

ORDERS AS FOLLOWS:

1. The Pilot project to exempt electric vehicles from paying a toll (chapter C-24.2, r. 39.3) is amended by striking out “and the electric vehicle pictogram in the lower left hand corner” in the second paragraph of section 2.

2. Section 5 is amended by striking out “and the green electric vehicle pictogram in the lower land hand corner”.

3. Section 7 is amended by replacing “2019” by “2021”.

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

ANDRÉ FORTIN,
*Minister of Transport, Sustainable Mobility
and Transport Electrification*

103663

M.O., 2018**Order number 2018-18 of the Minister of Transport,
Sustainable Mobility and Transport Electrification
dated August 15, 2018**

Highway Safety Code
(chapter C-24.2)

Pilot project concerning electric scooters

THE MINISTER OF TRANSPORT, SUSTAINABLE
MOBILITY AND TRANSPORT ELECTRIFICATION,

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 may, by order, authorize the implementation of pilot projects to study, test or innovate in respect of any matter relevant to the Code, that for the purposes of road safety, the Minister may in particular develop new rules on traffic or vehicle use and set the rules and conditions for the implementation of a pilot project, that the Minister may, as part of a pilot project, authorize any person or body to use a vehicle in compliance with the standards and rules prescribed by the Minister and that the provisions of a pilot project prevail over any inconsistent provision of the Code and its regulations;

CONSIDERING the fourth paragraph of section 633.1 of the Code, which provides in particular that pilot projects are conducted for a period of up to three years, that the

Minister may modify or terminate a pilot project at any time and that the Minister may determine the provisions of an order made under the section the violation of which is an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than \$200 or more than \$3,000;

CONSIDERING the fifth paragraph of section 633.1 of the Code, 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 of the Code and an order under the second or third paragraph of the section is published in the *Gazette officielle du Québec*;

CONSIDERING the fifth paragraph of section 21 of the Highway Safety Code, which provides in particular that no person shall put a vehicle into operation on a public highway if it is of a model or class that has been restricted to off-highway use by its manufacturer or importer;

CONSIDERING the fifth paragraph of section 31.1 of the Code, which provides in particular that no person shall put a vehicle back into operation on a public highway if it is of a model or class that has been restricted to off-highway use by its manufacturer or importer;

CONSIDERING the first paragraph of section 421.1 of the Code, which provides in particular that no person may drive on a public highway a road vehicle exempted from registration under paragraph 6 of section 14 of the Code, which covers a motorized scooter;

CONSIDERING the Government's guiding principle to promote electric transportation with the adoption of the Transportation Electrification Action Plan 2015-2020;

CONSIDERING that the use of electric scooters on public highways comes within the scope of the action plan;

CONSIDERING that the Société de l'assurance automobile du Québec was consulted on the implementation of the Pilot project concerning electric scooters;

CONSIDERING that it is expedient to authorize the implementation of the Pilot project concerning electric scooters;

ORDERS AS FOLLOWS:

**CHAPTER I
GENERAL**

1. The implementation of the Pilot project concerning electric scooters is authorized for the following purposes:

(1) the introduction of new technologies while ensuring road safety;

(2) testing the use of electric scooters on certain public highways;

(3) gathering information on the use of electric scooters on public highways to assess their integration into road traffic, develop safe traffic rules and set equipment standards for those vehicles.

2. The administration and assessment of this Pilot project are entrusted to the Société de l'assurance automobile du Québec.

3. Every electric scooter manufacturer or distributor is authorized to participate in this Pilot project to the extent that the electric scooters have the characteristics described in section 4 and the manufacturer or distributor applies to the Société to register the scooters in the Pilot project.

4. For the purposes of this Pilot project, “electric scooter” means a one-person motorized scooter ridden while standing up and that has the following characteristics:

(1) it is equipped with 2 wheels placed on the same longitudinal axis whose rim diameter is not less than 250 mm and a platform not less than 250 mm wide, not less than 300 mm long between the 2 wheels and not more than 150 mm from the ground, and has a wheelbase not less than 1 metre;

(2) it has no seat, surface or structure that could be used as a seat;

(3) it is equipped with an electric motor of not more than 500 watts that allows a maximum speed of 32 km/h and is supplied by a rechargeable battery by connecting to the electric network and with an automatic transmission;

(4) it is equipped with a handlebar that acts directly on the steerable wheel;

(5) it is equipped with a brake system that acts independently on the steerable wheel and the back wheel using separate hand levers;

(6) it is equipped with an emergency stop switch to cut supply to the motor in case of failure of the scooter's control system;

(7) it is equipped with 2 turn signals, yellow or white, placed at the front and 2 turn signals, red or yellow, placed at the rear or 2 yellow turn signals, visible from the front and from the rear;

(8) it weighs not more than 45 kg including the weight of the battery;

(9) it bears the manufacturer's compliance label provided for in regulations under the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) and complies with the standards applicable to a restricted-use motorcycle provided for in those regulations.

CHAPTER II OBLIGATIONS OF ELECTRIC SCOOTER MANUFACTURERS AND DISTRIBUTORS

5. The electric scooter manufacturer or distributor participating in this Pilot project must affix to electric scooters registered in the Pilot project a label indicating that the scooter is registered in the Pilot project.

The label must be affixed to each side of the scooter.

6. The electric scooter manufacturer or distributor participating in this Pilot project must provide to the users of electric scooters, at the time they take possession of the scooters, training appropriate to the riding of an electric scooter. The training must include a theoretical component that provides in particular information on the Pilot project and the rules and obligations provided for in this Pilot project that apply to them. The training must also include a practical component.

The electric scooter manufacturer or distributor must, after having provided the training referred to in the first paragraph, give the users an attestation of their participation in the training.

CHAPTER III CONDITIONS FOR RIDING AN ELECTRIC SCOOTER

7. Any person may ride an electric scooter on public highways if the person

(1) is at least 18 years of age;

(2) has received the appropriate training from the manufacturer or distributor of the electric scooter registered in the Pilot project; and

(3) has with him or her, while riding an electric scooter on public highways, a document certifying that the person participated in the training referred to in the first paragraph of section 6 and, at the request of a peace officer, remits the document for examination.

CHAPTER IV

PROVISIONS APPLICABLE TO THE PILOT PROJECT

DIVISION I

GENERAL

8. Unless otherwise provided in this Pilot project, the Highway Safety Code (chapter C-24.2) and its regulations applicable to cyclists apply to electric scooter riders, with the necessary modifications.

More specifically, the rider of an electric scooter must wear the safety helmet provided for in paragraph 2 of section 492.2 of the Code and, at the request of a peace officer, allow the peace officer to examine the safety helmet.

In case of conflict, the provisions of this Pilot project prevail over any inconsistent provision of the Code and its regulations.

9. Unless otherwise provided in this Pilot project, the Highway Safety Code (chapter C-24.2) and its regulations applicable to bicycles apply to electric scooters, with the necessary modifications.

In case of conflict, the provisions of this Pilot project prevail over any inconsistent provision of the Code and its regulations.

10. The obligations of drivers of road vehicles and of pedestrians with respect to cyclists referred to in the Highway Safety Code (chapter C-24.2) and its regulations also apply with respect to electric scooter riders, with the necessary modifications.

11. For the purposes of this Pilot project, an electric scooter is excluded from the definition of “road vehicle” provided for in section 4 of the Highway Safety Code (chapter C-24.2).

DIVISION II

OBLIGATIONS IN CASE OF ACCIDENT

12. Title IV of the Highway Safety Code (chapter C-24.2) applies, except sections 174 and 176, to the rider of an electric scooter involved in an accident, with the necessary modifications.

The rider must call for a peace officer both for an accident in which a person has sustained bodily injury and for an accident that caused property damage.

DIVISION III

ROAD AND TRAFFIC SIGNS AND SIGNALS AND TRAFFIC RULES

13. An electric scooter registered in this Pilot project is considered to be a bicycle for the purposes of Titles VII and VIII of the Highway Safety Code (chapter C-24.2).

14. No person may ride an electric scooter on a public highway with a permitted speed greater than 50 km/h, except to cross an intersection equipped with traffic lights or stop signs, or at a traffic circle.

15. The person responsible for the maintenance of a public highway may, by means of the proper signs or signals, regulate electric scooter traffic in a cycle lane.

16. The rider of an electric scooter is prohibited from transporting passengers, pulling a trailer or pulling or pushing any other object.

17. For the purposes of section 490 of the Highway Safety Code (chapter C-24.2), the rider of an electric scooter must signal the intention to turn by using the turn signals on the scooter.

Despite the foregoing, where the signals are defective, the rider must follow the prescriptions of that section after immobilizing the scooter.

18. Riding an electric scooter that has undergone modifications so that it no longer has all the characteristics referred to in section 4 is prohibited.

DIVISION IV

OFFENCES

19. Every person who contravenes any of sections 7, 14, 16 and 18 commits an offence and is liable to a fine of \$200 to \$300.

CHAPTER V

GATHERING AND COMMUNICATION OF INFORMATION

20. The manufacturer or distributor of electric scooters registered in this Pilot project must inform the Société of any road accident involving an electric scooter and of any event that jeopardized the safety of the rider of an electric scooter and other road users within 7 days after becoming aware of the fact.

21. The manufacturer or distributor of electric scooters registered in this Pilot project must send to the Société, not later than 30 days after the end of a quarter, a report containing

(1) the number of electric scooters registered in the Pilot project;

(2) a summary of road accidents involving electric scooters registered in the Pilot project;

(3) the number of complaints received, the subjects of the complaints and the measures taken to remedy the situation; and

(4) any other element essential for the follow-up and assessment of this Pilot project.

For the purposes of this section, the first quarter begins at the time the electric scooters of the manufacturer or distributor are registered in this Pilot project.

22. The advertising and promotion of this Pilot project must be authorized by the Société.

CHAPTER VI MISCELLANEOUS AND FINAL

23. Section 421.1 of the Highway Safety Code (chapter C-24.2) is suspended for the purposes of this Pilot project.

24. 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 day of the third anniversary of its coming into force.

ANDRÉ FORTIN,
*Minister of Transport, Sustainable Mobility
and Transport Electrification*

103662

M.O., 2018

Order number 2018-19 of the Minister of Transport, Sustainable Mobility and Transport Electrification dated August 15, 2018

Highway Safety Code
(chapter C-24.2)

Parking of motorcycles or mopeds in spaces reserved for handicapped persons

THE MINISTER OF TRANSPORT, SUSTAINABLE
MOBILITY AND TRANSPORT ELECTRIFICATION,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister of Transport, Sustainable Mobility and Transport

Electrification may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that that section also provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety;

CONSIDERING that that section also 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 633.2;

CONSIDERING that it is expedient to suspend the requirement to hang the identification sticker from the rear-view mirror of a road vehicle when the vehicle is a motorcycle or a moped and that the sticker is affixed to the licence plate on the vehicle;

CONSIDERING that the Minister deems that the suspension of that requirement is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Société de l'assurance automobile du Québec was consulted and was favourable to the suspension of that requirement;

ORDERS AS FOLLOWS:

1. The application of paragraph 5 of section 8 of the Regulation respecting identification stickers for parking spaces reserved for handicapped persons (chapter C-24.2, r. 52) is suspended where a motorcycle or moped, carrying a licence plate on which a self-adhesive identification sticker is affixed in the upper right corner, is stopped in a parking space reserved for handicapped persons.

2. To obtain a self-adhesive identification sticker and the attestation certificate accompanying it, a natural person must

(1) be the owner of a motorcycle or moped;

(2) submit an application to obtain a self-adhesive identification sticker for the vehicle to the Société de l'assurance automobile du Québec, on the form provided by the Société, entering the person's name, address, telephone number, date of birth, number appearing on the licence plate of the vehicle and, where applicable, driver's licence number;