

Regulations and other Acts

M.O., 2015

Order number 2015-09 of the Minister of Transport and the Minister of Public Security dated 15 July 2015

Highway Safety Code
(chapter C-24.2)

Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems

THE MINISTER OF TRANSPORT,
THE MINISTER OF PUBLIC SECURITY,

CONSIDERING the first paragraph of section 332 of the Highway Safety Code (chapter C-24.2) which provides that the speed of a road vehicle may be measured by means of a photo radar device approved by the Minister of Transport and the Minister of Public Security and used in the manner they determine;

CONSIDERING the first paragraph of section 359.3 of the Code which provides that stopping at red lights may be verified by means of a camera system designed for that purpose, approved and used in the manner determined by the Minister of Transport and the Minister of Public Security;

CONSIDERING the first paragraph of section 634.3 of the Code which provides that photo radar devices and red light camera systems may only be used subject to the conditions and procedures determined by the Minister of Transport and the Minister of Public Security;

CONSIDERING, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that a draft of the Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems was published in the *Gazette officielle du Québec* of 14 January 2015 with a notice that it could be made by the Minister of Transport and the Minister of Public Security on the expiry of 45 days following that publication;

CONSIDERING the necessity to make the Regulation with amendment;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems, attached to this Order, is hereby made.

ROBERT POËTI, LISE THÉRIAULT,
Minister of Transport *Minister of Public Security*

Regulation to amend the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems

Highway Safety Code
(chapter C-24.2, ss. 332, 359.3 and 634.3)

1. The Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9) is amended in section 1

(1) by replacing “if” in the part preceding paragraph 1 by “if it has been the subject of”;

(2) by replacing paragraphs 1 and 2 by the following:

“(1) a validation

(a) within the time provided for by its manufacturer or during the year preceding the date of use, whichever occurs first;

(b) by a peace officer who has received appropriate training;

(c) allowing to ensure

i. using an external device or system, that the accuracy of the speed it records complies with the manufacturer’s specifications for the device or system;

ii. that the information referred to in the second paragraph of section 332 or the second paragraph of section 359.3 of the Highway Safety Code, as the case may be, other than speed, and that appears on the images obtained by the device or system is accurate;

(2) an inspection, in the 75 days preceding the date of use, by the supplier, the manufacturer or any other person authorized by the manufacturer to maintain the device or system;”;

(3) by replacing “it has been tested” in paragraph 3 by “testing”;

(4) by striking out paragraph 4.

2. Section 2 is amended

(1) by replacing “for which a compliance report has been issued must be registered in the” in the part preceding subparagraph 1 of the first paragraph by “used in accordance with section 1 must be registered in a”;

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

“(3) the date of each validation referred to in paragraph 1 of section 1, the result obtained and the name of the peace officer who carried out the validation;”;

(3) by adding “, the result obtained and the name of the person who carried out the inspection and the person’s capacity” after “1” in subparagraph 4 of the first paragraph;

(4) by replacing “au” in subparagraph 7 of the first paragraph of the French text by “dans le”;

(5) by replacing the second and third paragraphs by the following:

“The documents related to the validation, inspection, testing and repair of the device or system are entered in a register kept by the Sûreté du Québec.

Only peace officers may make entries in a register that must be kept under this section.”.

3. Section 3 is revoked.

4. Despite paragraph 1 of section 1 of the Regulation as amended by paragraph 1 of section 1 of this Regulation, a photo radar device or a red light camera system for which a compliance report has been issued or renewed by the Institut national d’optique or the Centre de recherche industrielle du Québec before (*insert the date of coming into force of this Regulation*) may be used if the compliance report has been issued or renewed during the year that precedes the use of the device or system.

5. 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., 2015

Order No. 2015-10 of the Minister of Transport dated 15 July 2015

Highway Safety Code
(chapter C-24.2)

Frequency of the verification of road signs marking a place where a photo radar device or red light camera system is used to monitor compliance with highway safety rules

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 294.1 of the Highway Safety Code (chapter C-24.2), which provides that the person responsible for the maintenance of a public highway must erect proper signs or signals to mark every place where a photo radar device or red light camera system is used to monitor compliance with highway safety rules;

CONSIDERING the second paragraph of that section, which provides that the person must also, as often as the Minister of Transport determines, verify the presence and adequacy of those signs or signals, and report the verification results to the Minister;

CONSIDERING that it is expedient to determine the frequency of verifications;

ORDERS THE FOLLOWING:

The presence and adequacy of road signs marking a place where a photo radar device or red light camera system is used to monitor compliance with highway safety rules must be verified every 3 months.

ROBERT POËTI,
Minister of Transport

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