

Regulations and other Acts

M.O., 2018

Order number 2018-23 of the Minister of Transport, Sustainable Mobility and Transport Electrification dated 10 October 2018

An Act respecting transportation services by taxi (chapter S-6.01)

Extension of the pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application

THE MINISTER OF TRANSPORT, SUSTAINABLE MOBILITY AND TRANSPORT ELECTRIFICATION,

CONSIDERING the first paragraph of section 89.1 of the Act respecting transportation services by taxi (chapter S-6.01), which provides that the Minister of Transport, Sustainable Mobility and Transport Electrification may, by order, authorize pilot projects designed to experiment or innovate in the area of taxi transportation services or to study, improve or define standards applicable to that area;

CONSIDERING the first paragraph of section 89.1 of the Act, which provides that the Minister may also, within the scope of such pilot projects, authorize any person or body that is a holder of a taxi owner's permit or a taxi transportation service intermediary's permit issued under the Act or a business partner of such a holder to offer or provide taxi transportation services in compliance with standards and rules prescribed by the Minister that differ from those set out in the Act and its regulations or any other Act and regulation under the Minister's administration, for the purpose of increasing the safety of users, improving the quality of the services offered, ensuring that the provision of transportation services by taxi is managed in a manner that takes into consideration the public's needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the pilot project is implemented, as well as the applicable privacy protection rules;

CONSIDERING the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3), which came into force on 15 October 2016;

CONSIDERING the second paragraph of section 89.1 of the Act respecting transportation services by taxi, which provides that such pilot projects are to be conducted for a period of up to two years, which the Minister may extend by up to one year;

CONSIDERING that section 57 of the Pilot project provides that the Pilot project ends on 14 October 2018;

CONSIDERING the fourth paragraph of section 89.1 of the Act respecting transportation services by taxi, which provides that a pilot project made under the section is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING that the terms and conditions of the Pilot project and the amendments made to it in September 2017 were published on the website of the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports and the Commission des transports du Québec on 9 September 2016 and 22 September 2017;

CONSIDERING that it is expedient to extend the Pilot project for a period of one year so that the Minister may continue the experimentation and collect more information in order to improve or define standards applicable to that area;

CONSIDERING that, under section 18 of the Regulations Act (chapter R-18.1), a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the fifteenth day following the date of its publication as provided for in section 17 of that Act, where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, in the opinion of the Minister, the urgency due to the following circumstances justifies the coming into force on 14 October 2018:

—it is expedient to maintain the Pilot project in force to collect and analyze additional information on the services offered by Uber Canada inc., in particular in respect of the safety and quality of the services, and to continue the study of the impact on the transportation services by taxi in order to define the standards that will apply to that area;

—Uber Canada inc. is the sole holder of a transportation service intermediary's permit for the purposes of the Pilot project and has seen a constant increase of its activities, in particular in the regions of Montréal and Québec. The end or the interruption of the services of Uber Canada inc. in Québec would have a certain impact on the quality and availability of the remunerated passenger transportation services, that would be jeopardized given the reduction of the provision of service, which would have immediate consequences on the mobility of persons;

ORDERS AS FOLLOWS:

1. Section 57 of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) is amended by replacing “2018” by “2019”.

2. This Order comes into force on 14 October 2018.

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

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