrying the original or a copy of his or her training certificate.”.

30. Section 33 is replaced by the following:

“**33.** The obligation to have an emergency response assistance plan provided for in section 7.1 of the Transportation of Dangerous Goods Regulations forms an integral part of this Regulation.”.

31. Section 34 is replaced by the following:

“**34.** The provisions of this Division do not apply where the transportation of a dangerous substance is exempt from the application of Part 8 of the Transportation of Dangerous Goods Regulations.

34.1. A person who is responsible for dangerous substances at the time of an accidental release of a quantity of dangerous substances or at the time of an emission of radiation that is greater than the quantity or emission level set out in the table in subsection 1 of section 8.1 of the Transportation of Dangerous Goods Regulations must immediately report the emergency to the local police. The foregoing also applies in the case of an imminent accidental release.”.

32. Section 35 is amended by replacing “with Part 9” by “with sections 9.1 and 9.4”.

33. Section 36 is amended by replacing “with Part 9” by “with sections 9.2 to 9.4”.

34. Section 38 is amended

(1) by replacing “all goods or” in the first paragraph by “all dangerous substances, all goods and all”;

(2) by replacing “motor road vehicle” in the second paragraph by “motorized road vehicle or, where such vehicle has no bumpers, on the front outside end and in the bucket or on any other part of a tool vehicle that is not designed for the transport of those substances”.

35. Section 39 is amended by adding the following at the end of the second paragraph: “if the gross mass of all dangerous substances in the vehicle is greater than 500 kilograms or if, in accordance with Part 4 of the Transportation of Dangerous Goods Regulations, safety placards must be displayed”.

36. Section 40 is amended

(1) by replacing “As of 15 August 2006, tank” in the first paragraph by “Tank”;

(2) by replacing the second paragraph by the following:

“The first paragraph applies to every tank truck, the tractor, towing vehicle or, in the case of a single unit tank truck, truck of which was assembled after 14 August 2006.

A document attesting to the installation of either system required in the first paragraph must be presented to a peace officer upon request.”.

37. Section 43 is amended

(1) by replacing “the Louis-Hippolyte-Lafontaine tunnel” in the first paragraph by “the tunnel segment of the Louis-Hippolyte-La Fontaine bridge-tunnel”;

(2) by replacing “the Joseph-Samson tunnel” in the first paragraph by “the tunnel segment of the Joseph-Samson bridge-tunnel”;

(3) by inserting “or combination of road vehicles” in subparagraphs 2 and 3 of the first paragraph after “road vehicle”;

(4) by striking out “water” in subparagraph 3 of the first paragraph;

(5) by inserting “or that contains incandescent solid fuel” in subparagraph 4 of the first paragraph after “flame”;

(6) by adding “or complying with the Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998” at the end of subparagraph 1 of the second paragraph;

(7) by replacing “a tank designed for that purpose by the air conditioning manufacturer” in subparagraph 2 of the second paragraph by “a single tank designed for that purpose by the air conditioning manufacturer the capacity of which does not exceed 450 litres”;

(8) by replacing “whose tank capacity does not exceed 75 litres and the flammable liquid is contained in a tank designed for that purpose by the vehicle or equipment manufacturer” in subparagraph 3 of the second paragraph by “if the total capacity of all the equipment’s tanks does not exceed 75 litres”;

(9) by replacing “tel” in the French version of subparagraph 4 of the second paragraph by “tels”;

(10) by inserting “(UN1202) of a capacity not exceeding 450 litres and “in subparagraph 5 of the second paragraph after “diesel fuel tank”;

(11) by replacing “vehicles” in subparagraph 6 of the second paragraph by “road vehicles or equipment “;

(12) by inserting the following at the end:

“(7) when the flammable liquid is used to supply a road vehicle or equipment referred to in subparagraph 6 of the second paragraph of that section and is contained in means of containment whose total capacity does not exceed 1,000 litres.”.

38. Sections 44 to 53 are replaced by the following:

“**44.** An operator, a carrier of dangerous substances or a consignor that contravenes the provisions of section 1.5, subsection 1 of section 1.5.2, section 1.6, paragraph *a* or *b* of section 1.7, section 1.8, paragraph *a* or *b* of subsection 2 of section 1.42, subsection 2 of section 1.42.2, section 3.11, section 4.1, paragraph *c* of section 4.6 or any of sections 4.7, 4.8, 5.1, 5.7 to 5.10, 5.12 and 5.16 to 5.17 of the Transportation of Dangerous Goods Regulations, the provisions of any of sections 1, 3, 11, 12, 13, 14 and 19, subsection 2 of section 23 or any of sections 28, 38, 41, 59 and 71 of Schedule 2 to those Regulations, or the provisions of section 31.7 or 39 of this Regulation, commits an offence and is liable to a fine of \$700 to \$2,100.

45. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of subsection 2 of section 1.5.2, paragraph *c* of section 1.7, section 4.15, subsection 2 of section 4.17 or any of sections 4.18 to 4.20 and 5.14 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$700 to \$2,100 in the other cases.

46. A consignor who contravenes the provisions of subsection 5 of section 1.17, subsection 3 of section 1.32.1, subsection 2 of section 1.42, as regards the obligation to mark a means of containment, any of subsections 1 to 4 of section 3.5, subsection 3 of section 9.2, subsection 3 of

section 9.3 or section 9.4 of the Transportation of Dangerous Goods Regulations or the provisions of subsection 1 of section 23, section 72 or subsection 3 of section 74 of Schedule 2 to those Regulations commits an offence and is liable to a fine of \$175 to \$525.

47. A consignor who contravenes the provisions of section 3.1, subsection 2 of section 3.4 or any of sections 3.6, 4.3, 4.4, 4.10 to 4.14, 4.21, 4.22.1 and 7.1 of the Transportation of Dangerous Goods Regulations, the provisions of section 26, subsection 1 of section 70, subsection 1 or 2 of section 74 or section 79 of Schedule 2 to those Regulations or the provisions of section 10 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

48. An operator or a carrier of dangerous substances who contravenes the provisions of section 3.2, 3.10 or 4.5 of the Transportation of Dangerous Goods Regulations, the provisions of section 73 of Schedule 2 to those Regulations or the provisions of section 41 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

49. A driver or a consignor who contravenes the provisions of subsection 1 of section 3.4 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$700 to \$2,100 in the case of a consignor.

50. A driver who contravenes the provisions of subsection 5 of section 3.5 of the Transportation of Dangerous Goods Regulations or the provisions of section 28, 29.1, 30, 31.3, 31.6 or 32.4 of this Regulation commits an offence and is liable to a fine of \$90 to \$270.

51. A driver who contravenes the provisions of section 3.7 of the Transportation of Dangerous Goods Regulations or the provisions of section 29 or 42 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

52. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 4.2 or 6.1 of the Transportation of Dangerous Goods Regulations or the provisions of the second paragraph of section 32.1 and section 32.2 of this Regulation commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$350 to \$1,050 in the other cases.

53. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of paragraph *a* or *b* of section 4.6 of the Transportation of

Dangerous Goods Regulations commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$700 to \$2,100 in the other cases.

53.1. A driver, an operator or a carrier of dangerous substances who contravenes the provisions of section 4.9 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$700 to \$2,100 in the other cases.

53.2. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 5.5 of the Transportation of Dangerous Goods Regulations or the provisions of section 17 or 34.1 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050 in the case of a driver and of \$700 to \$2,100 in the other cases.

53.3. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of subsection 6 of section 5.11 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$350 to \$1,050 in the other cases.

53.4. An operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 6.6 of the Transportation of Dangerous Goods Regulations or the provisions of section 32.3 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.

53.5. A consignor who contravenes the provisions of section 65 of Schedule 2 to the Transportation of Dangerous Goods Regulations or the provisions of section 11 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.

53.6. An owner who contravenes the provisions of section 24, 25 or 31.2 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

53.7. A tank truck owner or, in the case of another motorized road vehicle or combination of road vehicles transporting petroleum products or liquefied petroleum gases, as the case may be, in means of containment of more than 450 litres, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of the first, second or fourth paragraph of section 27 or 31.4 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

The driver of a motorized road vehicle or combination of road vehicles referred to in this paragraph, a tank truck owner or, in the case of another motorized road vehicle or combination of road vehicles transporting petroleum products or liquefied petroleum gases, as the case may be, in means of containment of more than 450 litres, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of the third paragraph of section 27 or 31.4 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

53.8. A driver, an owner, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 31.1 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

53.9. A driver, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of section 31.5 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

53.10. A driver, an operator or a carrier of dangerous substances who contravenes the provisions of section 38 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050 in the case of a driver and of \$700 to \$2,100 in the other cases.

53.11. An owner, an operator or a carrier of dangerous substances who contravenes the provisions of section 40 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

53.12. A driver who contravenes the provisions of section 43 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.”.

39. Schedule 1 is revoked.

Regulation respecting safety standards for road vehicles

40. The Regulation respecting safety standards for road vehicles is amended in section 197.1

(1) by replacing “made by Order in Council 674-88 dated 4 May 1988” in the second paragraph by “, made by Order in Council 866-2002 dated 10 July 2002,”;

(2) by replacing “Division V” in the second paragraph by “section 14”.

Regulation respecting demerit points

41. The Regulation respecting demerit points is amended in the Schedule by replacing “(section 11 of the Transportation of Dangerous Substances Regulation, (O.C. 674-88)” by “(section 43 of the Transportation of Dangerous Substances Regulation, made by Order in Council 866-2002 dated 10 July 2002)” in item 29.

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

1549

Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q. c. R-20)

Commission de la construction du Québec

— Levy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Levy Regulation of the Commission de la construction du Québec, the text of which appears below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to levy upon the employer alone or upon both the employer and the employee or upon the employee alone or, where applicable, upon the independent contractor, the amounts required for the administration of the Commission and to fix a minimum amount which an employer is bound to pay per monthly period. Such levy, similar to that of the year 2011, constitutes the main source of financing of the Commission.

Further information may be obtained by contacting Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal, H3R 2G3; telephone: 514 341-7740, extension 6331.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal, H3R 2G3; telephone: 514 341-7740, extension 6331.

LISE THÉRIAULT,
Minister of Labour

Levy Regulation of the Commission de la construction du Québec

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 82, 1st par. subpar. c)

1. The levy imposed by the Commission de la construction du Québec for the year 2012 is:

(1) in the case of an employer, 0.75 of 1% of the total remuneration paid to his employees;

(2) in the case of an independent contractor, 0.75 of 1% of his remuneration as an independent contractor;

(3) in the case of an employee, 0.75 of 1% of his remuneration.

Notwithstanding the first paragraph, the minimum amount that an employer or an independent contractor is bound to pay the Commission per monthly period is \$10.

2. The employer shall collect, on behalf of the Commission, the amount levied upon his employees by means of a weekly deduction on their wages.

3. The independent contractor shall deduct weekly, out of the remuneration he received as an independent contractor, the amount levied upon him.

4. The employer and the independent contractor shall remit to the Commission the amount levied for a monthly period in pursuance of this Regulation, not later than the 15th of the following month.

5. This Regulation comes into force on 1 January 2012.

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Draft Regulation

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Adjustment of fees

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec, appearing below, may be made by the Government on the expiry of 45 days following this publication.