

Regulations and other Acts

M.O., 2023

Order 2023-07 of the Minister of Transport and Sustainable Mobility dated 7 March 2023

Highway Safety Code
(chapter C-24.2)

Suspension of the requirement to hold a driver's licence issued by the Société de l'assurance automobile du Québec with respect to a person driving a passenger vehicle who holds a valid driver's licence issued by another administrative authority and who has settled in Québec more than 6 months ago

THE MINISTER OF TRANSPORT AND SUSTAINABLE MOBILITY,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister, if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that section 633.2 of the Code provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that section 633.2 of the Code provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.2;

CONSIDERING section 18 of the Regulations Act, which provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force is published with the regulation;

CONSIDERING that, under section 65 of the Highway Safety Code, no person may drive a road vehicle unless the person holds a driver's licence of the class appropriate to the driving of that vehicle as determined by regulation, and containing the particulars prescribed by regulation, if any;

CONSIDERING that, under section 89 of the Highway Safety Code, a person holding a valid driver's licence issued by another administrative authority may, during the six months after settling in Québec, drive a passenger vehicle in Québec without obtaining a licence from the Société de l'assurance automobile du Québec;

CONSIDERING that the Minister considers that the temporary suspension of section 65 of the Highway Safety Code with respect to the persons referred to in section 89 of the Code for whom the 6-month period provided for in that section has expired is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted;

CONSIDERING that the Minister is of the opinion that the urgency to suspend temporarily section 65 of the Highway Safety Code is due in particular to the following circumstances and justifies a coming into force on the date of its publication in the *Gazette officielle du Québec*:

—the Société de l'assurance automobile du Québec had to limit services as of 26 January 2023 in order to implement a new computer system as of 20 February 2023;

—the limitation of services during the implementation of the system creates an overburden on the operations that must be performed only in a service centre of the Société or with its mandataries, including the application for a driver's licence exchange or for the issue of a driver's licence;

—due to the waiting time caused by the overburden, the holder of a valid driver's licence, issued by another administrative authority, who must apply for a licence exchange or, as the case may be, the issue of such licence is subject to a significant risk of not being able to do so before the expiry of the 6-month period provided for in section 89 of the Highway Safety Code and thus be prevented from driving;

ORDERS AS FOLLOWS:

1. The application of section 65 of the Highway Safety Code (chapter C-24.2) is suspended with respect to a person who

(1) holds a driver's licence issued by an administrative authority other than the Société de l'assurance automobile du Québec;

- (2) drives a passenger vehicle;
- (3) has settled in Québec more than 6 months ago.

2. This Order comes into force on the date of its publication in the *Gazette officielle du Québec*. It is revoked on 29 August 2023.

Québec, 7 March 2023

GENEVIÈVE GUILBAULT

Minister of Transport and Sustainable Mobility

106167

M.O, 2023

Order 2023-05 of the Minister of Transport and Sustainable Mobility dated 7 March 2023

Highway Safety Code
(chapter C-24.2)

Suspension of the term of validity of a driver's licence and the due date for the payment of the amounts payable for its renewal

THE MINISTER OF TRANSPORT AND SUSTAINABLE MOBILITY,

CONSIDERING section 633.2 of the Highway Safety Code (chapter C-24.2), which provides that the Minister may, by order and after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code or the regulations for the period specified by the Minister, if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that section 633.2 of the Code provides that the Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion;

CONSIDERING that section 633.2 of the Code provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.2;

CONSIDERING section 18 of the Regulations Act, which provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force is published with the regulation;

CONSIDERING that a driver's licence issued under the Highway Safety Code bears, barring exceptions, a signature and a photograph;

CONSIDERING that a person holding a driver's licence is subject to penalties if the person fails to renew the licence on the expiry date and to pay the amounts payable;

CONSIDERING that the Minister considers that the suspension of the provisions of the Regulation respecting licences (chapter C-24.2, r. 34) governing the renewal of a driver's licence and the payment of the amounts payable for its renewal is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING that the Société de l'assurance automobile du Québec has been consulted;

CONSIDERING that the Minister is of the opinion that the urgency to suspend temporarily the term of validity of a driver's licence and the payment of the amounts payable to renew such a licence is due in particular to the following circumstances and justifies a coming into force on the date of its publication in the *Gazette officielle du Québec*:

—the Société de l'assurance automobile du Québec had to limit services as of 26 January 2023 in order to implement a new computer system as of 20 February 2023;

—the limitation of services during the implementation of the system creates an overburden on the operations that must be performed only in a service centre of the Société or with its mandataries, including the renewal of driver's licences and the taking of photographs for the purposes of the renewal;

—due to the waiting time caused by the overburden, a person holding a driver's licence who must renew the licence is subject to a significant risk of not being able to do so before the due date and thus be prevented from using his or her vehicle;

ORDERS AS FOLLOWS:

1. The application of sections 50.4, 63 and 73.5 of the Regulation respecting licences (chapter C-24.2, r. 34) with respect to a person whose driver's licence expires between 8 March 2023 and 1 June 2023 is suspended until the earliest of

(1) the date that is 90 days after the person's birthday; and

(2) the date of the renewal of the licence.