

## Regulations and other Acts

Gouvernement du Québec

**O.C. 429-2013, 17 April 2013**

An Act respecting the Ministère des Transports  
(chapter M-28)

**Signing by a functionary of certain deeds,  
documents and writings of the Ministère  
des Transports**  
— Amendment

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

WHEREAS the first paragraph of section 7 of the Act respecting the Ministère des Transports (chapter M-28) provides that no deed, document or writing binds the department or is attributed to the Minister unless signed by the Minister, the Deputy Minister or a functionary but, in the case of such functionary, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5);

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
authorizing the signing by a functionary  
of certain deeds, documents and writings  
of the Ministère des Transports**

An Act respecting the Ministère des Transports  
(chapter M-28, s. 7, 1st par.)

**1.** The Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5) is amended by replacing section 1 by the following:

“**1.** Unless expressly provided to the contrary, only the position holders acting under the authority of the Minister of Transport are concerned.

**1.0.1.** The holders, on a permanent or provisional basis, by interim or by temporary designation, of positions referred to hereinafter are authorized to sign alone and with the same authority as the Minister of Transport the deeds, documents and writings listed after their respective positions.

**1.0.2.** For the purposes of this Regulation,

(1) the following mean

“assistant territorial director”: a person who manages an administrative unit whose name begins with “Direction adjointe” and who is directly under a territorial director; (directeur territorial adjoint)

“director”: a person who manages the Deputy Minister’s office, the Bureau de gestion de projet de l’axe routier 73/175, the Bureau de la coordination du Nord-du-Québec, the Centre de gestion de l’équipement roulant or an administrative unit whose name begins with “Direction”, except the Direction des projets routiers et de transport collectif and those whose name begins with “Direction générale” or “Direction adjointe” (directeur)

“division head”: a person who manages an administrative unit whose name begins with “Division”; (chef de division)

“head of operations”: a person who manages workers within an administrative unit whose name begins with “Centre de services” or “Division” and who is directly or indirectly under a territorial director; (chef des opérations)

“service head”: a person who manages an integrated traffic management centre or an administrative unit whose name begins with “Service”, “Centre de services” or “Centre d’opérations”; (chef de service)

“territorial branch”: any administrative unit managed by a territorial director; (direction territoriale)

“territorial director”: the Director of the Direction du transport maritime, aérien et ferroviaire and a director who is directly or indirectly under the Director General for territories; (directeur territorial)

(2) an assistant territorial director, the head of the Service du transport ferroviaire and a service head who is directly under the Director of the Direction des projets routiers et de transport collectif are authorized to sign any document that may be signed by a head of the Service des projets of a territorial directorate.

**1.0.3.** Only a functionary of the Centre de gestion de l'équipement roulant referred to in Division 5.2 may sign a deed, document or writing related to the accomplishment of the centre's mandate. The functionary may only sign the deeds, documents or writings referred to in that Division."

**2.** Section 2 is amended

(1) by replacing "An associate deputy minister and an assistant deputy minister" in the first paragraph by "Subject to section 1.0.3, an associate deputy minister, an assistant deputy minister and any person who manages an administrative unit whose name begins with "Direction générale", except the administrative unit whose name begins with "Direction générale adjointe";

(2) by replacing "is authorized to sign, for the purposes of accomplishing the mandate of the administrative unit for which he or she is" in the second paragraph by "and the Director of the Direction des projets routiers et de transport collectif are authorized to sign, for the purpose of accomplishing the mandate of the administrative unit for which they are";

(3) by adding "except the contracts and documents referred to in subparagraphs 2 and 3 of the first paragraph" at the end of the second paragraph.

**3.** Section 3 is amended by striking out "the Director of the Direction des Ressources financières,".

**4.** Section 4 is amended

(1) by replacing "de la gestion des ressources matérielles" by "du soutien aux occupants, the Head of the Service des acquisitions";

(2) by striking out "the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l'axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l'autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,".

**5.** Section 5 is amended by replacing "foreman" by "head of operations".

**6.** Section 6 is revoked.

**7.** Section 7 is amended

(1) by replacing "and the Head of the Service de la gestion des ressources matérielles" in the first paragraph by "the Head of the Service du soutien aux occupants and the Head of the Service des acquisitions";

(2) by replacing "of the Direction des affaires juridiques, a service head, a division head and a foreman" in the second paragraph by "of Legal Affairs and the Director of Communications, the Assistant Director of the Direction des communications, a service head, including a service head of the Direction des communications, a division head and a head of operations".

**8.** Section 8.1 is replaced by the following:

**8.1.** A functionary who holds or bears a credit card issued on behalf of the Ministère des Transports is authorized to sign, in the performance of the functionary's duties and for the purpose of accomplishing the mandate of the administrative unit to which the functionary is attached, the documents concerning the acquisition of eligible goods or services within the meaning of the agreement entered into with the credit card issuer up to the maximum amount authorized for each transaction."

**9.** Section 9 is amended

(1) by replacing "de la gestion des ressources matérielles" by "des acquisitions";

(2) by striking out "the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l'axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l'autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,".

**10.** Section 9.1 is amended by replacing "supervisor" by "head of operations".

**11.** Section 11 is amended by replacing "of the Direction des affaires juridiques, a service head, a division head and a foreman" by "of Legal Affairs and the Director of the Direction des communications, the Assistant Director of the Direction des communications, a service head, including a service head of the Direction des communications, a division head and a head of operations".

**12.** Section 11.1 is amended

(1) by replacing "of the Direction des affaires juridiques" in the first paragraph by "of Legal Affairs and the Director of the Direction des communications";

(2) by replacing “de la gestion des ressources matérielles” in the first paragraph by “du soutien aux occupants, the Head of the Service des acquisitions”;

(3) by replacing “A service head, a division head and a foreman” in the second paragraph by “The Assistant Director of the Direction des communications, a service head, including a service head of the Direction des communications, a division head and a head of operations”.

**13.** Section 11.2 is amended by replacing “la recherche et de l’environnement” by “l’environnement et de la recherche”.

**14.** Section 12 is amended by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,”.

**15.** Section 13 is amended

(1) by replacing “des ressources financières” by “de la planification budgétaire et de l’expertise immobilière”;

(2) by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,”.

**16.** Section 14 is amended

(1) by replacing “des ressources financières” by “de la planification budgétaire et de l’expertise immobilière”;

(2) by replacing “de la gestion des ressources matérielles” by “du soutien aux occupants”;

(3) by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,”.

**17.** Section 16 is amended by replacing “a service head, a division head and a foreman” by “including the Director of Legal Affairs and the Director of the Direction des communications, the Assistant Director of the Direction des communications, a service head, including a service head of the Direction des communications, a division head and a head of operations”.

**18.** Section 16.2 is amended

(1) by replacing “de la gestion des ressources matérielles” by “du soutien aux occupants”;

(2) by replacing “foreman” by “head of operations”.

**19.** Section 16.3 is amended by replacing “of Financial Resources” by “of the Direction de la gestion financière et de l’information”.

**20.** Section 17 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and a territorial director are authorized to sign, for the purposes of accomplishing the mandate of the administrative unit for which they are” by “A territorial director is authorized to sign, for the purpose of accomplishing the mandate of the administrative unit for which he or she is”.

**21.** Section 18 is amended

(1) by replacing “du partenariat, de la modélisation et de la géomatique, the Head of the Service de l’environnement et des études d’intégration au milieu, the Director of Research and Environnement” in the first paragraph by “de l’environnement et de la recherche”;

(2) by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,” in the first paragraph;

(3) by replacing “and the Head of the Service de la gestion des ressources matérielles” in the second paragraph by “, the Head of the Service du soutien aux occupants and the Head of the Service des acquisitions”.

**22.** Section 19 is amended

(1) by replacing “de la gestion des ressources matérielles” by “du soutien aux occupants, the Head of the Service des acquisitions”;

(2) by replacing “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,” by “the Director of the Direction des communications,”.

**23.** Section 20 is amended

(1) by replacing “des ressources financières” in the part preceding paragraph 1 by “de la planification budgétaire et de l’expertise immobilière”;

(2) by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,” in the part preceding paragraph 1.

**24.** Section 21 is amended

(1) by replacing “des ressources financières” in the part preceding paragraph 1 by “de la gestion financière et de l’information”;

(2) by replacing “they are responsible, the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and” in the first paragraph by “he or she is responsible,”;

(3) by replacing “des opérations financières et de la normalisation” in the second paragraph by “de la comptabilité et des contrôles financiers”.

**25.** Section 23 is amended

(1) by replacing “des ressources financières” in the part preceding paragraph 1 by “de la planification budgétaire et de l’expertise immobilière”;

(2) by replacing “they are responsible, the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and” by “he or she is responsible,”.

**26.** Section 25 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a “ by “A”.

**27.** Section 26 is amended

(1) by striking out “, the Head of the Service des programmes et de la coordination avec les partenaires” in the part preceding paragraph 1;

(2) by striking out “the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre,” in the part preceding paragraph 1.

**28.** Section 26.1 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and a territorial director are authorized, for the purposes of accomplishing the mandate of the administrative unit for which they are” by “A territorial director is authorized, for the purpose of accomplishing the mandate of the administrative unit for which he or she is”.

**29.** Section 27 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director, a service head within a territorial directorate, division head within a territorial directorate and a foreman” by “A territorial director, a service head within a territorial directorate, a division head within such a directorate and a head of operations”.

**30.** Section 28 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director, a service head within a territorial directorate, a division head within a territorial directorate and a foreman” in the part preceding paragraph 1 by “A territorial director, a service head within a territorial directorate, a division head within such a directorate and a head of operations”.

**31.** Section 29 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a” by “A”.

**32.** Section 29.2 is amended by replacing “they are responsible, the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and” by “he or she is responsible.”

**33.** The following is inserted after section 29.2:

“**29.3.** The Director of the Direction de la gestion financière et de l’information is authorized to sign any document related to the establishment and modification of the retention schedule of the department’s documents, pursuant to the Archives Act (chapter A-21.1).”

**34.** Section 30 is amended by replacing “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a” in the second paragraph by “A”.

**35.** The following is inserted before section 31.2:

“**31.1.1.** The Director of the Centre de gestion de l’équipement roulant is authorized to sign, for the purposes of accomplishing the mandate of the Centre, any contract, including any deed cancelling a contract, any application, agreement, deed, authorization, permit or other document referred to in this Regulation, regardless of the amount in question.

The Director of Operations and Client Services is authorized to sign, for the purposes of accomplishing the mandate of the administrative unit for which he or she is responsible, any contract, including any deed cancelling a contract, any agreement, deed or other document referred to in this Division, section 3, the second paragraph of section 7 or any of sections 11, 11.1, 13 to 16.2, 19 and 21.”

**36.** Section 31.2 is amended by replacing “The Director and a service head of the Centre de gestion” by “A service head and a division head of the Centre”.

**37.** Section 31.7 is replaced by the following:

“**31.7.** A functionary who holds or bears a credit card issued on behalf of the Ministère des Transports is authorized to sign, in the performance of the functionary’s duties and for the purpose of accomplishing the mandate

of the administrative unit to which the functionary is attached, the documents concerning the acquisition of eligible goods or services within the meaning of the agreement entered into with the credit card issuer up to the maximum amount authorized for each transaction.”

**38.** 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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## M.O., 2013

### Order number 2013-05 of the Minister of Transport dated 16 April 2013

Highway Safety Code  
(chapter C-24.2)

Approval of sound level meters and other instruments used as part of the 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 (chapter 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 (chapter R-18.1) does not apply to an order made under section 633.1 of the Code and that an order made under the second and third paragraphs of that section is published in the *Gazette officielle du Québec*;