

**2.** Section 14.31 is amended by adding the following at the end:

“The exemptions provided for in the first paragraph apply, on the conditions provided therein, as of 1 August 2021 to the pension plan referred to in paragraph 1 of section 14.30.1.”

**3.** Section 14.32 is amended by adding the following at the end:

“For the purposes of subparagraph 3 of the first paragraph, the exemption in the first paragraph of section 228 of the Act applies

(1) as of 1 May 2021 regarding the benefits accrued as of that date by the members referred to in section 14.30.2 and any person employed by The Globe and Mail Inc. as of that date;

(2) as of 1 August 2021 regarding the amendments made to enhance the benefits of members or beneficiaries under the plan referred to in paragraph 1 of section 14.30.1 for which the transfer of assets and liabilities takes effect on that date.”

**4.** Section 14.33 is amended:

(1) by replacing “the value of the benefits referred to in paragraph 3” by “the value of the benefits referred to in subparagraph 3 of the first paragraph”;

(2) by adding the following paragraph at the end:

“For the purposes of the first paragraph, the assets upon termination must be distributed between the value of the benefits referred to in the second paragraph of section 14.32 and the value of the benefits that come from the pension plan referred to in paragraph 1 of section 14.30.1 before 1 May 2021.”

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

106110

Gouvernement du Québec

## O.C. 77-2023, 18 January 2023

Highway Safety Code  
(chapter C-24.2)

Act to amend the Automobile Insurance Act,  
the Highway Safety Code and other provisions  
(2022, chapter 13)

### Hours of driving and rest of heavy vehicle drivers — Amendment

Regulation to amend the Regulation respecting the hours  
of driving and rest of heavy vehicle drivers

WHEREAS, under the second paragraph of section 519.21.1 of the Highway Safety Code (chapter C-24.2), a government regulation determines the circumstances under which subparagraphs 1 to 4 of the first paragraph of the section apply;

WHEREAS, under subparagraph 12 of the first paragraph of section 621 of the Code, the Government may by regulation prescribe the standards relating to work cycles, hours of rest, hours of driving and hours of service that the driver of a heavy vehicle is required to comply with to be allowed to drive, and, for that purpose, prescribe special standards for the installation and use of accessories and equipment on such vehicles as well as standards governing the driving of such vehicles;

WHEREAS, under subparagraph 12.0.1 of the first paragraph of section 621 of the Code, as replaced by paragraph 4 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions (2022, chapter 13), the Government may by regulation define, for the purposes of sections 519.8.1, 519.9, 519.10, 519.12, 519.20, 519.21.1 to 519.26 and 519.31 to 519.31.3, the expressions “cycle”, “day”, “director”, “driver”, “electronic logging device”, “home terminal”, “hour of driving”, “hour of rest”, “hour of service”, “malfunction”, “out-of-service declaration”, “permit”, “provincial director”, “record of duty status” and “supporting document”;

WHEREAS, under subparagraph 12.0.2 of the first paragraph of section 621 of the Code, the Government may by regulation prescribe the conditions and procedures according to which the Société de l'assurance automobile du Québec may grant to an operator or a driver of a heavy vehicle, by means of a permit, the authorization to depart from the standards and conditions relating to hours of

driving and hours of rest prescribed by a regulation made under subparagraph 12 of the first paragraph, the conditions and procedures attached to the permit and the conditions and procedures according to which the Société may approve the issuing of a permit by another director;

WHEREAS, under subparagraph 12.1 of the first paragraph of section 621 of the Code, as replaced by paragraph 5 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation establish the conditions under which the driver of a heavy vehicle must record the driver's hours of rest and hours of service and produce a record of duty status, and determine the information the record of duty status must contain, its form and the other information that the driver must forward and make available to the operator and any other person who supplies the driver's services;

WHEREAS, under subparagraph 12.1.0.1 of the first paragraph of section 621 of the Code, as enacted by paragraph 5 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation establish the rules governing the transmission, reception and retention of records of duty status, supporting documents and information determined by a regulation made under paragraph 12.1 of the first paragraph;

WHEREAS, under subparagraph 12.1.0.2 of the first paragraph of section 621 of the Code, as enacted by paragraph 5 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine in what cases and on what conditions a driver may produce more than one record of duty status in respect of any day;

WHEREAS, under subparagraph 12.1.0.3 of the first paragraph of section 621 of the Code, as enacted by paragraph 5 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation establish the requirements the electronic logging device must meet and the standards for its installation, determine in what cases and on what conditions the device need not be installed or used and prescribe the rules applicable to the recording of hours of rest and hours of service and to the transmission of those hours and other information;

WHEREAS, under subparagraph 12.1.0.4 of the first paragraph of section 621 of the Code, as enacted by paragraph 5 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine the documents that a driver who is required to complete records of duty

status must have in his or her possession when driving and the documents that must be in each heavy vehicle under section 519.21.3 of the Code;

WHEREAS, under subparagraph 12.2 of the first paragraph of section 621 of the Code, as replaced by paragraph 6 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine in what cases and on what conditions the hours of rest and hours of service need not be recorded by the driver in a record of duty status or required by the operator;

WHEREAS, under subparagraph 12.2.1 of the first paragraph of section 621 of the Code, as amended by paragraph 13 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation prescribe the procedures according to which the operator using the services of a driver must obtain the driver's records of duty status from the person providing the services;

WHEREAS, under subparagraph 12.2.2 of the first paragraph of section 621 of the Code, as amended by paragraph 13 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation prescribe the procedures according to which a person providing the services of a driver must transmit the driver's records of duty status to the operator;

WHEREAS, under subparagraph 12.2.3 of the first paragraph of section 621 of the Code, as enacted by paragraph 7 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine the conditions under which the operator must maintain the system of each electronic logging device used to identify users and the conditions relating to the retention of the information recorded in the system;

WHEREAS, under subparagraph 12.2.4 of the first paragraph of section 621 of the Code, as enacted by paragraph 7 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine the content of the register containing the information in connection with the working order and use of each device, the conditions of retention of the register and the time limits for repairing or replacing the device in case of malfunction;

WHEREAS, under subparagraph 12.4 of the first paragraph of section 621 of the Code, the Government may by regulation determine the standards according to which a peace officer may issue an out-of-service declaration in respect of a driver of a heavy vehicle as well as the duration of and conditions applicable to that declaration;

WHEREAS, under subparagraph 12.5 of the first paragraph of section 621 of the Code, as enacted by paragraph 8 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine the conditions under which a driver or an operator must make available or forward a document or information required under sections 519.10 and 519.25 of the Code to a peace officer, at the latter's request;

WHEREAS, under subparagraph 39 of the first paragraph of section 621 of the Code, as amended by paragraph 11 of section 76 of the Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions, the Government may by regulation determine the form, content and rules for the retention of the reports, records, files or other documents referred to in Title VIII.1 of the Code and exempt certain owners, operators or persons who supply the services of a driver from retaining them in the cases it indicates;

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 hours of driving and rest of heavy vehicle drivers was published in Part 2 of the *Gazette officielle du Québec* of 17 August 2022 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;

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

THAT the Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers, attached to this Order in Council, be made.

YVES OUELLET  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the hours of driving and rest of heavy vehicle drivers

Highway Safety Code  
(chapter C-24.2, s. 519.21.1, 2nd par., and s. 621, 1st par., subpars. 12, 12.0.1, 12.0.2, 12.1, 12.1.0.1, 12.1.0.2, 12.1.0.3, 12.1.0.4, 12.2, 12.2.1, 12.2.2, 12.2.3, 12.2.4, 12.4, 12.5 and 39)

Act to amend the Automobile Insurance Act,  
the Highway Safety Code and other provisions  
(2022, chapter 13, s. 76, pars. 4 to 8, 11 and 13)

**1.** The Regulation respecting the hours of driving and rest of heavy vehicle drivers (chapter C-24.2, r. 28) is amended in section 1

(1) by inserting the following definition after the definition of “hours of service”:

“malfunction” means any event resulting in the automatic recording in an electronic logging device of a malfunction code appearing in Table 4 in Schedule 2 to the Technical Standard; (*défaillance*);

(2) by inserting the following definitions in alphabetical order:

“electronic logging device” means any device or technology that automatically records a driver's hours of driving and that is certified by an accredited certification body under the Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313); (*dispositif de consignation électronique*);

“supporting document” means any one of the following documents received or prepared by a driver in the course of their duties or received or prepared by an operator:

(a) any electronic mobile communication record reflecting communications between a driver and an operator transmitted through a driver call-in or fleet management system;

(b) any payroll record or equivalent document that indicates payments to the driver;

(c) any government-issued document indicating the location of the heavy vehicle;

(d) any reports, receipts, records or other documentation relating to the load of the heavy vehicle, including any bill of lading, itinerary, schedule or equivalent document that indicates the origin and destination of each trip;

(e) any reports, receipts, records or other documentation relating to the servicing, repairing, conditioning, fuelling, inspection or rental of the heavy vehicle; and

(f) any reports, dispatch or trip records, receipts, or other documentation indicating the date, time, or location of the heavy vehicle during a trip, including arrival and departure times. (*document justificatif*);

(3) by striking out the definition of “daily log”;

(4) by replacing the definition of “hours of service” by the following definition:

“hours of service” means the period that begins when a driver begins work, including the time when the driver is required by the operator to be available at the work site, and that ends when the driver stops work or is relieved of responsibility by the operator. The period of hours of service includes hours of driving and time spent by the driver

(a) inspecting, servicing, repairing, conditioning, fuelling or starting a heavy vehicle;

(b) travelling in a heavy vehicle as a co-driver, when the time is not spent in the sleeper berth;

(c) participating in the loading or unloading of a heavy vehicle;

(d) inspecting or checking the load of a heavy vehicle;

(e) waiting before and while a heavy vehicle is serviced, loaded or unloaded;

(f) waiting to be assigned to work;

(g) waiting before and while a heavy vehicle or its load is inspected and, if relevant, the time spent necessary for the remedial actions to be taken;

(h) waiting before and while the driver’s requirements are assessed;

(i) waiting at an en-route point because of an accident or other unplanned occurrence or situation;

(j) performing any other work at the request of an operator;

(k) performing yard moves of a heavy vehicle that is not on a public road within a terminal, depot or port; (*heures de travail*); and

(l) resting in or occupying a heavy vehicle for any other purpose, except

i. time considered part of the hours of rest in accordance with section 11;

ii. time spent in a sleeper berth;

iii. time spent in a stationary heavy vehicle to meet the requirements of the second paragraph of section 13; and

iv. time spent in a stationary heavy vehicle that is in addition to the time spent to meet the hours of rest requirements of the second paragraph of section 13;”;

(5) by inserting the following definition in alphabetical order:

“record of duty status” means the record in which a driver records the information required under section 30.1 or sections 31 and 32, as applicable, and that contains the grid in Schedule II; (*rapport d’activités*);

(6) by inserting “28.1, 28.5 and” in the definition of “home terminal” after “For the purposes of sections”.

## 2. Section 2 is amended

(1) by replacing “daily logs” in the definition of “establishment” by “records of duty status”;

(2) by inserting the following definition in alphabetical order:

“Technical Standard” means the Technical Standard for Electronic Logging Devices published by the Canadian Council of Motor Transport Administrators, as referred to in the Commercial Vehicle Drivers Hours of Service Regulations (SOR/2005-313); (*norme technique*);”.

3. Section 4 is amended by replacing “daily log” in subparagraph iii by “record of duty status”.

4. Section 13 is amended by replacing the first paragraph by the following:

“An operator shall ensure that a driver takes and the driver shall have taken at least 10 hours of rest during each of the 14 days prior to driving a heavy vehicle.”.

## 5. Section 14 is amended

(1) by inserting the following after paragraph 5:

“(5.1) the hours of driving in a day do not exceed 15 hours; and”;

(2) by replacing “indicates in the “Remarks” section of the daily log” in paragraph 6 by “indicates in the record of duty status”.

**6.** Section 15 is amended by replacing “daily log” in paragraph 2 by “record of duty status”.

**7.** Section 19 is amended by replacing “indicates in the “Remarks” section of the daily log” in subparagraph *f* of subparagraph 1 of the first paragraph by “indicates in the record of duty status”.

**8.** Section 24 is amended by replacing “daily logs” in the second paragraph by “records of duty status”.

**9.** Section 26 is amended by striking out “, which shall not exceed one year.”.

**10.** Section 27 is amended by replacing “daily log” in paragraph 3 by “records of duty status”.

**11.** The following is inserted after section 28:

#### “CHAPTER III.1 ELECTRONIC LOGGING DEVICE

**28.1.** The operator shall ensure that every heavy vehicle under the operator’s responsibility is equipped with an electronic logging device that meets the requirements of the Technical Standard, except in the case of

(1) a vehicle that is the subject of a rental agreement of not longer than 30 days that is not an extended or renewed rental of the same heavy vehicle;

(2) a vehicle manufactured before model year 2000;

(3) a vehicle driven to be delivered

(a) to an owner’s home terminal following the transfer of the right of ownership;

(b) to a lessee;

(c) to a lessor during a rental agreement or when it expires; or

(d) to a branch of a car rental enterprise for an inventory adjustment; or

(4) a vehicle driven within 5 days of its delivery following the transfer of the right of ownership;

(5) a new vehicle driven to be delivered to an enterprise in order to complete its manufacture or make it comply with the use for which it is essentially intended, or driven to be returned to an owner following such an operation;

(6) a vehicle driven within a radius of 160 km of the driver’s home terminal and the driver returns to the home terminal each day to begin a minimum of 8 consecutive hours of rest or to begin a minimum of 6 consecutive hours of rest in the situation described in subparagraph 2 of the first paragraph of section 19.

A vehicle referred to in subparagraph 3 or 4 of the first paragraph may not be hitched or loaded. A vehicle referred to in subparagraph 3 of the first paragraph may transport one or more vehicles by means of the saddle-mount method if the vehicles are part of the delivery.

A vehicle referred to in subparagraph 6 of the first paragraph does not cease to be exempted for the sole reason that the driver is unable to return to the home terminal on the same day because of adverse driving conditions.

**28.2.** An operator who authorizes a driver to perform yard moves off a public road within a terminal, depot or port shall ensure that the electronic logging device has been configured so that the driver is able to indicate the moves.

**28.3.** The operator shall create and maintain a system of accounts for electronic logging devices that is in compliance with the Technical Standard and that allows each driver to record their records of duty status in a distinct and personal account and that provides for a distinct account for the hours of service of an unidentified driver.

**28.4.** The operator shall ensure that each heavy vehicle it operates that is equipped with an electronic logging device carries an information packet containing a current version of the following documents:

(1) a user’s manual;

(2) an instruction sheet for the driver describing the technological means supported by the electronic logging device and the steps required to make available or forward the data with respect to the driver’s hours of service to a peace officer;

(3) an instruction sheet for the driver describing the measures to take in the event that the electronic logging device malfunctions; and

(4) a sufficient number of records of duty status in paper form to allow the driver to record the information required under sections 31 and 32 for at least 15 days.

**28.5.** If a driver becomes aware of the fact that the electronic logging device is displaying a malfunction code appearing in Table 4 in Schedule 2 to the Technical Standard, the driver shall notify the operator as soon as the vehicle is parked.

The operator shall, within 14 days after the day on which it was notified of an electronic logging device malfunction by the driver or otherwise became aware of it, or at the latest, upon return of the driver to the home terminal from a planned trip if that return exceeds the 14-day period, repair or replace the electronic logging device.

The operator shall maintain a register of electronic logging device malfunction codes noticed on the electronic logging devices installed or used in the heavy vehicles it operates. The register shall contain the following information:

- (1) the name of the driver who noticed the malfunction code;
- (2) the name of each driver that used the vehicle between the time the malfunction code was noticed and the time the electronic logging device was repaired or replaced;
- (3) the make, model and serial number of the electronic logging device;
- (4) the registration plate number or vehicle identification number of the vehicle in which the electronic logging device was installed or used;
- (5) the date when the malfunction code was noticed and the location of the vehicle on that date, as well as the date when the operator was notified or otherwise became aware of the code;
- (6) the date the electronic logging device was replaced or repaired; and
- (7) a concise description of the actions taken by the operator to repair or replace the electronic logging device.

For each electronic logging device for which a malfunction code was noticed, the operator shall retain the information referred to in the third paragraph for a period of 6 months from the day on which the electronic logging device is replaced or repaired.”

**12.** The heading of Chapter IV is replaced by the following:

“RECORD OF DUTY STATUS”.

**13.** Section 29 is amended by replacing “daily log” in the first paragraph by “record of duty status”.

**14.** Section 30 is amended by replacing “daily log” in the portion before paragraph 1 by “record of duty status”.

**15.** The following is inserting after section 30:

“**30.1.** The operator shall require the driver to record all the information associated with the records of duty status using an electronic logging device, in accordance with the Technical Standard. The driver is required to comply with that requirement.

The following information shall be recorded by the driver:

- (1) the date;
- (2) the driver’s name and, if the driver is a member of a team of drivers, the names of the co-drivers;
- (3) the identification code assigned to the driver;
- (4) the time when the day begins if different than midnight;
- (5) the cycle followed by the driver;
- (6) the number of the registration plate of the motor vehicle or the unit number entered on the registration certificate;
- (7) the name of the operator and the addresses of the home terminal and the establishment of the operator by whom the driver is employed or otherwise engaged;
- (8) the heavy vehicle’s location description, if it is not automatically drawn from the electronic logging device’s geo-location database;
- (9) if the driver was not required to keep a record of duty status immediately before the beginning of the day, the number of hours of rest and hours of service that were accumulated by the driver during each day without that requirement during the 14 days before the beginning of the day;
- (10) if applicable, the reasons for any excess hours or deferral of hours of rest in accordance with this Regulation;
- (11) if the driver was working for more than one operator during the current day or the previous 14 days
  - (a) for each day during the 14 days immediately before the current day, the total number of hours for each duty status that were accumulated by the driver, and the beginning and end time of each 16-hour period provided for in the second paragraph of section 9; and
  - (b) the start and end times of each duty status in the current day, before the use of the electronic logging device;

(12) if the driver became aware during the day of a malfunction code appearing in Table 4 in Schedule 2 to the Technical Standard,

- (a) the malfunction code;
  - (b) the date and time at which the malfunction code was noticed; and
  - (c) the time at which the driver notified the operator of the malfunction code; and
- (13) any annotation necessary to complete the record of duty status.

At the end of the day, the driver shall certify the accuracy of the record of duty status.”.

**16.** Section 31 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**31.** Despite section 30.1, a driver is exempted from the requirement to use an electronic logging device to record all information associated with the records of duty status if

- (1) the vehicle being driven is not equipped with an electronic logging device pursuant to any of subparagraphs 1 to 6 of the first paragraph of section 28.1; or
- (2) a malfunction code appearing in Table 4 in Schedule 2 to the Technical Standard is displayed on the electronic logging device of the vehicle being driven.

If the driver is exempted as provided in the first paragraph, the operator shall require the driver to enter, and the driver shall enter, the following information in the record of duty status at the beginning of each day:”;

(2) by replacing subparagraph 8 of the first paragraph by the following:

“(8) if the driver was not required to keep a record of duty status immediately before the beginning of the day, the number of hours of rest and hours of service that were accumulated by the driver during each day without that requirement during the 14 days before the beginning of the day;”;

(3) by striking out “in the “Remarks” section of the daily log,” in subparagraph 9 of the first paragraph;

(4) by adding the following at the end of the first paragraph:

“(10) if applicable, the malfunction code.”;

(5) by replacing “first” in subparagraph 2 of the second paragraph by “second”.

**17.** Section 32 is amended

(1) by replacing “daily log” in the portion before paragraph 1 by “record of duty status”;

(2) by striking out “, in the “Remarks” section of the daily log,” in paragraph 1;

(3) by replacing “daily log” in paragraph 2 by “record of duty status”.

**18.** Section 33 is replaced by the following:

“**33.** A driver may, during one day, produce an additional record of duty status if

- (1) the driver operates a vehicle subject to the obligation to be equipped with an electronic logging device pursuant to any of subparagraphs 1 to 6 of the first paragraph of section 28.1 after operating a vehicle that is not equipped with an electronic logging device, or the converse;
- (2) the vehicle operated is no longer subject to the obligation to be equipped with an electronic logging device pursuant to subparagraph 3 of the first paragraph of section 28.1;
- (3) the driver becomes aware that the electronic logging device of the vehicle he or she operates is displaying a malfunction code appearing in Table 4 of Schedule 2 to the Technical Standard;
- (4) the driver begins working for another operator and one of the records of duty status is technology-based.”.

**19.** Section 34 is amended

(1) by replacing “daily log” in the portion before paragraph 1 by “record of duty status”;

(2) by replacing “daily logs” in paragraph 1 by “records of duty status”;

(3) by replacing paragraph 2 by the following:

“(2) the current record of duty status, completed up to the time at which the last change in the driver’s duty status occurred and, if more than one record of duty status is produced in accordance with section 33, the other records of duty status for the day;”.

**20.** The following is inserted after section 34:

“**34.1.** A peace officer may request that a driver, pursuant to section 519.10 of the Highway Safety Code (chapter C-24.2), make available or forward to the peace officer, in their existing format, the driver’s records of duty status for the current day and the 14 preceding days, the supporting documents for the current trip and, if applicable, a copy of the permit issued under Chapter III.

To make a technology-based document available, the driver shall produce either a display or a printout of the document. To forward such a document, the driver shall send it by e-mail or, if the document is produced using an electronic logging device, by the technological means and in the form determined by the peace officer from among those prescribed in the Technical Standard and supported by the electronic logging device.

A driver unable to forward technology-based records of duty status shall enter the information they contain on records of duty status in paper form.”.

**21.** Section 35 is amended

(1) by replacing “daily log, forward the original daily log” in the first paragraph by “record of duty status, forward the original of the record of duty status”;

(2) by replacing “daily log” in the portion of the second paragraph before subparagraph 1 by “record of duty status”;

(3) by replacing subparagraph 1 of the second paragraph by the following:

“(1) the original of the record of duty status to the home terminal of the first operator for which the driver worked or, if more than one record of duty status is produced in accordance with section 33, the original of each record of duty status to the home terminal of the operator concerned, and a copy of the record to the home terminal of each other operator for which the driver worked; and”.

**22.** Sections 36, 37 and 38 are amended by replacing all occurrences of “daily logs” by “records of duty status”.

**23.** Section 39 is amended

(1) by replacing “daily logs” in paragraph 3 by “records of duty status”;

(2) by replacing all occurrences of “daily log” in paragraph 4 by “records of duty status”;

(3) by replacing “mutilated or defaced a daily log” in paragraph 5 by “defaced or made illegible a record of duty status”;

(4) by adding the following at the end:

“(6) the driver uses an electronic logging device that has a disabled, deactivated, blocked or otherwise degraded transmission or signal reception, or uses an electronic logging device that has been re-engineered, reprogrammed or otherwise altered so that it does not accurately record and retain the data as required, in such a way that the peace officer cannot establish in those cases whether the driver has complied with the hours of driving and hours of rest requirements under Chapter II or the requirements of a permit issued under Chapter III.”.

**24.** Section 40 is amended by replacing “paragraphs 3 to 5” in subparagraph 4 of the second paragraph by “paragraphs 3 to 6”, and “daily log” by “record of duty status”.

**25.** Sections 41 and 42 are amended by replacing all occurrences of “daily logs” by “records of duty status”.

**26.** The following is inserted after section 42:

“**42.1.** A peace officer may request that an operator, pursuant to section 519.25 of the Highway Safety Code (chapter C-24.2), make available or forward to the peace officer the documents referred to in section 41 and the register referred to in section 28.5 at the place the peace officer indicates.

To make a technology-based document or register available, the operator shall produce either a display or a printout of the document or register. To forward such a document or register, the operator shall send it by the technological means and in the form determined by the peace officer from among those available to the operator.”.



**27.** The grid in Schedule II is replaced by the following:

DUTY STATUS	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total hours
Rest																										
Time spent in a sleeper berth																										
Driving																										
Duty other than driving																										

**28.** This Regulation comes into force on 30 April 2023, except in respect of heavy vehicles registered in the name of the Ministère des Transports et de la Mobilité durable that are under the management of the Centre de gestion de l'équipement roulant of that department, for which the Regulation comes into force on 1 September 2023, and in respect of heavy vehicles registered in the name of Hydro-Québec or one of its wholly-owned subsidiaries, for which the Regulation comes into force on 31 December 2024.

106112

Gouvernement du Québec

### O.C. 79-2023, 18 January 2023

Act respecting occupational health and safety  
(chapter S-2.1)

#### Implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development — Revocation

Regulation to revoke the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development

WHEREAS, under the first paragraph of section 170 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make agreements with a Government department or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS, under subparagraph 39 of the first paragraph of section 223 of the Act, the Commission may make regulations taking the necessary measures for the implementation of an agreement made pursuant to section 170 of the Act;

WHEREAS, in accordance with the first paragraph of section 16 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), a person doing work under a project of any government, whether or not the person is a worker within the meaning of that Act, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the government, agency or legal person concerned;

WHEREAS the Commission and the Department of Human Resources and Skills Development made an agreement regarding programs financed by the Department of Human Resources and Skills Development, which took effect on 28 April 2011;

WHEREAS the parties have agreed to cancel the agreement given that changes have been made in the administration of the programs referred to therein and, therefore, it is expedient to revoke the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development (chapter S-2.1, r. 35);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to revoke the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development was published in Part 2 of the *Gazette officielle du Québec* of 4 May 2022 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;