

**16.** Sections 29 to 32 of the Regulation to amend the Regulation respecting financial assistance for education expenses, made by Order in Council 1009-2011 dated 28 September 2011, are repealed, except paragraph 1 of sections 29, 30 and 31 as regards the 2011-2012 year of allocation.

**17.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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## M.O., 2012

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

### Order number 2012-05 of the Minister of Transport dated 28 June 2012

CONCERNING the Regulation to designate the territory of municipalities as an area where making a right turn on a red light is prohibited

THE MINISTER OF TRANSPORT,

CONSIDERING the second paragraph of section 359.1 of the Highway Safety Code (R.S.Q., c. C-24.2) according to which the Minister of Transport may designate all or any part of the territory of a municipality as an area where making a right turn on a red light is prohibited;

CONSIDERING it is essential to restate existing rules to take into account the municipal reorganization made under the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (S.Q. 2003, c. 14) in the territory of the agglomeration of Montréal;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to designate the territory of municipalities as an area where making a right turn on a red light is prohibited was published in Part 2 of the *Gazette officielle du Québec* of 16 November 2011 with a notice that it could be made by the Minister of Transport on the expiry of 45 days following that publication and any interested person could submit comments within the 45-day period;

WHEREAS it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS :

**1.** Making a right turn on a red light is prohibited in the territory of the following municipalities:

- (1) Baie-D'Urfé;
- (2) Beaconsfield;
- (3) Côte-Saint-Luc;
- (4) Dollard-Des Ormeaux;
- (5) Dorval;
- (6) Hampstead;
- (7) Kirkland;
- (8) Montréal;
- (9) Montréal-Est;
- (10) Montréal-Ouest;
- (11) Mont-Royal;
- (12) Pointe-Claire;
- (13) Sainte-Anne-de-Bellevue;
- (14) Senneville;
- (15) Westmount.

**2.** The Order of the Minister of Transport dated 5 March 2003 concerning the designation of the territory of a municipality as an area where making a right turn on a red light will be prohibited (2003, *G.O.* 2, 1217) is revoked.

PIERRE MOREAU,  
*Minister of Transport*

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## M.O., 2012

### Order number 2012-06 of the Minister of Transport dated 3 July 2012

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

Pilot project concerning the sound level control of the exhaust system of a motorcycle and moped

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 that section, which provides that pilot projects are conducted for a period of up to three years, that the Minister may modify or terminate a pilot project at any time and determine the provisions of an order made under the 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 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 section 633.1 of the Code and an order made under the second and third paragraphs of that section is published in the *Gazette officielle du Québec*;

CONSIDERING the sound level control of the exhaust system of a motorcycle and moped by means of a sound level meter would reduce the sources of distraction for drivers of road vehicles and would also reduce the risk of accident;

CONSIDERING that a pilot project could develop traffic rules applicable to a motorcycle or moped;

CONSIDERING that the Société has been consulted on the implementation of a pilot project concerning the sound level control of the exhaust system of a motorcycle and moped;

#### ORDERS AS FOLLOWS:

1. The Société de l'assurance automobile du Québec is authorized, for three years, to implement the Pilot project concerning the sound level control of the exhaust system of a motorcycle and moped.

The purpose of the pilot project is to collect information on the implementation of the control to verify the validity of the parameters used.

2. The owner of a motorcycle or moped may not drive it or allow to have it driven if the sound level of the exhaust system of the vehicle exceeds the values indicated in the table below according to the class of road vehicle and the sound level measurement method:

Classes of road vehicle and measurement methods	A-weighted (dBA) values measured in decibels
motorcycle	method where the engine rotates with a constant or variable speed 100
	method where the engine is idle 92
moped	method where the engine rotates with a constant or variable speed 90
	ethod where the engine is idle 82

In the case of an offence under the provisions of this section, the owner of a road vehicle is liable to a fine of \$100 to \$200.

3. The sound level of the exhaust system of a motorcycle or moped may be measured by a sound level meter approved by the Minister of Transport and used by a peace officer who has successfully completed appropriate training. Two inspections, one before and one after its use, must indicate whether it is in proper working order.

The sound level measured by a sound level meter under the conditions set out in the first paragraph is proof of its accuracy, in the absence of any evidence to the contrary.

4. When required to do so by a peace officer, the driver of a motorcycle or moped must drive the vehicle to the place indicated, provided it is not over 15 kilometres from the place of interception, and must, in compliance with the peace officer's orders, help in measuring the sound level, in particular by performing the following:

(1) in the case of a motorcycle but subject to subparagraph 2,

(a) sit on the vehicle's seat;

(b) put the transmission in the neutral position;

(c) ensure the stability of the vehicle in the upright position;

(d) if the vehicle has a control system that may affect the sound level, adjust the system in the position giving the maximum noise;

(e) where the measurement method where the engine rotates with a constant speed is applied, activate the throttle of the vehicle in order to reach and maintain for at least 2 seconds the rotational speed of the engine to the value determined in the second and third paragraphs of section 5;

(f) where the measurement method where the engine rotates with a variable speed is applied, activate the throttle of the vehicle in order to increase progressively for at least 2 seconds the rotational speed of the engine from the idle engine speed to the value determined in the second and third paragraphs of section 5;

(2) in the case of a motorcycle with an automatic transmission having no neutral position and a moped,

(a) let the vehicle rest on its centre stand;

(b) ensure the stability of the vehicle in the upright position;

(c) lift the back wheel from the ground so that it can turn freely;

(d) if the vehicle has a control system that may affect the sound level, adjust the system in the position giving the maximum noise;

(e) stand beside the vehicle on the opposite side from where the measurement is carried out so that the rotational speed of the engine can be controlled;

(f) where the measurement method where the engine rotates with a constant speed is applied, activate the throttle of the vehicle in order to reach and maintain for at least 2 seconds the rotational speed of the engine to the value determined in the second and third paragraphs of section 5;

(g) where the measurement method where the engine rotates with a variable speed is applied, activate the throttle of the vehicle in order to increase progressively for at least 2 seconds the rotational speed of the engine from the idle engine speed to the value determined in the second and third paragraphs of section 5.

The driver of a road vehicle who does not comply with the provisions of the first paragraph is guilty of an offence and is liable to a fine of \$200 to \$300.

5. The measurement method where the engine rotates with a constant speed designates a method where, during measurement, the rotational speed of the engine is maintained during at least 2 seconds to the value determined in the second and third paragraphs.

Subject to the third paragraph, the rotational speed of a motorcycle is, according to the displacement:

Values expressed in revolutions per minute (RPM) according to the number of cylinders of the engine	
1, 2 or 6 cylinders	2,500 (+ - 250)
3 or 4 cylinders	5,000 (+ - 250)

In respect of a motorcycle with an automatic transmission having no neutral position and a moped, the rotational speed of the engine is, according to the class of road vehicle:

Values expressed in revolutions per minute (RPM) according to the class of road vehicle	
motorcycle	4,000 (+ - 250)
moped	5,000 (+ - 250)

6. The measurement method where the engine rotates with a variable speed designates a method where, during measurement, the rotational speed of the engine is increased progressively for at least 2 seconds from the idle engine speed to the value determined in the second and third paragraphs of section 5. The idle engine speed is a speed where the engine is running but where the throttle is not activated.

7. The measurement method where the engine is idle designates a method where, during measurement, the engine is running but where the throttle is not activated.

8. A police force that uses a sound level meter approved as part of the application of the pilot project must report to the Société on the application of the pilot project on 15 December of each year.

9. This Order comes into force on the fifteenth day following the date of publication in the *Gazette officielle du Québec* of the Order of the Minister of Transport respecting the approval of sound level meters. It is revoked on August 2<sup>nd</sup>, 2015.

PIERRE MOREAU,  
*Minister of Transport*

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