

(4) verify, not more than 3 hours before each departure, the condition of the road network with the Ministère des Transports through its information service known under the name Québec 511, in particular road conditions, road work and warnings in force, and keep the data and the date and time of each consultation.”.

9. Section 9.2 is amended by inserting “or sections 7.1 to 7.3” at the end.

10. Section 9.3 is amended by replacing “section 9” by “section 9 or 9.0.0.1”.

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

104149

Gouvernement du Québec

O.C. 1118-2019, 6 November 2019

Highway Safety Code
(chapter C-24.2)

Use of tires specifically designed for winter driving — Amendment

Regulation to amend the Regulation respecting the use of tires specifically designed for winter driving

WHEREAS, under the first paragraph of section 440.1 of the Highway Safety Code (chapter C-24.2), as amended by section 115 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), between 1 December and 15 March, the owner of a motorized road vehicle registered in Québec, except a heavy vehicle, tool vehicle or farm machine, may not put the vehicle into operation unless it is equipped with tires specifically designed for winter driving, in compliance with the standards prescribed by government regulation, and the prohibition also applies to any person renting out such a vehicle regardless of where it is registered;

WHEREAS, under subparagraphs 1 and 2 of the second paragraph of section 440.1 of the Highway Safety Code, the government regulation may also prescribe in particular the cases in which the prohibition provided for in the first paragraph of that section does not apply and the cases in which that prohibition is replaced by the obligation to obtain a certificate authorizing a person who owns or rents out, as the case may be, a vehicle referred to in the first paragraph of that section to put the vehicle into operation in Québec without equipping it with tires specifically designed for winter driving;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the use of tires specifically designed for winter driving was published in Part 2 of the *Gazette officielle du Québec* of 10 July 2019 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 to add certain cases in which the prohibition provided for in the first paragraph of section 440.1 of the Highway Safety Code, as amended by section 115 of the Act to amend the Highway Safety Code and other provisions, is replaced by the obligation to obtain a certificate, in particular to take into account situations in which an owner is deprived of the use of their vehicle pursuant to the Highway Safety Code, namely, the cases of seizure and of impounding and the cases of prohibition of putting into operation or putting back into operation a vehicle;

WHEREAS, under paragraph 1 of section 12 of the Regulations Act, a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication is to be published with the regulation;

WHEREAS the Government is of the opinion that there is urgency to make the Regulation to amend the Regulation respecting the use of tires specifically designed for winter driving due to the following circumstances:

— it is expedient to ensure the coming into force on 1 December of the amendments concerning the addition of certain cases in which the prohibition provided for in the first paragraph of section 440.1 of the Highway Safety Code, as amended by section 115 of the Act to amend the Highway Safety Code and other provisions, is replaced by the obligation to obtain a certificate in order to avoid the possibility of unfairness in the application of the law;

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

THAT the Regulation to amend the Regulation respecting the use of tires specifically designed for winter driving, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the use of tires specifically designed for winter driving

Highway Safety Code
(chapter C-24.2, s. 440.1; 2018, chapter 7, s. 115)

1. The Regulation respecting the use of tires specifically designed for winter driving (chapter C-24.2, r. 45) is amended by replacing section 1 by the following:

“1. From 1 December to 15 March, all the tires equipping a motorized road vehicle registered in Québec, except a heavy vehicle, tool vehicle or farm machine, must be specifically designed for winter driving. That requirement also applies to any person renting out such a vehicle in Québec regardless of the place of registration.”

2. Section 2 is amended

(1) by replacing “a taxi or passenger vehicle” in paragraph 1 by “the vehicle”;

(2) by replacing paragraph 3 by the following:

“(3) for a period of 7 days following the date on which the vehicle was purchased from a vehicle dealer;”

(3) by replacing “a passenger vehicle or taxi” in paragraph 3.1 by “the vehicle”;

(4) by replacing “a passenger vehicle” in paragraphs 4 and 5 by “a vehicle”;

(5) by replacing “a passenger vehicle or taxi, as the case may be,” in paragraph 7 by “a vehicle”.

3. Section 3 is amended

(1) by replacing the words “passenger vehicle” wherever they appear in the first paragraph by “vehicle”;

(2) by adding the following after subparagraph 7 of the first paragraph:

“(8) when a seizure or an impounding of the vehicle occurs, under the Highway Safety Code, before 1 December and ends on or after that date;

(9) when a prohibition from putting into operation or putting back into operation the vehicle is imposed, under the Code, before 1 December and ends on or after that date.”;

(3) by striking out the second paragraph.

4. This Regulation comes into force on 1 December 2019.

104149

M.O., 2019

Order number 2019-19 of the Minister of Transport dated 30 October 2019

Highway Safety Code
(chapter C-24.2)

By-law 2018-453 to regulate the operation of off-highway vehicles on certain public highways

THE MINISTER OF TRANSPORT,

CONSIDERING that, under the third paragraph of section 626 of the Highway Safety Code (chapter C-24.2), the Minister of Transport may at any time disallow all or part of a by-law or ordinance passed by a municipality under subparagraph 14 of the first paragraph of that section;

Notice is hereby given that, in accordance with the powers conferred on the Minister under the third paragraph of section 626 of the Highway Safety Code, the Minister of Transport has disallowed By-law 2018-453 to regulate the operation of off-highway vehicles on certain public highways, adopted by the Municipalité du Canton de Potton on 6 May 2019.

The operation of off-highway vehicles as authorized by the By-law would have a negative impact on the safety of users. In addition, authorizing such operation in all the municipal roads departs from the principles of the Act respecting off highway vehicles (chapter V-1.2).

The decision of the Minister of Transport was communicated to the authorities of Municipalité du Canton de Potton on 30 October 2019.

Québec, 30 October 2019

FRANÇOIS BONNARDEL,
Minister of Transport

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