

M.O., 2012**Order number 2012-02 of the Minister of Transport dated 2 March 2012**

Highway Safety Code
(R.S.Q., c. C-24.2, s. 633.1)

Pilot project concerning the driving of urban buses on autoroute shoulder sections

THE MINISTER OF TRANSPORT,

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

(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, in that context, any person or body to use a vehicle in compliance with standards and rules that are different from those provided in the Code and the regulations;

CONSIDERING the third paragraph of section 633.1 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 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 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 that section;

CONSIDERING that section 418 of the Highway Safety Code prohibits the driver of a road vehicle from driving on the shoulder of a public highway except in case of necessity or unless so directed by a sign or signal;

CONSIDERING that granting urban buses the right to travel on autoroute shoulder sections when there is traffic congestion could encourage the use of public transit by offering users increased reliability of transit time and by allowing public carriers to optimize their resources;

CONSIDERING that the Société has been consulted on the implementation of the Pilot project concerning the driving of urban buses on autoroute shoulder sections;

CONSIDERING that it is expedient to authorize the implementation of such a pilot project;

ORDERS AS FOLLOWS:

**DIVISION I
GENERAL**

1. The implementation of the Pilot project concerning the driving of urban buses on autoroute shoulder sections is authorized for the following purposes:

(1) developing road traffic rules so that urban buses may avoid traffic congestion zones, to the benefit of public transit users, in compliance with road safety;

(2) testing those road traffic rules with specific public carriers on defined autoroute shoulder sections; and

(3) gathering information about the implementation of those road traffic rules to measure the impacts on public transit and the effectiveness of highway traffic, and assess the advisability of incorporating the rules into the Highway Safety Code.

2. For the purposes of this Order, an urban bus is a bus of a public carrier providing a public transit service in urban and peri-urban areas.

A public carrier is a public body providing public transport, a municipality, an intermunicipal management board, an intermunicipal board of transport, any holder of a public transport permit issued under the Transport Act (chapter T-12) and any carrier which is a party to a contract entered into under section 3 of the Act respecting intermunicipal boards of transport in the area of Montréal (chapter C-60.1) or section 48.18 of the Transport Act.

**DIVISION II
AGREEMENT**

3. The Minister of Transport may enter into an agreement with a public carrier for the purposes provided for in section 1.

The agreement may, in particular, include

- (1) restrictions relating to the categories of urban buses authorized to travel on autoroute shoulders;
- (2) the autoroute shoulder sections where the driving of certain urban buses is permitted;
- (3) special rules that urban bus drivers must comply with when driving on autoroute shoulder sections;
- (4) training standards for urban bus drivers.

4. Only trained urban bus drivers are authorized to travel on autoroute shoulder sections in accordance with Division IV.

The training is certified by the issue of a certificate that identifies the autoroute shoulder sections on which the driver is authorized to travel.

The holder of a certificate cannot be required to produce the certificate except where so required by a peace officer or by the Société for the purpose of training monitoring only.

DIVISION III ROAD SIGNS

5. The Minister of Transport installs the following road sign at the start of each autoroute shoulder section where the driving of certain urban buses is permitted:



The Minister of Transport also installs the following road sign to indicate the end of each of those sections:



The acronym of the public carrier authorized to travel on autoroute shoulder sections must be written on the silhouette of the urban bus appearing on those signs.

DIVISION IV ROAD TRAFFIC RULES

6. Where the speed of road traffic on autoroutes is less than 50 km/h, the urban bus driver referred to in section 4 may travel on a section covered by the agreement.

7. Where an urban bus driver travels on a section covered by the agreement, the urban bus driver referred to in section 4 may not exceed by 20 km/h the speed of road traffic in the traffic lane next to the shoulder.

An urban bus driver must not exceed a speed of 50 km/h, except to return to the roadway.

8. The driver of a road vehicle must yield the right of way to an urban bus traveling on a section covered by the agreement when the bus driver is flashing the turn-signal lights for re-entering the traffic lane of the autoroute.

The obligation to yield the right of way applies only to drivers of road vehicles moving in the lane next to the shoulder that the bus driver is about to re-enter.

The urban bus driver must not flash the turn-signal lights until the bus driver is about to re-enter the lane, after ascertaining that the bus driver can do so in safety.

DIVISION V OFFENCES

9. An urban bus driver who contravenes any of the provisions of section 4, 6 or 7 commits an offence and is liable to a fine of \$180 to \$360.

10. The driver of a road vehicle who contravenes the first paragraph of section 8 commits an offence and is liable to a fine of \$100 to \$200.

11. An urban bus driver who contravenes the third paragraph of section 8 commits an offence and is liable to a fine of \$30 to \$60.

DIVISION VI MISCELLANEOUS AND FINAL

12. This Order prevails over any inconsistent provision of the Highway Safety Code.

13. This Order takes effect on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the third anniversary of that date.

PIERRE MOREAU,
Minister of Transport

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M.O., 2012

Order number 2012-03 of the Minister of Transport dated 9 March 2012

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

The use of right-hand drive road vehicles on public highways

THE MINISTER OF TRANSPORT,

CONSIDERING the first 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, restrict or prohibit, for up to 180 days, the use on public highways of any model or class of vehicle that endangers the safety of persons and property;

CONSIDERING the first paragraph of that section, which provides that any interested party may submit comments to the person designated in the order within 90 days after its publication in the *Gazette officielle du Québec*;

CONSIDERING the first paragraph of that section, which provides that at the expiry of 180 days, the Minister may, by order, make the restriction or prohibition permanent;

CONSIDERING the first paragraph of that section, which provides that a restriction or prohibition under that paragraph comes into force on the date the order is published in the *Gazette officielle du Québec*;

CONSIDERING the fourth paragraph of that section, 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 that section;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec*, on 26 October 2009, of Order number 2009-15 dated 22 October 2009, which prohibits the use of right-hand drive road vehicles on public highways for a period of 180 days, subject to the exceptions provided for therein;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec*, on 24 April 2010, of Order number 2010-07 dated 24 April 2010, enacting the Ministerial Order concerning the use of right-hand drive road vehicles on public highways (c. C-24.2, r. 1), which prohibits, permanently, the use of right-hand drive road vehicles on public highways, subject to certain exceptions in response to special situations;

CONSIDERING that the Government supports the development of a world-class electric vehicle industry and wants to see to it that the electrification of vehicles is carried out with the maximum Québec expertise and products;

CONSIDERING that it is expedient to add, for 180 days, another exception to the prohibition in the case of electric vehicles used for testing or promoting Québec technology designed for those vehicles;

CONSIDERING that the Société de l'assurance automobile du Québec was consulted on this draft Order by the Minister of Transport;

ORDERS AS FOLLOWS:

1. The Ministerial Order concerning the use of right-hand drive road vehicles on public highways (c. C-24.2, r. 1) is amended in section 1 by adding the following after paragraph 6:

“(7) vehicles propelled solely or partially by an electric motor if the following requirements are met: