

Regulations and other Acts

Gouvernement du Québec

O.C. 695-2019, 26 June 2019

Amendment to Order in Council 871-2000 dated 28 June 2000 concerning the exemption from the application of certain provisions of the Highway Safety Code or of a regulation thereunder

WHEREAS the Government, by Order in Council 871-2000 dated 28 June 2000, authorized the Minister of Transport to continue to carry out or cause to be carried out on the section of Route 167 Nord, from kilometre 340 to kilometre 412 (Canton Péré to Canton Saint-Lusson), about 72 kilometres long, under subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports (chapter M-28), all the construction, repair or maintenance work to maintain public access;

WHEREAS the Government, by Order in Council 871-2000 dated 28 June 2000, determined that, in accordance with section 5.2 of the Highway Safety Code (chapter C-24.2), the provisions of the third paragraph of section 21, the third paragraph of section 31.1, and section 54 of the Code do not apply to that section of Route 167 Nord;

WHEREAS it is expedient to amend the Order in Council so that the provisions of the Highway Safety Code or of a regulation thereunder do not apply on that section of Route 167 Nord, except for the provisions applicable to highways under the administration of or maintained by the Ministère de l'Énergie et des Ressources naturelles;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the third paragraph of the operative part of Order in Council 871-2000 dated 28 June 2000 be replaced by the following paragraph:

“THAT, in accordance with section 5.2 of the Highway Safety Code (chapter C-24.2), the provisions of the Code or of a regulation thereunder do not apply on that section of Route 167 Nord, except for the provisions applicable to highways under the administration of or maintained by the Ministère de l'Énergie et des Ressources naturelles”;

THAT this Order in Council take effect from the date it is published in the *Gazette officielle du Québec*.

YVES OUELLET,
Clerk of the Conseil exécutif

104014

Gouvernement du Québec

O.C. 698-2019, 26 June 2019

Determination of a section of Route 167 Nord, north of Chibougamau, for construction, repair or maintenance work and certain provisions of the Highway Safety Code or of a regulation thereunder

WHEREAS the Minister of Transport extended Route 167 Nord, between kilometre 412 and kilometre 553, north of Chibougamau;

WHEREAS the section was constructed on lands in the domain of the State, under the authority and administration of the Minister of Energy and Natural Resources, and is not a highway under the jurisdiction of the Minister of Transport under the Act respecting roads (chapter V-9), which means that the provisions of that Act do not apply to the section;

WHEREAS, under subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports (chapter M-28), the Minister of Transport must, in respect of any highway that may be determined by the Government from among the highways to which the Act respecting roads does not apply, carry out, or cause to be carried out, construction, repair or maintenance work or delegate the power to carry out such work to a local municipality that consents thereto, and ensure the financing thereof;

WHEREAS, in compliance with subparagraph *i* of the first paragraph of section 3 of that Act, it is expedient to determine that the section of Route 167 Nord, between kilometre 412 and kilometre 553, north of Chibougamau, is a highway in respect of which the Minister of Transport must carry out, or cause to be carried out, all construction, repair or maintenance work or delegate the power to carry out such work to a local municipality that consents thereto, and ensure the financing thereof;

WHEREAS the, under section 5.2 of the Highway Safety Code (chapter C-24.2), the Government may, by order in council published in the *Gazette officielle du Québec*, determine that certain provisions of the Code or of a regulation thereunder do not apply to a highway to which subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports applies;

WHEREAS to facilitate the carrying out of mining and forest activities, it is expedient to determine that certain provisions of the Highway Safety Code or of a regulation thereunder do not apply to the section of Route 167 Nord, between kilometre 412 and kilometre 553, north of Chibougamau, except for the provisions applicable to highways under the administration of or maintained by the Minister of Energy and Natural Resources;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and the Minister of Energy and Natural Resources:

THAT, in accordance with subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports (chapter M-28), the section of Route 167 Nord, between kilometre 412 and kilometre 553, about 141 kilometres long, is a highway in respect of which the Minister of Transport must carry out, or cause to be carried out, all construction, repair or maintenance work or delegate the power to carry out such work to a local municipality that consents thereto, and ensure the financing thereof;

THAT the provisions of the Highway Safety Code (chapter C-24.2) or of a regulation thereunder do not apply to that section of Route 167 Nord, except the provisions applicable to highways under the administration of or maintained by the Minister of Energy and Natural Resources;

THAT this Order in Council take effect from the date of its publication in the *Gazette officielle du Québec*.

YVES OUELLET,
Clerk of the Conseil exécutif

104015