

the Transport Act (chapter T-12) and that provides that all the permit holder's by-laws in force concerning transport brokerage services under government contracts, and only those by-laws, also apply to contracts other than government contracts to which the permit holder is a party.”.

**6.** Section 21 is amended by replacing “third paragraph” in the portion before paragraph 1 by “fourth paragraph”.

**7.** The following is inserted after section 24:

“**24.1.** A brokerage permit holder must send to the Commission, before 31 May, audited financial statements for the preceding fiscal year ending on 31 December.

The financial statements must mention the auditing of the trust accounts and the compliance of the permit holder's books, registers and accounts with this Regulation.”.

**8.** The following is inserted after section 33.1:

“**33.2.** All brokerage permits in force on 1 January 2018 expire on 31 March 2018.”.

**9.** Sections 34 to 37.2 are revoked.

**10.** Schedule 1 is amended by replacing the fifth and sixth paragraphs of part 1.1 by the following:

“The operator may cancel the brokerage contract within 120 days following the coming into force of a by-law for which the brokerage permit holder obtained the approval provided for in section 8 of the Transport Act and that provides that all the permit holder's by-laws in force concerning transport brokerage services under government contracts, and only those by-laws, also apply to contracts other than government contracts to which the permit holder is a party.”.

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

103364

Gouvernement du Québec

**O.C. 160-2018, 20 February 2018**

Highway Safety Code  
(chapter C-24.2)

**Commercial vehicle registration  
— Reciprocal agreements between the Gouvernement  
du Québec and the Canadian provinces and  
territories, and certain American States  
— Amendment**

Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and the Canadian provinces and territories, and certain American States

WHEREAS, under section 6 of the Highway Safety Code (chapter C-24.2), every road vehicle must be registered except a vehicle exempt from registration under the Code;

WHEREAS the existence of similar legislation in other provinces or territories of Canada or in other American states has the effect of multiplying the registration fees related to the use of vehicles for international or interprovincial transport;

WHEREAS it is expedient to allow for greater flexibility in the operation of fleets of vehicles by not requiring that carriers obtain registration from each jurisdiction in which they travel;

WHEREAS the Société de l'assurance automobile du Québec became a member of the International Registration Plan (IRP) on 29 September 1999;

WHEREAS the International Registration Plan (IRP) is an agreement among Canadian provinces and territories, including Québec, and American States for the registration of vehicles travelling in at least one jurisdiction, province or state in addition to their base jurisdiction;

WHEREAS, under that agreement, the holder of the registration is not required to make full payment of the fees for each jurisdiction in which the holder's vehicles travel since that requirement is replaced by an apportioned registration system based on the number of kilometres travelled in the territory of the various jurisdictions;

WHEREAS the agreement replaces any reciprocal agreement or any form of agreement entered into between the member jurisdictions on a matter or several matters referred to in the agreement;

WHEREAS, under Order in Council 951-2000 dated 26 July 2000, the International Registration Plan (IRP) is exempted from the application of the Act respecting the Ministère du Conseil exécutif (chapter M-30) and of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);

WHEREAS, under Order in Council 490-2009 dated 22 April 2009, the Government made the Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and the Canadian provinces and territories, and certain American States to give effect to the agreement by exempting from registration registered road vehicles having a registration plate issued, among others, by a Canadian province or territory and covered in particular by the Canadian Agreement on Vehicle Registration, appearing in Schedule 42 to that Regulation, except insofar as provided by the International Registration Plan;

WHEREAS it is expedient to further amend the Regulation to give effect to the amendments made to the Canadian Agreement on Vehicle Registration since 22 April 2009;

WHEREAS, under section 629 of the Code, the Minister of Transport, Sustainable Mobility and Transport Electrification or the Société de l'assurance automobile du Québec may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS, under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to a regulation under that section;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and the Canadian provinces and territories, and certain American States, attached to this Order in Council, be made.

ANDRÉ FORTIER,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and the Canadian provinces and territories, and certain American States**

Highway Safety Code  
(chapter C-24.2, s. 631)

**1.** The Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and the Canadian provinces and territories, and certain American States (chapter C-24.2, r. 24) is amended by replacing Schedule 42 by the following:

### **“SCHEDULE 42**

#### **CANADIAN AGREEMENT ON VEHICLE REGISTRATION<sup>1</sup>**

Updated January 30, 2017<sup>1</sup>

Pursuant to and in conformity with the laws of their respective jurisdictions, the member jurisdictions, acting by and through their lawfully authorized officials to execute this agreement, do mutually agree as follows:

#### **Definitions**

1. The following words and phrases, when used in this agreement, shall have the meaning ascribed to them in this section:

(a) Category “B” Vehicle means:

- i. a power unit or power unit trailer combination having a registered weight of less than 11,794 kg, used or maintained for the transportation of property;
- ii. a farm or fishing industry vehicle;
- iii. a private bus;
- iv. a recreational motor vehicle;

<sup>1</sup> The 1980 CAVR Agreement has been amended a number of times. In 2003, major amendments retained only issues respecting reciprocity; all prorate provisions were deleted.

In September 2008 updates were made to reflect BC exceptions.

In July 2011 updates were made, removing a SK exemption.

In January 2017 updates removed breakdown permits, reciprocity for unladen vehicles and charter buses and also Parts I and II were combined to one document.

v. a power unit that is registered as a government vehicle;

vi. a trailer, semi-trailer, converter dolly or, container chassis or their equivalent;

but does not include:

vii. any power unit, other than one described in clauses 1(a)(ii) to (v), that has 3 or more axles; or

viii. any vehicle prorated under the International Registration Plan.

(b) CCMTA means the Canadian Council of Motor Transport Administrators.

(c) Farm or fishing industry vehicle means a vehicle that is registered in a member jurisdiction and is engaged in the transportation of the registrant's own goods that are related to the operation of the registrant's farm or fishing business.

(d) Government vehicle means a vehicle registered to the federal government or to a provincial, municipal or regional government.

(e) Gross vehicle weight means the weight of a vehicle or a combination of vehicles, including accessories, equipment and load.

(f) Host jurisdiction means a member jurisdiction:

i. other than the jurisdiction where the vehicle is plated; and

ii. that considers the registered owner of the vehicle to be a non-resident.

(g) Interjurisdictional movement means vehicle movement between or through two or more jurisdictions.

(h) Intra-jurisdictional movement means vehicle movement from one point within a jurisdiction to another point within the same jurisdiction.

(i) Jurisdiction means a province or territory of Canada.

(j) Member jurisdiction means a jurisdiction that is a party to this agreement.

(k) Power unit means a self-propelled motor vehicle having permanently attached thereto a truck, bus or delivery body and includes a truck tractor used for hauling purposes on a highway.

(l) Private bus means a motor vehicle used to transport persons, when such transportation is not undertaken for compensation or gain.

(m) Reciprocity means the condition in which a vehicle that is properly registered in a member jurisdiction is exempt from registration in other member jurisdictions.

(n) Recreational motor vehicle means a motor vehicle designed or redesigned to be used as a recreational vehicle.

(o) Registration means licensing a vehicle for use on a highway.

(p) Tare weight means the weight of a vehicle, including its permanently mounted equipment.

(q) Semi-trailer means a vehicle without motive power designed for carrying property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

(r) Trailer means a vehicle without motive power designed for carrying property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(s) Vehicle means a power unit or trailer.

### **Reciprocity**

2. Full and free registration reciprocity is granted to all category "B" vehicles for interprovincial operations in a host jurisdiction.

3. The licence plate and registration certificate issued by the plate jurisdiction to a category "B" vehicle shall serve as evidence of proper registration and shall be recognized as such by a host jurisdiction.

4. Where the applicant wishes to conduct a temporary intraprovincial operation with a category 'B' motor vehicle in a host jurisdiction:

(a) the applicant shall, if required, make application to the host jurisdiction and the host jurisdiction may levy an additional registration fee for that power unit; and

(b) notwithstanding item 3, the host jurisdiction may issue a licence plate, registration or cab card, identification decal and/or sticker, which shall be displayed as required.

5. Notwithstanding item 4 of this agreement, reciprocity is granted for intraprovincial operations in a host jurisdiction to trailers, semi-trailers with or without

converter dollies, a converter dolly, container chassis or equivalent, private buses, recreational motor vehicles, and power units that are registered as government vehicles.

6. A vehicle covered by this agreement shall enjoy all other privileges and be subject to all other responsibilities under all applicable statutes and regulations of the member jurisdiction in which it travels.

7. No vehicle or combination of vehicles shall be operated or moved in a member jurisdiction when:

(a) the gross weight of the vehicle or combination of vehicles is in excess of the weight for which the vehicle or combination of vehicles is registered; or

(b) the number of axles of the vehicle or combination of vehicles is in excess of the number of axles for which the vehicle or combination of vehicles is registered.

8. This agreement shall supersede any agreement between member jurisdictions covering in whole or in part matters covered by this agreement.

### **Carrier Refunds Credit Policy**

9. When a carrier completes an IRP application which results in a refund, the base jurisdiction will notify the member jurisdictions. Within 30 days of receiving notification, the member jurisdictions shall refund the carrier in accordance with their applicable legislation governing refunds and or credits.

### **Exemptions**

10. Exceptions to the provisions of this agreement, which may be required as a condition of entry by a jurisdiction and which have been approved by all member jurisdictions, will form part of this agreement by appendix listing.

11. There shall be no exceptions taken to the reciprocity as set out in item 6.

### **Amendments**

12. This agreement may be amended, subject to the approval of at least two-thirds of member provinces, acting through the responsible Minister thereof authorized to enter this agreement. All proposed amendments shall be placed in writing and shall be presented to each member province for approval or rejection. Amendments which have been accepted by member provinces shall become a part hereof, and shall become effective within 30 (thirty) days of approval or as otherwise required by the laws of member provinces.

13. Provisions of this agreement amended by less than a unanimous vote shall be retained as exceptions hereto and will continue to apply on behalf of dissenting member provinces.

### **Administration**

14. The member jurisdictions of this agreement shall be represented by one member on a committee of CCMTA.

15. A chairperson and vice-chairperson shall be appointed by the CCMTA Board of Directors to hold office for a term of two years and shall serve until a successor is duly appointed.

16. Each member province shall have one vote in the committee.

17. Recommendations and decisions regarding interpretations of any question at issue and decisions shall be reached by a majority vote of at least two-thirds of the CCMTA committee.

18. Notwithstanding the foregoing, amendments to this agreement shall not come into force until the CCMTA committee formally confirms the affected member jurisdictions have established, and are able to carry out, administrative procedures necessary to give effect to such amendments.

19. The CCMTA shall be the official repository of this agreement and shall be responsible for the required duties attendant to the administration of this agreement.

20. Any member jurisdiction may withdraw from this agreement upon 30 (thirty) days written notice to the committee and to each other member jurisdiction.

21. The withdrawal of a member jurisdiction may not be made retroactively.

22. Jurisdictions making changes to their procedures relating to this agreement should provide 90 days' notice to the committee and to each other member jurisdiction.

### **APPENDIX I**

#### **(1) British Columbia**

1. For the purpose of temporary intra-provincial operation as provided for in item 4, in BC the time period for temporary operation of category B vehicles as described in item 1(a)(i) is limited to 90 days in a calendar year with these 90 days including any operation of the vehicle in the Province of British Columbia.

2. For the purpose of item 5, British Columbia grants intra-provincial reciprocity to recreational vehicles used exclusively for touring purposes, with reciprocity being provided for a maximum period of up to 6 months from the date of last entry into British Columbia.

3. British Columbia does not grant intra-provincial reciprocity to charter buses or private buses designed to carry more than 10 persons if used in the Province of British Columbia.

(2) Saskatchewan

For the purpose of temporary intra-provincial operation as provided for in item 4, in Saskatchewan the time period for temporary operation of category B vehicles as described in item 1(a)(i) is limited to 90 days in a calendar year with these 90 days including any operation of the vehicle in the Province of Saskatchewan.”.

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

103365

Gouvernement du Québec

**O.C. 161-2018, 20 February 2018**

An Act to ensure safety in guided land transport (chapter S-3.3)

**Safety of the Réseau électrique métropolitain**

Regulation respecting the safety of the Réseau électrique métropolitain

WHEREAS sections 50 and 52 to 54 of the Act to ensure safety in guided land transport (chapter S-3.3) empower the Government to make regulations on the matters set forth therein, among other things to set out the safety standards applicable to guided land transport systems;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the safety of the Réseau électrique métropolitain was published in Part 2 of the *Gazette officielle du Québec* of 22 November 2017, 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, Sustainable Mobility and Transport Electrification:

THAT the Regulation respecting the safety of the Réseau électrique métropolitain, attached to this Order in Council, be made.

ANDRÉ FORTIER,  
*Clerk of the Conseil exécutif*

**Regulation respecting the safety of the Réseau électrique métropolitain**

An Act to ensure safety in guided land transport (chapter S-3.3, s. 50 and ss. 52 to 54)

**CHAPTER I  
GENERAL**

**1.** This Regulation contributes, with other means implemented by the operator, to ensure the safe operation of the Réseau électrique métropolitain by preventing in particular fire and accident hazards.

The Regulation also specifies the tenor and frequency of the traffic reports and accident reports that will have to be sent by the operator, and determines the types of work and changes made to the REM the performance of which is subject to the publication of a prior notice under sections 5 and following of the Act to ensure safety in guided land transport (chapter S-3.3).

**2.** A reference to the Réseau électrique métropolitain means the REM referred to in section 1 of the Act respecting the Réseau électrique métropolitain (2017, chapter 17).

For the purposes of this Regulation, unless the context indicates otherwise,

(1) the “REM” includes in particular

(a) the infrastructures, such as guideways, permanent structures, track equipment, maintenance centres, depots for storing the rolling stock and stations;

(b) technical and safety installations, such as the operating support systems, signalling systems, traction installations to provide electric power to the rolling stock, and control, monitoring and communication installations:

(c) the rolling stock;