

Draft Regulations

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Licences

— Amendment

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

The draft Regulation tightens the conditions for obtaining a driver's licence authorizing the driving of a motorcycle. It provides that persons who apply for a learner's licence authorizing the driving of a motorcycle must comply with the conditions related to their driving record.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Marlène Gagné, Direction de la recherche et du développement en sécurité routière, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-5328; fax: 418 646-1003; email: marlene.gagne@saaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Dave Leclerc, Secretary General, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-9, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6. The comments will be forwarded by the Société to the Minister of Transport.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, par. 6)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended in section 8.1 by adding the following paragraph at the end:

“To obtain that licence, a person must:

(1) if he holds a class 1, 2, 3, 4A, 4B, 4C or 5 probationary licence or driver's licence, have fewer than 4 demerit points in his file and not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years;

(2) if he does not hold a class 1, 2, 3, 4A, 4B, 4C or 5 probationary licence or driver's licence, not have demerit points in his file and not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years.”

2. 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

Highway Safety Code
(chapter C-24.2)

Licences

— 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 licences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides, for the holder of a class 1, 2 or 3 learner's licence, assistance conditions different than those set out in the first paragraph of section 99 of the Highway Safety Code (chapter C-24.2). It also determines the cases and conditions according to which the holder may be exempt from the assistance conditions set out in that paragraph.

The draft Regulation also adds certain instruction programs to the conditions for obtaining a class 2 or 3 driver's licence.

The draft Regulation, by facilitating access to the driving of heavy vehicles for certain holders of learner's licences, offers new recruitment possibilities to enterprises that transport goods and persons.

Further information on the draft Regulation may be obtained by contacting Ann Paquet, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-12, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-4584; email: ann.paquet@saaq.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 Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, pars. 6 and 6.5)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended by inserting the following after section 13:

“CHAPTER III.1 EXCEPTIONS TO SECTION 99 OF THE CODE

13.1. As part of the Programme enrichi d'accès à la conduite de véhicules lourds described in section 13.3, the holder of a class 1, 2 or 3 learner's licence may, when accompanied by a person who is seated in another vehicle, drive a road vehicle appropriate to the class of his licence, if

(1) he has with him the class 5 probationary licence of which he is the holder;

(2) he has with him the attestation issued by the Société in accordance with the second paragraph; and

(3) the supervisor is able to provide assistance and advice, has held for at least 2 years a valid driver's licence of the class appropriate to the driving of the vehicle, and is a teacher authorized by a driving school that offers the Programme enrichi d'accès à la conduite de véhicules lourds.

The Société issues an attestation to the holder of a class 1, 2 or 3 learner's licence where

(1) he is enrolled in the Programme enrichi d'accès à la conduite de véhicules lourds; and

(2) he has passed the proficiency examinations of the Société.

The attestation is valid from the date of issue and remains valid for as long as the condition provided for in subparagraph 1 of the second paragraph is met.

13.2. As part of the Programme enrichi d'accès à la conduite de véhicules lourds described in section 13.3, the holder of a class 1, 2 or 3 learner's licence may, without being accompanied, drive a road vehicle appropriate to the class of his licence, if

(1) he has with him the class 5 probationary licence of which he is the holder; and

(2) he has with him the attestation issued by the Société in accordance with the second paragraph.

The Société issues an attestation to the holder of a class 1, 2 or 3 learner's licence where

(1) he is enrolled in the Programme enrichi d'accès à la conduite de véhicules lourds;

(2) he has successfully completed all the stages prior to going on the road without assistance of the Programme enrichi d'accès à la conduite de véhicules lourds;

(3) he undergoes a training period as a learner driver in an enterprise that entered into an agreement with a driving school that offers the Programme enrichi d'accès à la conduite de véhicules lourds and that is registered in the Registre des propriétaires et des exploitants de véhicules lourds with a “satisfactory” safety rating under the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);

(4) he is 18 years of age or older; and

(5) he has passed the proficiency examinations of the Société.

The attestation is valid from the date of issue and remains valid for as long as the conditions provided for in subparagraphs 1 and 3 of the second paragraph are met.

The holder of a learner's licence who drives a road vehicle in accordance to this section may only engage in transportation as part of a training period in an enterprise identified on the attestation issued by the Société and only use a vehicle owned by that enterprise. In addition, he may not engage in any of the following transportations:

(1) transportations involving dangerous substances as defined in the Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43), when safety placards must be displayed on the road vehicle he drives in accordance with Division IV of that Regulation;

(2) transportations of a vehicle requiring the issue of a permit provided for in the Regulation respecting special permits (chapter C-24.2, r. 35), the Special Road Train Operating Permits Regulation (chapter C-24.2, r. 36) or section 633 of the Highway Safety Code (chapter C-24.2);

(3) transportations outside the territory of Québec.

13.3. The Programme enrichi d'accès à la conduite de véhicules lourds is a program offered by a heavy vehicle driving school under the Centre de services scolaires des Premières-Seigneuries or the Centre de services scolaires de la Rivière-du-Nord.

The enriched program includes:

(1) one of the following programs:

(a) to obtain a class 1 driver's licence, the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport;

(b) to obtain a class 2 driver's licence, the instruction program for the driving of buses leading to a secondary school vocational attestation awarded by the Ministère de l'Éducation, du Loisir et du Sport;

(c) to obtain a class 3 driver's licence, the instruction program for the driving of straight trucks offered by the driving school;

(2) a training period as learner driver of the class appropriate to his licence in an enterprise that entered into an agreement with the driving school and that is to last until the person has completed 24 months as the holder of a class 5 probationary licence.

To be admitted in the enriched program, a person must

(1) hold a class 5 probationary licence;

(2) meet the conditions of eligibility of the relevant instruction program mentioned in subparagraph 1 of the second paragraph;

(3) not have demerit points entered in his driver's record;

(4) not have been subject to a penalty under section 185 or 191.2 of the Highway Safety Code (chapter C-24.2) or to a cancellation on any grounds provided for in section 180 of the Code for a minimum of 2 years; and

(5) have produced a report of his medical examination or evaluation in accordance with section 73 of the Highway Safety Code.”

2. Section 44 is amended by adding the following subparagraphs after subparagraph *b* of paragraph 1:

“(c) be enrolled in the instruction program for the driving of trucks leading to a secondary school vocational diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport and have successfully completed all the compulsory sections in the program required prior to road driving without a supervisor;

(d) be enrolled in the instruction program for the driving of straight trucks offered in a heavy vehicle driving school under the Centre de services scolaires des Premières-Seigneuries or the Centre de services scolaires de la Rivière-du-Nord and have successfully completed all the compulsory parts prior to the on-road examination of the program;”.

3. Section 45 is amended by adding the following after subparagraph *c* of subparagraph 1 of the first paragraph:

“(d) have successfully completed the instruction program for the driving of buses leading to the secondary school vocational attestation of the Ministère de l'Éducation, du Loisir et du Sport;”.

4. Sections 13.1 and 13.2, made by section 1 of this Regulation, apply, with the necessary modifications, to the person admitted before 8 April 2020 in the Programme enrichi d'accès à la conduite de véhicules lourds in accordance with the Ministerial Order concerning access to the driving of heavy vehicles (chapter C-24.2, r. 0.1.1).

5. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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