

## Regulations and other Acts

Gouvernement du Québec

### O.C. 426-2015, 20 May 2015

An Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3)

#### Regulation — Amendment

Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles

WHEREAS, under paragraph 3 of section 3 of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3), the Government may, by regulation and subject to the conditions it determines, prescribe notations to accompany the safety ratings referred to in section 12 of the Act and determine their effects;

WHEREAS, under the third paragraph of section 42.3 of the Act, the Government may, by regulation and in the situation it determines, formulate rules for applying the means that can be used to identify the person who is presumed to control the operation of the motorized heavy vehicle subjected to the road check;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles was published in Part 2 of the *Gazette officielle du Québec* of 10 December 2014, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles

An Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, ss. 3 and 42.3)

**1.** The Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3, r. 1) is amended in section 1

(1) by inserting “or for their own account” in paragraph 3 after “free of charge”;

(2) by replacing “in a municipality or territory” in paragraph 5 by “in the territory of a municipality or of another entity”.

**2.** The following is inserted after Division I:

#### “DIVISION I.1 NOTATION TO ACCOMPANY A SAFETY RATING

**2.0.1.** The Commission enters the notation “unaudited” to accompany the “satisfactory” safety rating that it assigns to a person registered in the Register of Owners and Operators of Heavy Vehicles.

The Commission strikes out that notation if, subsequently to its entry, the Société de l’assurance automobile du Québec informs the Commission that the registered person has passed a facility audit complying with the principles of Standard No. 15 of the Canadian National Safety Code regarding facility audits, published on the website of the Canadian Council of Motor Transport Administrators.

The Commission re-enters the notation “unaudited” to accompany the “satisfactory” safety rating of a person referred to in the second paragraph, where that person has failed a new facility audit.”.

**3.** Section 2.1 is amended

(1) by striking out “and contracts for services” and “must first be used” in subparagraph 1 of the first paragraph;

(2) by inserting the following after subparagraph 1 of the first paragraph:

“(1.1) a marking written on the motorized heavy vehicle that meets the conditions provided for in section 2.2, where the vehicle is used for the transportation of goods for remuneration and for the account of others;”;

(3) by striking out “failing a shipping document, “ and “may be used” in subparagraph 2 of the first paragraph;

(4) by replacing subparagraph 3 of the first paragraph by the following:

“(3) a daily log referred to in section 519.10 of the Highway Safety Code (chapter C-24.2).”;

(5) by striking out “or, failing a daily log, a circle-check report referred to in subparagraph 3 of the first paragraph” in the second paragraph.

**4.** The following is inserted after section 2.1:

“**2.2.** The marking referred to in subparagraph 1.1 of the first paragraph of section 2.1 is composed of a single name and identification number of an operator registered in the Register of Owners and Operators of Heavy Vehicles.

The marking, removable or not, appears on the right side and the left side of the outside surface of the passenger compartment of the vehicle or, as the case may be, of its sleeper berth.

The characters of the marking are of a colour contrasting with that of the vehicle and at least 4 cm in height. As for the identification number, it is horizontally aligned and preceded by “Québec”, “Qc”, “N.I.R.” or “NIR”.”.

**5.** The heading of Schedule I is replaced by the following:

“List of territories where a person using a heavy vehicle is exempt from registration in the Register of Owners and Operators of Heavy Vehicles”.

**6.** On the date of coming into force of section 33 of chapter 39 of the Statutes of 2005, section 2.1 is again amended

(1) by adding the following at the end of the first paragraph:

“(4) a circle-check report referred to in section 519.3 of the Highway Safety Code.”;

(2) by inserting “or, failing a daily log, a circle-check report referred to in subparagraph 4 of the first paragraph” after “used” in the second paragraph.

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

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Gouvernement du Québec

**O.C. 427-2015, 20 May 2015**

Transport Act  
(chapter T-12)

**Requirements applicable to shipping documents and contracts for services**  
— **Amendment**

Regulation to amend the Regulation respecting the requirements applicable to shipping documents and contracts for services

WHEREAS, under paragraph *n* of section 5 of the Transport Act (chapter T-12), the Government may, by regulation, determine the requirements applicable to estimates, contracts, bills of lading and shipping documents in the case of a carrier or any person to whom the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3) applies;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the requirements applicable to shipping documents and contracts for services was published in Part 2 of the *Gazette officielle du Québec* of 10 December 2014, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the requirements applicable to shipping documents and contracts for services, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*