

## Regulations and other Acts

### M.O., 2015

#### Order 2015-18 of the Minister of Transport dated 14 December 2015

Highway Safety Code  
(chapter C-24.2)

Pilot project concerning the use of non-skid devices on the tires or tracks of off-highway vehicles

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;

CONSIDERING the second paragraph of section 633.1, which provides that the Minister may

(1) prescribe rules relating to the use of a vehicle on a public highway as part of a pilot project; and

(2) in the context of a pilot project, 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 section 633.1, which provides that pilot projects are conducted for a period of up to three years, which the Minister may extend by up to two years if the Minister considers it necessary;

CONSIDERING the fourth paragraph of section 633.1, 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 and that an order made under the second or third paragraph of that section must be published in the *Gazette officielle du Québec*;

CONSIDERING the first paragraph of section 441 of the Highway Safety Code (chapter C-24.2), which provides that no person may drive a road vehicle on which a tire is equipped with a non-skid device, subject to the conditions and for the period that the Minister may authorize pursuant to the second paragraph of that section;

CONSIDERING the need to evaluate the effects of using off-highway vehicles equipped with non-skid devices on public highways and in other places where the Code applies to the extent provided for in section 1.1 of the Act respecting off-highway vehicles (chapter V-1.2) before making an order under the second paragraph of section 441, the legal effects of which are permanent;

CONSIDERING that the Société de l'assurance automobile du Québec was consulted;

CONSIDERING that it is expedient to authorize the implementation of a pilot project aimed at testing the use of off-highway vehicles equipped with non-skid devices on public highways and in other places where the Code applies to the extent provided for in section 11 of the Act respecting off-highway vehicles;

ORDERS AS FOLLOWS:

#### DIVISION I GENERAL

**1.** The implementation of the Pilot project concerning the use of non-skid devices on the tires or tracks of off-highway vehicles is authorized for the following purposes:

(1) testing the use of off-highway vehicles equipped with non-skid devices to evaluate their effects on public highways and in other places where the Highway Safety Code applies;

(2) collecting information on the results obtained, particularly as regards the effects of non-skid devices on the roadway.

**2.** For the purposes of this pilot project,

“non-skid device” means studs inserted in the tires or tracks of an off-highway vehicle in accordance with the instructions and recommendations of the studs’ manufacturer and, if applicable, the manufacturer of the tires or tracks. This definition does not include “ice screws” installed on the tires or tracks of an off-highway vehicle, particularly for the purposes of exceptional events or sports events;

“off-highway vehicle” means the off-highway vehicles referred to in section 1 of the Act respecting off-highway vehicles (chapter V-1.2).

## **DIVISION II**

### **SPECIAL TRAFFIC RULES**

**3.** Despite section 441 of the Highway Safety Code, non-skid devices may be used, from 15 October of a year to 1 May of the following year, on the tires or tracks of any off-highway vehicle operated on public highways and in other places where the Highway Safety Code applies.

However, this section does not authorize the operation of off-highway vehicles on public highways and in other places where the Highway Safety Code applies, except for the purposes of section 11 of the Act respecting off-highway vehicles.

## **DIVISION III**

### **COLLECTION OF INFORMATION**

**4.** The Minister of Transport is responsible for collecting information on the results obtained and the impact of the Pilot project concerning the use of non-skid devices on the tires or tracks of off-highway vehicles, when those vehicle are operated on public highways and in other places where the Highway Safety Code applies.

## **DIVISION IV**

### **PENAL**

**5.** The operator of an off-highway vehicle travelling on a public highway or in another place where the Highway Safety Code applies while equipped with non-skid devices that do not comply with the prescriptions of section 2 is guilty of an offence and is liable to a fine of \$60 to \$100.

The owner of an off-highway vehicle who allowed or tolerated the driving of his or her vehicle on a public highway or in another place where the Code applies while equipped with non-skid devices that do not comply with the prescriptions of section 2 is guilty of an offence and is liable to the fine provided for in the first paragraph.

**6.** Every person who contravenes section 3 is guilty of an offence and is liable to a fine of \$150 to \$300.

## **DIVISION V**

### **FINAL**

**7.** This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. It is revoked on the third anniversary of that date.

ROBERT POËTI,  
*Minister of Transport*