

M.O, 2017**Order of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change dated 5 December 2017**

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23)

Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
THE ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the second paragraph of section 9 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23), under which the Minister of Sustainable Development, the Environment and the Fight Against Climate Change may, by regulation, limit the number of excess credits accumulated by a motor vehicle manufacturer for a period of three consecutive calendar years that may be used by the manufacturer during a period of three consecutive calendar years subsequent to that period;

CONSIDERING the second paragraph of section 15 of the Act, which provides that the Minister may prescribe by regulation that some information reported by a motor vehicle manufacturer and entered in the register provided by the Act is not public;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 5 July 2017, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information, with a notice that it could be made by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information is hereby made.

Québec, 5 December 2017

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information

An Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23, s. 9, 2nd par., and s. 15, 2nd par.)

**CHAPTER I
LIMIT ON THE NUMBER OF EXCESS CREDITS**

1. A motor vehicle manufacturer that, at the end of a period referred to in section 8 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (2016, chapter 23), has accumulated a number of credits greater than the number it had to accumulate, may use them for a later period, up to 25% of the total of the credits it must accumulate for that period.

The motor vehicle manufacturer must, to that end, submit an application to the Minister not later than 15 days before the date set in the first paragraph of section 8 of the Act, indicating the number of credits it wishes to use and the category in which each credit is classified.

2. The accumulated excess credits may be used by a motor vehicle manufacturer for any of the model years of a later period.

**CHAPTER II
CONFIDENTIALITY OF SOME INFORMATION**

3. The following information entered in the name of a motor vehicle manufacturer in the register provided for in section 11 of the Act is not public:

(1) the contact information of the person responsible for the report of a motor vehicle manufacturer made under section 10 of the Act;

(2) for each model year covered by the report, the number of new motor vehicles sold or leased by the manufacturer, by type of model of those vehicles;

(3) the information on each type of motor vehicle model covered by the report, including its trademark, model, type of model, specifications, model year, gross weight rating and, if applicable, the quantity of carbon dioxide, methane and nitrous oxide emitted by the vehicle by kilometre, when travelling in the city or on a highway;

(4) in addition to the information referred to in paragraph 3, for each low-speed, low-emission and zero-emission motor vehicle sold or leased by the motor vehicle manufacturer,

(4.1) the number allocated to it in the list published by the Minister under section 5 of the Act;

(4.2) the motor vehicle's identification number;

(4.3) whether the vehicle was new or reconditioned at the time of its initial sale or lease;

(4.4) in the case of a reconditioned motor vehicle, the number of kilometres at the time of its sale or lease;

(4.5) the date of its initial sale or lease to an automobile dealership; and

(4.6) the contact information of the automobile dealership referred to in subparagraph 4.5;

(5) the credits entered periodically by the Minister during the calendar year, before the deadline provided for in section 10 of the Act.

CHAPTER III TRANSITIONAL AND FINAL

4. For the first 2 periods of 3 consecutive calendar years referred to in section 8 of the Act, that is, the period covering 2018 and the period covering 2019 to 2021, the percentage referred to in the first paragraph of section 1 is 35%.

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