

9. A monetary administrative penalty of \$1,500 in the case of a sole proprietorship and \$4,000 in any other case may be imposed on an enterprise

(1) that, while a party to a public contract or subcontract or while holding an authorization to contract, omits or refuses to send to the Authority the information or documents required as part of an update made under a regulation governing the terms relating to the updates made under section 21.40 of the Act, in accordance with that regulation and section 21.40 of the Act, as the case may be;

(2) that, while a party to a public contract or subcontract or while holding an authorization to contract, omits or refuses to send to the Authority the information or documents required in accordance with section 21.48.9 of the Act;

(3) that fails to submit to an oversight or monitoring measure imposed on it by the Authority under Chapter V.1 of the Act or, where the measure was applied by the Authority, fails to pay to it the costs of such a measure.

10. A monetary administrative penalty of \$500 in the case of a sole proprietorship and \$1,000 in any other case may be imposed on an enterprise that fails or refuses to confirm the authenticity of documents or the veracity of information communicated to the Authority in accordance with the third paragraph of section 21.48.9 of the Act.

DIVISION II RECOVERY CHARGE PAYABLE

11. The debtor of a recoverable amount is required to pay a recovery charge of

(1) \$50 for the recovery certificate filed at the office of the competent court under section 27.33 of the Act;

(2) \$175 for each measure for securing a claim taken under Title Three of Book Six of the Civil Code and for each execution measure taken under Book VIII of the Code of Civil Procedure (chapter C-25.01).

The charges are part of the recoverable amount.

CHAPTER III FINAL PROVISIONS

12. This Regulation replaces the Fee related to an application for authorization filed by an enterprise with the Autorité des marchés publics for public contracts and subcontracts (chapter C-65.1, r. 7.2).

13. This Regulation comes into force on 2 June 2023.

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Towing and impounding charges for seized road vehicles and threshold for the value of unclaimed seized road vehicles

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the towing and impounding charges for seized road vehicles and the threshold for the value of unclaimed seized road vehicles, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the towing charges for road vehicles seized under the Highway Safety Code (chapter C-24.2) in order to better reflect the cost of towing operations. It also determines the daily charges payable for the impounding of such vehicles. Lastly, it determines the threshold for the value of unclaimed seized road vehicles used to determine the method and procedure for the disposal of those vehicles.

The draft Regulation has an impact on offenders since the increase of the towing charges will be charged directly to them. As for the impact on enterprises, including small and medium-sized businesses, the increase of the towing charges will result in an increase of revenue for enterprises in the towing industry.

Further information on the draft Regulation may be obtained by contacting Isabelle Lombardo, Acting Director, Direction du conseil et des orientations en accès sécuritaire, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-10, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-3333, extension 81669; email: isabelle.lombardo@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 Nadia Fournier, Director, Direction des relations gouvernementales et du soutien administratif, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, case postale 19600, succursale Terminus, Québec (Québec) G1K 8J6; email: nadia.fournier@saaq.gouv.qc.ca. The comments will be sent by the Société de l'assurance automobile du Québec to the Minister of Transport and Sustainable Mobility.

GENEVIÈVE GUILBAULT
Minister of Transport and Sustainable Mobility

Regulation respecting the towing and impounding charges for seized road vehicles and the threshold for the value of unclaimed seized road vehicles

Highway Safety Code
(chapter C-24.2, s. 621, 1st par., subpars. 50 and 50.1)

DIVISION I TOWING CHARGES

1. In this Division,

“protection vehicle” means a road vehicle equipped with an arrow light signal and belonging to a towing enterprise; (*véhicule de protection*)

“recovery” means all the manoeuvres required to position a road vehicle in the axis necessary for the towing operation or to move a significant loss of the load or major debris of the vehicle to be towed. (*récupération*)

2. The basic charges for towing road vehicles seized under the Highway Safety Code (chapter C-24.2), in a place not covered by the Regulation respecting the provision of road service or towing on certain roads and auto-routes and on certain bridges or other infrastructures (chapter M-28, r. 4), are those appearing in the following table according to vehicle class:

Vehicle class	Towing charges	
	Without recovery	With recovery
Road vehicle having a gross weight rating of less than 4,500 kg	\$112.48	\$209.64
Road vehicle having a gross weight rating of 4,500 kg to 8,000 kg	\$173.96	\$684.77
Road vehicle having a gross weight rating of more than 8,000 kg	\$262.44	\$1357.43

The following charges are added to the basic charges:

(1) an amount of \$3.75 for each kilometre travelled beyond a distance of 10 kilometres for towing a road vehicle having a gross weight rating of less than 4,500 kg;

(2) an hourly rate of \$91.95, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of less than 4,500 kg after the first 30 minutes at the towing site where towing does not involve recovery or after the first 60 minutes where it involves recovery;

(3) an hourly rate of \$142.21, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of 4,500 kg to 8,000 kg after the

first 30 minutes at the towing site where towing does not involve recovery or after the first 120 minutes where it involves recovery;

(4) an hourly rate of \$240.04, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of more than 8,000 kg after the first 30 minutes at the towing site where towing does not involve recovery or after the first 120 minutes where it involves recovery;

(5) an amount of \$31.45 for the use of an absorbent bag.

3. The basic charges for towing road vehicles seized under the Highway Safety Code (chapter C-24.2), on parts of the public roads covered by the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures (chapter M-28, r. 4), are those appearing in the following table according to vehicle class:

Vehicle class	Towing charges	
	Without recovery	With recovery
Road vehicle having a gross weight rating of less than 4,500 kg	\$184.30	\$235.49
Road vehicle having a gross weight rating of 4,500 kg to 8,000 kg	\$285.55	\$1166.09
Road vehicle having a gross weight rating of more than 8,000 kg	\$448.23	\$2366.31

The following charges are added to the basic charges:

(1) an amount of \$3.75 for each kilometre travelled beyond a distance of 10 kilometres for towing a road vehicle having a gross weight rating of less than 4,500 kg;

(2) an hourly rate of \$142.21, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of less than 4,500 kg after the first 60 minutes at the towing site;

(3) an hourly rate of \$142.21, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of 4,500 kg to 8,000 kg after the first 60 minutes at the towing site where towing does not involve recovery or after the first 120 minutes where it involves recovery;

(4) an hourly rate of \$240.04, charged per 15 minutes, for the time spent towing a road vehicle having a gross weight rating of more than 8,000 kg after the first 60 minutes at the towing site where towing does not involve recovery or after the first 120 minutes where it involves recovery;

(5) an hourly rate of \$142.21, charged per 15 minutes, for the use of an additional tow truck required for towing a road vehicle having a gross weight rating of 8,000 kg or less;

(6) an hourly rate of \$240.04, charged per 15 minutes, for the use of an additional tow truck required for towing a road vehicle having a gross weight rating of more than 8,000 kg;

(7) an hourly rate of \$57.65, charged per 15 minutes, per additional employee required for the manoeuvres required to move a significant loss of the load or major debris from a road vehicle;

(8) an hourly rate of \$91, charged per 15 minutes, for the use of a protection vehicle;

(9) an amount of \$31.45 for the use of an absorbent bag.

4. The towing charges set in this Division are indexed every 3 months as of 1 August 2023 according to the for-hire motor carrier freight services monthly price index for the Truck transportation category [484] established by Statistics Canada. The result of the indexation is obtained by multiplying the charges set on 1 June 2023 by the ratio between the average of the indexes established for the quarter preceding by 4 months the date of indexation and the average of the indexes established for April, May and June of 2022.

If a quarterly average, the ratio between the averages or the result of the indexation has more than 2 decimals, only the first 2 decimals are retained and the second one is increased by one unit if the third decimal is equal to or greater than 5.

The indexation rule may not operate to decrease the charges payable.

The Minister of Transport publishes each quarter the result of the indexation in the *Gazette officielle du Québec*.

DIVISION II

IMPOUNDING CHARGES

5. The daily charges for the impounding of road vehicles seized under the Highway Safety Code (chapter C-24.2) are

(1) \$15 for a vehicle having a gross weight rating of less than 4,500 kg;

(2) \$25 for a vehicle having a gross weight rating of 4,500 kg to 8 000 kg;

(3) \$35 for a vehicle having a gross weight rating of more than 8,000 kg.

DIVISION III

THRESHOLD FOR THE VALUE OF UNCLAIMED SEIZED ROAD VEHICLES

6. The threshold for the value of unclaimed seized road vehicles that the Société de l'assurance automobile du Québec may dispose of under sections 209.18 and 209.19 of the Highway Safety Code (chapter C-24.2) is set at \$5,000.

DIVISION IV

TRANSITIONAL AND FINAL

7. Despite section 5 of this Regulation, section 4 of the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26) continues to apply to the seizure of road vehicles carried out before 1 June 2023.

8. This Regulation replaces the Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26).

9. This Regulation comes into force on 1 June 2023.

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