

Gouvernement du Québec

O.C. 1553-2024, 23 October 2024

Transport Act
(chapter T-12)

Environment Quality Act
(chapter Q-2)

Highway Safety Code
(chapter C-24.2)

Road vehicles used for the transportation of school children — Amendment

Regulation to amend the Regulation respecting road vehicles used for the transportation of school children

WHEREAS, under paragraph *a* of section 5 of the Transport Act (chapter T-12), in addition to the other regulatory powers conferred upon it by the Act, the Government may, by regulation, establish standards, conditions or modes of construction, use, safe-keeping, upkeep, ownership, possession, rent, hygiene or safety of any means of transport or transport system which it indicates;

WHEREAS, under paragraphs *a* and *b* of section 53 of the Environment Quality Act (chapter Q-2), the Government may make regulations applicable to the whole or to any part of the territory of Québec to classify motor vehicles and engines to regulate their use, their offer for sale or lease, their exhibition for sale or lease and their sale or lease and withdraw certain classes from the application of the Act and the regulations, as well as to prohibit or limit the use, offer for sale or lease, exhibition for sale or lease and sale or lease of motor vehicles, engines or devices to prevent or to reduce the emission of pollutants into the air;

WHEREAS, under subparagraph 29 of the first paragraph of section 95.1 of the Act, the Government may make regulations to prescribe any measure aimed at promoting the reduction of greenhouse gas emissions and require that climate change impact mitigation and adaptation measures be put in place;

WHEREAS, under the second paragraph of section 95.1 of the Act, a regulation made under that section may also prescribe any transitional measure necessary for its implementation;

WHEREAS, under paragraph 7 of section 618 of the Highway Safety Code (chapter C-24.2), the Government may, by regulation, determine the documents which must be produced with an application for registration or the payment of amounts under section 31.1 of the Code as well as the information they must contain and any other condition or formality for obtaining registration or for renewing the authorization to put a road vehicle into operation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting road vehicles used for the transportation of school children was published in Part 2 of the *Gazette officielle du Québec* of 31 July 2024 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 and the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks :

THAT the Regulation to amend the Regulation respecting road vehicles used for the transportation of school children, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting road vehicles used for the transportation of school children

Transport Act
(chapter T-12, s. 5, par. *a*).

Environment Quality Act
(chapter Q-2, s. 53, pars. *a* and *b*, and s. 95.1, 1st par., subparagraph. 29, and 2nd par.).

Highway Safety Code
(chapter C-24.2, s. 618, par. 7).

1. The Regulation respecting road vehicles used for the transportation of school children (chapter T-12, r. 17) is amended in section 6.1 by replacing the second paragraph by the following:

“The first paragraph does not apply to a school bus used for the transportation of school children in a location served by an independent electric power distribution system and listed in Schedule II.”

2. The following is added after section 51:

**“CHAPTER V
TRANSITIONAL AND FINAL**

51.1. The first paragraph of section 6.1 does not apply to a school bus whose model year is prior to 2024 and which was registered in Québec on 31 October 2021.

51.2. The first paragraph of section 6.1 does not apply to a school minibus registered in Québec between 21 November 2024 and 30 September 2025, for the following purposes and on the following conditions:

(1) the replacement of a school minibus whose model year is 14 years old, provided the carrier is required to complete a route of at least 55 kilometres daily. The model year and the route are attested by the Minister of Transport;

(2) the acquisition of a school minibus to provide new student transportation that did not exist during the 2023-2024 school year and whose number of kilometres to be traveled daily is at least 55 kilometres. The new student transportation and the route are attested by the Minister of Transport;

(3) the replacement of a school minibus due to the total loss of a minibus as a result of an accident or a case of superior force. The necessity for such a replacement is attested by the Minister of Transport;

In the cases referred to in subparagraphs 1 and 3 of the first paragraph, a school minibus that is replaced must no longer be used for the transportation of school children despite paragraph 3.2 of the first paragraph of section 31 of the Regulation respecting student transportation, as amended by section 1 of the Regulation to amend the Regulation respecting student transportation, made by Order in Council 1532-2024 dated 23 October 2024, as it relates to the replacement of 14-year-old school minibuses.

The attestation of the Minister of Transport referred to in subparagraphs 1 to 3 of the first paragraph must be issued by the Minister before the carrier enters into a contract for the sale of school minibuses for the purposes and according to the conditions provided for in any of those subparagraphs. The carrier must send to the Minister of Transport the contract of sale providing that the delivery

will take place not later than 30 September 2025. The Minister attests the commitment of the seller to deliver the minibuses not later than that date.

For the purposes of the registration provided for in the first paragraph, the carrier must submit the attestation of the Minister of Transport concerning any of the cases referred to in subparagraphs 1 to 3 of the first paragraph in addition to the attestation related to the contract of sale referred to in the third paragraph.

The Minister of Education, Recreation and Sports and the Société de l'assurance automobile du Québec provide the Minister of Transport with the information relating to an attestation that must be issued by the latter. The attested information must appear in a document and be on the registered school minibus.

For the purposes of this section, the number of kilometers to be travelled daily includes all transport of students organized for taking them to or from classes on a daily basis or for allowing them to go home at noon for lunch. That number of kilometers is determined from the moment a first student is on the minibus and ends when there are no more students on the minibus.”

3. The heading of Schedule II is amended by replacing “A HYDRO-QUEBEC” by “AN”.

4. Schedule II is amended by inserting “Chisasibi (Nord-du-Québec)”, “Eastmain (Nord-du-Québec)”, “Grosse-Île (Gaspésie-Îles-de-la-Madeleine)”, “Kawawachikamach (Côte-Nord)”, “Kitcisakik (Abitibi-Témiscamingue)”, “Lac-Rapide (Outaouais)”, “Les Îles-de-la-Madeleine (Gaspésie-Îles-de-la-Madeleine)”, “Mistissini (Nord-du-Québec)”, “Nemaska (Nord-du-Québec)”, “Oujé-Bougoumou (Nord-du-Québec)”, “Waskaganish (Nord-du-Québec)”, “Waswanipi (Nord-du-Québec)”, “Wemindji (Nord-du-Québec)” and “Whapmagoostui (Nord-du-Québec)” in alphabetical order.

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

107090

