

Draft Regulation

Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions
(chapter A-33.02)

Application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions —Amendment

Notice is hereby given, in accordance with sections 10 et 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation progressively increases the number of credits that must be accumulated by an automobile manufacturer to meet its requirements in order to reach 100% of zero-emission motor vehicle sales in 2035. To that end, the draft Regulation amends the calculation used to determine the number of credits that the motor vehicles concerned provide. It also progressively reduces the ceiling for the use of credits from reconditioned motor vehicles to 0% in 2035. In addition, to reflect the amendment to the calculation of credits, the Regulation amends the calculation of the charge owed where the credits accumulated by an automobile manufacturer are insufficient to meet its credit requirements. Lastly, the draft Regulation makes other amendments, such as adjustments to the classification of motor vehicles eligible for credits and of automobile manufacturers, time limits for processing reports and methods for calculating certain environmental and electric range requirements.

Study of the matter has shown that the draft Regulation, completed by the draft Regulation to amend the Regulation respecting the limit on the number of credits that may be used by an automobile manufacturer and the confidentiality of some information, published in the *Gazette officielle du Québec* on the same date as this draft Regulation, results in additional costs for all the actors in the transportation sector. It also reduces the Government's revenues from taxes on fuel and sales of goods and services associated with vehicles with an internal combustion engine. The draft Regulation has a positive impact on enterprises marketing charging stations and on sales of electricity. The main advantage of the draft Regulation is

for consumers who will benefit from energy savings and for whom the cost of acquiring vehicles would diminish. The draft Regulation also results in major environmental gains in greenhouse gas and other pollutant emissions.

Further information on the draft Regulation may be obtained by contacting Lucie Bouchard, Director General, Direction générale de la transition climatique, Ministère de l'Environnement et de la Lutte contre les changements climatiques, 675 boulevard René-Lévesque Est, 6^e étage, boîte 31, Québec (Québec) G1R 5V7; email: lucie.bouchard@environnement.gouv.qc.ca; telephone: 418 953-1028.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean-François Gibeault, Assistant Deputy Minister, Bureau d'électrification et de changements climatiques, 675 boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7; email: jean-francois.gibeault@environnement.gouv.qc.ca.

BENOIT CHARETTE

Minister of the Environment and the Fight Against Climate Change

Regulation to amend the Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions

Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions
(chapter A-33.02, ss. 3, 4, 6, 7, 2nd par., s. 8, 3rd and 4th pars., and s. 10)

1. The Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02, r. 1) is amended in section 1 by replacing “40,000” in subparagraph *b* of paragraph 3 of the definition of “reconditioned motor vehicle” by “100,000”.

2. Section 2 is amended by replacing “SULEV20 or SULEV30 category” in paragraph 1 by “SULEV30 category or a category with a stricter standard”.

3. Section 4 is amended

- (1) in the first paragraph
- (a) by striking out “category A” in paragraph 1;
- (b) by striking out “category B” in paragraph 2;
- (c) by striking out “category C” in paragraph 3;
- (2) by adding the following paragraph at the end:

“As of the 2025 model year, intermediate volume manufacturers are considered to be large volume manufacturers and no reclassification between the two categories is possible.”.

4. Section 5 is amended

- (1) by striking out the first paragraph;
- (2) by replacing “that is not required to submit such report” in the second paragraph by “that is not yet classified”.

5. Section 6 is amended by replacing “30” wherever it appears by “90”.

6. Section 10 is amended by striking out “in accordance with section 47 of the Act” in the second paragraph.

7. Section 12 is amended by replacing “30” by “90”.

8. Section 13 is amended by replacing the last line of the table in the third paragraph by the following:

“

2025	12.50%
2026	17.50%
2027	25.00%
2028	35.00%
2029	50.00%
2030	65.00%
2031	77.50%
2032	87.50%
2033	94.00%
2034	98.50%
2035 and subsequent	100.00%

”.

9. Section 14 is amended

(1) by replacing “As of model year 2020, among the credits that a large volume automobile manufacturer must accumulate for a particular model year” at the beginning of the first paragraph by “Among the credits that a large volume automobile manufacturer must accumulate for each of the 2020 to 2024 model years”;

(2) by striking out the last line of the table in the fourth paragraph.

10. Section 15 is amended

- (1) by replacing the first paragraph by the following:

“An automobile manufacturer may, for each period referred to in the table below, accumulate, by selling or leasing reconditioned motor vehicles, or by acquiring, from another automobile manufacturer, RZEV, RLEV, RVRE or RLSV credits, a maximum of the percentage of the total of the credits it must accumulate for each period presented in the table below:

Period of 3 consecutive calendar years	Maximum percentage
2022-2024	30%
2025-2027	20%
2028-2030	15%
2031-2033	10%
Subsequent periods	0%

”;

(2) by replacing “A” in the portion before subparagraph 1 of the second paragraph by “Up to the 2024 model year, a”.

11. The following is inserted before section 20:

“**§§i.** Provisions applicable up to the 2024 model year

19.1. This subdivision applies to zero-emission motor vehicles whose model year is 2024 or earlier.”.

12. Section 21 is replaced by the following:

“**21.** The number of credits to which the sale or lease of a reconditioned zero-emission motor vehicle gives entitlement is determined by means of a percentage of the number of credits to which the sale or lease of a new zero-emission motor vehicle of the same model and the same model year gives entitlement. That percentage varies depending on the difference between the number

representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year, according to the following table:

Difference between the number representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year	Percentage of the number of credits to which the sale or lease of a new zero-emission motor vehicle of the same model and the same model year gives entitlement
0	100%
1	80%
2	70%
3	60%
4	50%

”.

13. Section 24 is amended by inserting “in accordance with this subdivision,” after “gives entitlement,”.

14. The following is inserted after section 25:

“§§ii. Provisions applicable as of the 2025 model year

25.1. This subdivision applies to zero-emission motor vehicles whose model year is 2025 or later.

25.2. The sale or lease of a new zero-emission motor vehicle gives entitlement to one credit.

25.3. The number of credits to which the sale or lease of a reconditioned zero-emission motor vehicle gives entitlement is determined on the basis of the difference between the number representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year, according to the following table:

Difference between the number representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year	Number of credits to which the sale or lease of a new zero-emission motor vehicle of the same model and the same model year gives entitlement
0	1
1	0.8
2	0.7
3	0.6
4	0.5

”.

15. The following is inserted before section 26:

“§§i. Provisions applicable up to the 2024 model year

25.4. This subdivision applies to low-emission motor vehicles whose model year is 2024 or earlier.”.

16. Section 26 is amended by replacing “between 16 and 129 km” in the table of the first paragraph by “from 16 to 129 km”.

17. The following is inserted after section 29:

“§§ii. Provisions applicable as of the 2025 model year

29.1. This subdivision applies to low-emission motor vehicles whose model year is 2025 or later.

29.2. The sale or lease of a new low-emission motor vehicle gives entitlement to 0.5 credits if the electric range of the vehicle is equal to or greater than 80 km.

The electric range of a low-emission motor vehicle is determined by using the 5-cycle test procedure provided for in paragraph *j* (4) of the method Determination of values for fuel economy labels, in U.S. 40 CFR, Part 600, Subpart D.

29.3. The number of credits to which the sale or lease of a reconditioned low-emission motor vehicle gives entitlement is determined on the basis of the difference between the number representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year, according to the following table:

Difference between the number representing the calendar year during which the vehicle was registered for the first time in Québec and the number representing its model year	Number of credits to which the sale or lease of a new low-emission motor vehicle of the same model and the same model year gives entitlement
0	0.5
1	0.4
2	0.35
3	0.3
4	0.25

”.

18. Section 30 is amended by adding the following at the end:

“This section applies to low-speed motor vehicles whose model year is 2024 or earlier.”.

19. Section 31 is amended

(1) by replacing “For” at the beginning of the second paragraph by “Up to the period of 3 consecutive calendar years concerning the 2022 to 2024 model years, for”;

(2) by inserting the following after the second paragraph:

“As of the period of 3 consecutive calendar years concerning the 2025 to 2027 model years, for calculating the charge, the value of a credit is set at \$20,000.”.

20. Section 35 is amended by inserting the following after the first paragraph:

“For motor vehicles whose gross weight rating is greater than 3,856 kg, the values of the carbon dioxide emissions, in grams per kilometre, are determined according to the applicable methods and calculations provided for in the Heavy-duty Vehicle and Engine Greenhouse Gas Emission Regulations (SOR/201324).”.

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

105485

Draft Regulation

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs
(chapter M-30.001)

Environment Quality Act
(chapter Q-2)

Act to amend mainly the Environment Quality Act
with respect to deposits and selective collection
(2021, chapter 5)

Deposit system for certain containers

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the development, implementation and financial support of a deposit system for certain containers, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation requires certain persons to develop, implement and contribute financially to a deposit system for certain containers to allow them to be recovered and reclaimed.

The draft Regulation determines the persons (referred to as “producers”) required to fulfill those obligations and the types of containers on which a deposit must be paid.

The draft Regulation specifies that a producer must, in developing a deposit system, determine in particular

— the terms and conditions for collecting and refunding the amount of deposits, for returning containers on deposit, and for managing containers on deposit once they have been recovered, as well as for the costs of recovering and reclaiming containers;

— the terms and conditions for collecting and transporting containers on deposit to their final destination;

— the terms and conditions for communicating certain information, in particular concerning the recovery and reclamation rates achieved for containers on deposit and the percentage of containers on deposit that are re-used or disposed of;

— the measures implemented to facilitate participation by social economy enterprises and contribute to the fight against climate change.

The draft Regulation specifies the amount of the deposit for each container on deposit and the mechanism that allows a body designated in accordance with the draft Regulation to change the deposit amount.

The draft Regulation determines the requirements that apply to sites where a person may bring a container on deposit in order to obtain a refund of the deposit, and the distribution, location, layout and accessibility of those sites. The requirements may vary depending on the type of return locations, which the draft Regulation divides into 3 categories.

The draft Regulation includes an obligation for retailers operating a retail establishment in which a product is offered for sale in a container on deposit to accept containers on deposit that are returned to them, to refund the amount of the deposit and to establish return sites for that purpose.

The draft Regulation contains specific provisions for the return of containers on deposit and the refunding of the amount of the deposit in places situated in a remote or isolated territory.

The draft Regulation also contains specific provisions concerning the collection of containers on deposit in an establishment offering consumption on the premises.