

## Draft Regulations

### Draft Regulation

Highway Safety Code  
(chapter C-24.2)

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

An Act respecting off-highway vehicles  
(chapter V-1.2)

#### Exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation mainly limits the scope of the prohibitions related to drug consumption.

For the purposes of the application of the Highway Safety Code (chapter C-24.2) and the Act respecting off-highway vehicles (chapter V-1.2), the provisions proposed ensure that the prohibition against the consumption of cannabis or any other drug does not affect the ability of drivers or passengers to continue using the medication required by their state of health, whether that medication is over-the-counter or prescribed by a professional authorized to do so. It also makes certain clarifications regarding the consumption of medical cannabis. Along with those provisions, the Highway Safety Code provides for measures aimed at dissuading people from driving while their ability to do so is impaired.

The draft Regulation also adjusts the wording of the Regulation respecting rail safety (chapter S-3.3, r. 2) so that cannabis remains one of the drugs referred to in section 13 of that Regulation. That section provides that no person may perform the duties of a job essential for rail safety if the person is under the influence of alcohol or narcotics. The legalization of cannabis by the Government of Canada resulting in changes to the scope of the provisions related to narcotics, it appears necessary to adjust the wording of section 13 to ensure that the various types of drugs, including cannabis, continue to be included.

Further information may be obtained by contacting Stéphane Martinez, Director, Direction des politiques de sécurité, 700, boulevard René-Lévesque Est, Québec (Québec) G1R 5H1; telephone: 418 643-3074; email: stephane.martinez@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Stéphane Martinez, Director, Direction des politiques de sécurité, 700, boulevard René-Lévesque Est, Québec (Québec) G1R 5H1; telephone: 418 643-3074; email: stephane.martinez@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,  
*Minister of Transport*

### Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Highway Safety Code  
(chapter C-24.2, ss. 443 and 489)

An Act to ensure safety in guided land transport  
(chapter S-3.3, s. 50, 2nd par., subpar. 9)

An Act respecting off-highway vehicles  
(chapter V-1.2, s. 24 and s. 46, 1st par., subpar. 13; 2018, chapter 19, s. 65)

#### REGULATION RESPECTING EXCEPTIONS TO THE PROHIBITIONS RELATED TO DRUG CONSUMPTION

##### DIVISION I INTERPRETATION

**1.** For the purposes of this Regulation, a reference to “to smoke” and “smoking” also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.

##### DIVISION II EXCEPTIONS FOR OCCUPANTS OF A ROAD VEHICLE

**2.** The occupant of a road vehicle who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 443 of the Highway Safety Code (chapter C-24.2).

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of a vehicle.

### DIVISION III

#### EXCEPTION FOR CYCLISTS

**3.** A cyclist who uses over-the-counter medication or medication, other than cannabis, prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 489 of the Highway Safety Code.

### AMENDING

#### REGULATION RESPECTING RAIL SAFETY

**4.** The Regulation respecting rail safety (chapter S-3.3, r. 2) is amended in section 13 by replacing “is under the influence of alcohol or narcotics” in both paragraphs by “is under the influence of alcohol, cannabis or any other drug”.

#### REGULATION RESPECTING OFF-HIGHWAY VEHICLES

**5.** The Regulation respecting off-highway vehicles (chapter V-1.2, r. 5) is amended by inserting the following in Division 2.1, before section 11.1:

“**11.01.** An occupant who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 24 of the Act.

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of an off-highway vehicle.

For the purposes of this Regulation, a reference to “to smoke” and “smoking” also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.”.

#### REGULATION RESPECTING ALL-TERRAIN VEHICLES

**6.** The Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6) is amended by revoking section 14.

### FINAL

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

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### Draft Regulation

Financial Administration Act  
(chapter A-6.001)

#### Financial commitments made by a body — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting financial commitments made by a body, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting financial commitments made by a body (chapter A-6.001, r. 4) by adding acts creating usufruct and dismemberments of the right of ownership as contracts under which the financial commitments made by a body covered by the Regulation are subject to authorizations by the Minister.

The amendments provided for in the draft Regulation have no impact on the public or on enterprises.

Further information may be obtained by contacting Julie Simard, Coordinator – Documentation financière et conformité, Ministère des Finances, 12, rue Saint-Louis, bureau 2.32, Québec (Québec) G1R 5L3; telephone: 418 643-8887; email: julie.simard@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance, 12, rue Saint-Louis, Québec (Québec) G1R 5L3.

ERIC GIRARD,  
*Minister of Finance*

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