

## Draft Regulations

### Draft Regulation

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2)

#### Contract to agree upon a fare with a customer

Notice is hereby given, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), that the Regulation respecting the contract to agree upon a fare with a customer, appearing below, may be made by the Commission des transports du Québec on the expiry of 20 days following this publication.

The draft Regulation applies to the contract referred to in section 97 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), which is entered into between a qualified driver, the owner of a qualified automobile or a dispatcher, as the case may be, and a customer, in order to agree upon a fare that may be different from the rates of the Commission.

The draft Regulation essentially reflects the applicable regime provided for in section 58 of the Taxi Transportation Regulation (chapter S-6.01, r. 3) concerning that type of contract.

The draft Regulation also includes a provision to specify that the contract may be on any medium that makes reproduction in paper form possible, in accordance with the principle of technological neutrality set out in section 2 of the Act to establish a legal framework for information technology (chapter C-1.1).

Further information on the draft Regulation may be obtained by contacting Hélène Chouinard, Secretary, Commission des transports du Québec, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5V5; telephone: 418 266-0350; email: [projet.reglement@ctq.gouv.qc.ca](mailto:projet.reglement@ctq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to Hélène Chouinard, Secretary, Commission des

transports du Québec, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5V5; email: [projet.reglement@ctq.gouv.qc.ca](mailto:projet.reglement@ctq.gouv.qc.ca).

FRANCE BOUCHER,  
*President of the Commission des transports  
du Québec*

#### Regulation respecting the contract to agree upon a fare with a customer

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2, s. 97)

**1.** This Regulation applies to the contract referred to in section 97 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), which is entered into between a qualified driver, the owner of a qualified automobile or a dispatcher, as the case may be, and a customer, in order to agree upon a fare.

**2.** The contract must

(1) be legibly written and, if it is handwritten, drawn up or completed in ink;

(2) indicate the name and the contact information of the parties and bear their signature;

(3) identify the persons or the group of persons that must be transported;

(4) mention the date and term of the contract;

(5) mention the price fixed or the method to determine the price;

(6) include an indication on the pick-up point and destination of the trip;

(7) indicate, at the customer's request, the name of the qualified driver who will carry out the transportation; and

(8) indicate, at the customer's request, the identification of the qualified automobile or the desired features of that automobile, as well as the name of the dispatcher, as the case may be.

The contract may be on any medium that makes reproduction in paper form possible.

- 3.** Any stipulation in the contract is prohibited if it
- (1) allows to be paid before the services provided are rendered or the disbursements are incurred;
  - (2) renews the contract automatically; and
  - (3) allows the qualified driver, the owner of a qualified automobile or the dispatcher to modify the contract before the expiry of its term.
- 4.** The qualified driver, the owner of a qualified automobile or the dispatcher must, before having the contract signed, allow the customer to examine it, answer his or her questions and provide any required explanation.
- 5.** The qualified driver, the owner of a qualified automobile or the dispatcher must give the customer a copy of the signed contract.
- 6.** This Regulation comes into force on 10 October 2020.

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