

Bill 100

**An Act to amend various legislative
provisions respecting mainly
transportation services by taxi**

Section 2

AMENDMENT:

Replace “non-profit legal person, organization” in subparagraph iii of subparagraph *e* of proposed paragraph 3 by “non-profit organization or legal person”.

Adopted
MP.

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Section 5

AMENDMENT:

Replace "powered" in the paragraph proposed by paragraph 3 by "propelled".

*Adopted
M.P.*

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Section 11.1

AMENDMENT:

Insert after section 11:

11.1. Section 33 of the Act is replaced by the following section:

“33. A taxi transportation service intermediary’s permit shall be issued for a maximum period of five years and may not be assigned or transferred. It may be renewed on the expiry of the period for which it was issued.

Section 21 applies to a taxi transportation service intermediary’s permit.

For the purposes of the second paragraph, joining a cooperative does not constitute an acquisition of interest.”

*Adopted
MP.*

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Section 19

AMENDMENT:

Insert "with a customer" in paragraph 2 after "A fare may be agreed upon".

Adopted
MP.

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Section 24

AMENDMENT:

1. Strike out paragraph 2.

2. Insert after paragraph 2:

(2:1) by inserting the following paragraph after the first paragraph:

“The security required under subparagraphs 1 and 2 of the first paragraph is equal to the amount of the fine prescribed for the offence.”

3. Replace paragraph 4 by:

(4) by replacing “minimum period of 60 days” in the third paragraph by “period of 30 days for a second offence and 90 days for a subsequent offence”.

*Adapté
MR.*

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Section 25

AMENDMENT:

1. Replace the first and second paragraphs of proposed section 71.1 by:

“71.1. A peace officer or an employee authorized for that purpose by a municipal or supramunicipal authority entrusted with the administration of this Act who has reasonable grounds to believe that a person is contravening paragraph 2 of section 117 shall immediately suspend, on behalf of the Société, for a period of seven days,

(1) the licence referred to in section 61 of the Highway Safety Code (chapter C-24.2) that the person holds; or

(2) if the person does not hold such a licence, the person’s right to obtain one.

2. Replace “to the seizure” in proposed section 71.5 by “to a seizure under section 71.4”.

3. Add at the end:

“71.7. The suspension of a driver’s licence or of the right to obtain one under section 71.1 constitutes a penalty for the purposes of sections 105 and 106 of the Highway Safety Code (chapter C-24.2).”.

*Adopté
M.P.*

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Section 28

AMENDMENT:

Replace by:

28. Section 80 of the Act is amended by striking out the second sentence of the first paragraph.

*Adopte
M.P.*

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Section 31

AMENDMENT:

Replace "conduct review" in paragraph 3 by "assessment".

*Adopté
M.P.*

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Section 31

AMENDMENT:

Amendment 9 is withdrawn and renamed AMp.

*Adopted
MP.*

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Section 32

AMENDMENT:

Replace by:

32. Section 89 of the Act is amended by replacing "15 to 17" in the first paragraph by "15 and 16 to 17".

*Adopté
M.*

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Section 2

AMENDMENT:

1. Replace “the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act for use of the employee’s personal vehicle” in subparagraph i of subparagraph c of proposed paragraph 3 by “the amount determined by government regulation”.
2. Replace “the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act for use of the employee’s personal vehicle” in subparagraph g of proposed paragraph 3 by “the amount determined by government regulation”.
3. Insert “and the amount determined by government regulation” at the end of the proposed second paragraph.

Adopted
MR.

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Section 33.1

AMENDMENT:

Insert after section 33:

33.1. The Act is amended by inserting the following section after section 89.1:

“**89.2.** A decision or regulation made by the Government under section 5.1 or 10.1 must be the subject of a prior public consultation by the Commission des transports du Québec at the Minister’s request.”

*Adopté
M.P.*

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Section 6

AMENDMENT:

Replace by:

6. The Act is amended by inserting the following sections after section 5:

“5.1. The Government shall determine the number of servicing areas and the territory of each one.

The Minister shall publish the decision on the department’s website.

“5.2. The taxi owner’s permit issued to serve a servicing area is deemed, on the effective date of a decision by the Government under section 5.1, to have been issued to serve the servicing area determined by the Government that covers all of the territory of the servicing area indicated in the permit on that date.

If the servicing area determined by the Government covers only a portion of that territory, the taxi owner’s permit is deemed to have been issued to serve the servicing area that the Government determines.”

Adopted
MR.

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Section 37

AMENDMENT:

1. Insert "offers or" after "who" in paragraph 2 of proposed section 117.
2. Insert after paragraph 2 of proposed section 117:

"(2.1) despite the suspension of his or her driver's licence or of the right to obtain one under section 71.1, anyone who operates an automobile while under a penalty as provided by section 71.7;"

Adopte
M.P.

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Section 33

AMENDMENT:

Replace by:

33. Section 89.1 of the Act is amended

(1) by replacing “that is a holder of a taxi owner’s permit issued under this Act or a business partner of such a holder to offer” in the first paragraph by “that is a holder of a taxi owner’s permit or a taxi transportation service intermediary’s permit issued under this Act, or a business partner of such a holder, to offer or provide”;

(2) by inserting “or any other Act or regulation whose administration falls under the Minister’s responsibility” after “in this Act and the regulations” in the first paragraph;

(3) by replacing “or fostering the development of the taxi transportation services industry, all in compliance with the applicable privacy protection rules” in the first paragraph by “, ensuring supply management of taxi transportation services that takes into consideration the public’s needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the pilot project is implemented and with the applicable privacy protection rules;”

(4) by replacing the third paragraph by the following paragraph:

“The details of the pilot project must be published on the department’s and the Commission’s websites at least 20 days before its implementation.”

Adopted
MN.

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Section 27

AMENDMENT:

Replace by:

27. Section 79 of the Act is amended by striking out subparagraphs 4 and 8 of the first paragraph.

*Adopte
7/10*

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Section 31

AMENDMENT:

1. Replace paragraph 2 by:

(2) by inserting the following subparagraphs after subparagraph 1:

“(1.01) determining the maximum amount of the financial contribution that may be required for remunerated passenger transportation services by automobile under subparagraph i of subparagraph c of paragraph 3 of section 2 and subparagraph g of paragraph 3 of section 2;

“(1.1) setting, for each servicing area the regulation specifies, the maximum number of permits that may be issued by the Commission, identifying categories of services and prescribing conditions;”;

2. Replace “conduct review” in paragraph 3 by “assessment”.

*Adopted
MP.*

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Section 57

AMENDMENT:

Replace by:

57. The provisions of this Act come into force on (*insert the date that is 90 days after the date of assent to this Act*) or any earlier date or dates the Government may set, except

(1) section 33 and sections 42 to 44, which come into force on (*insert the date of assent to this Act*); and

(2) section 13, paragraph 1 of section 14, section 17 to the extent that it concerns section 59.3 of the Act respecting transportation services by taxi, and section 36 to the extent that it concerns paragraph 2 of section 112.1 of that Act, which come into force on the later date or dates to be set by the Government.

Adopte
MP.