

Regulations and other Acts

M.O., 2011

Order number 2011-12 of the Minister of Transport dated 28 June 2011

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

Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses

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, after consultation with the Société de l'assurance automobile du Québec, the Minister of Transport may, by order, authorize pilot projects to test the use of vehicles or to study, improve or develop traffic rules or standards applicable to safety equipment and that the Minister may 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 Code and the regulations;

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

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 of the Code and that an order under the second or third paragraph of section 633.1 of the Code is published in the *Gazette officielle du Québec*;

CONSIDERING subparagraph 2 of the first paragraph of section 471 of the Code which provides that no person may drive or allow to be driven a road vehicle carrying a load that is placed, secured or covered in a manner that reduces the driver's field of vision or blocks the lights of the vehicle;

CONSIDERING Order number 2009-03 dated 30 March 2009 (2009, *G.O.* 2, 1293A) which suspends until 15 March 2011 the application of section 471 of the Highway

Safety Code and sections 24 and 42 of the Regulation respecting safety standards for road vehicles, made by Order in Council 1483-98 dated 27 November 1998*, in respect of buses and minibuses equipped with a bicycle rack on the front;

CONSIDERING that the prohibition to drive or allow to be driven a road vehicle carrying a load that blocks the lights of the vehicle is a traffic rule provided for in subparagraph 2 of the first paragraph of section 471 of the Highway Safety Code;

CONSIDERING that the transportation of bicycles on a rack installed on the front of buses and minibuses is an activity prohibited by that traffic rule;

CONSIDERING that it is necessary to develop, by means of a pilot project, traffic rules in respect of the transportation of bicycles on a rack installed on the front of buses and minibuses that ensure adequate vision of a driver and visibility of a road vehicle;

CONSIDERING that the pilot project must also study the standards applicable to the lights of buses and minibuses in order to find solutions to the problems of vision of a driver and of visibility of those vehicles under those circumstances;

CONSIDERING that the Société has been consulted on the implementation of a pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses;

ORDERS AS FOLLOWS:

1. The Société de l'assurance automobile du Québec is authorized, for three years, to implement the Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses for the following purposes:

(1) gather information on the transportation of bicycles on a rack installed on the front of buses and minibuses and its effects, in particular on the intensity of the lights of buses and minibuses;

* 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 Order in Council 1049-2010 dated 1 December 2010 (2010, *G.O.* 2, 3858). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

(2) test solutions, through the development of traffic rules and the study of standards applicable to the lights, intended to ensure adequate vision of a driver and visibility of buses and minibuses.

2. Despite subparagraph 2 of the first paragraph of section 471 of the Highway Safety Code (R.S.Q., c. C-24.2) on the prohibition to drive or allow to be driven a bus or minibus carrying a load that blocks the lights of the vehicle, the transportation of bicycles on a rack installed on the front of buses and minibuses is authorized if the buses or minibuses are equipped with auxiliary headlights that compensate for the reduction of intensity of their headlights or if the following conditions are met:

(1) the bicycle rack is a Sportworks (model DL2) or an equivalent bicycle rack able to transport a maximum of two bicycles;

(2) the use of a bicycle rack is limited to transporting bicycles, the number of which must not exceed the number for which the bicycle rack was designed;

(3) transportation of bicycles is carried out within a period between one hour before sunrise and one hour after sunset;

(4) the low beams and parking lights of the bus or minibus are turned on;

(5) a bicycle placed on the rack is free of any load or removable accessory that blocks the headlights of the bus or minibus.

3. The bicycle rack of a bus or minibus must be in a stowed position when not in use.

4. Where the bicycle rack of a bus or minibus is one of the causes of an accident or incident, the owner or operator of a bus or minibus must, within eight days, give notification of the accident or incident to the Service de l'ingénierie des véhicules of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-21, C. P. 19600, Québec (Québec) G1K 8J6; email: siv@saaq.gouv.qc.ca

5. 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 29 July 2014.

SAM HAMAD,
Minister of Transport