

Draft Regulation

Environment Quality Act
(chapter Q-2)

**Environmental standards for heavy vehicles
— Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting environmental standards for heavy vehicles, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation, in accordance with section 61 of the Act to amend the Environment Quality Act in order to reinforce compliance (2011, chapter 20), is to harmonize the penal provisions of the Regulation respecting environmental standards for heavy vehicles with those enacted by the Act and determine the provisions of the Regulation that may give rise to a monetary administrative penalty if they are not complied with.

The draft Regulation proposes to amend the penal provisions provided for in the current Regulation. It provides for the penalties applicable in the event of contravention of provisions of the Regulation so that they are in keeping with those referred to in the Environment Quality Act, taking into account the objective seriousness of non-compliance and its potential consequences on human health or the environment. Consequently, the draft Regulation proposes a significant increase in all the maximum fines and an adjustment of all the minimum fines. No monetary administrative penalties are provided for.

Further information on the draft Regulation may be obtained by contacting Pierre Paquin, regional director, Direction régionale de l'analyse et de l'expertise de l'Estrie et de la Montérégie, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 201, Place Charles-Le Moyne, 2^e étage, Longueuil (Québec) J4K 2T5; telephone: 450 928-7607, extension 225; fax: 450 928-7755; email: pierre.paquin@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Pierre Paquin at the above address.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

**Regulation to amend the Regulation
respecting environmental standards for
heavy vehicles**

Environment Quality Act
(chapter Q-2, ss.115.27 and 115.34)

1. The Regulation respecting environmental standards for heavy vehicles (chapter Q-2, r. 33) is amended by replacing the heading of Chapter V by “PENAL SANCTIONS”.

2. Section 17 is replaced by the following:

“**17.** Every person who contravenes section 10 commits an offence and is liable, in the case of a natural person, to a fine of \$200 to \$2,000 or, in other cases, to a fine of \$400 to \$4,000.”.

3. Section 18 is replaced by the following:

“**18.** Every person who contravenes the first paragraph of section 6 or section 7, 8 or 11 commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.”.

4. Section 19 is replaced by the following:

“**19.** Every person who offers for sale, sells or otherwise places at the disposal of a person a heavy vehicle that does not comply with this Regulation without having obtained and kept the attestation prescribed by section 11, or who, after the 30-day period set by that section and without having obtained and kept the attestation prescribed by that section, uses or allows the use of the vehicle commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.”.

5. Sections 20 to 22 are struck out.

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

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