

Bill 150

**An Act respecting mainly the
implementation of certain provisions of
the Budget Speeches of 17 March 2016
and 28 March 2017**

Section 6

AMENDMENT:

Insert before section 144:

**CHAPTER III
IMPROVEMENT OF THE PERFORMANCE OF THE SOCIÉTÉ DE
L'ASSURANCE AUTOMOBILE DU QUÉBEC**

**DIVISION I
AMENDING PROVISIONS**

HIGHWAY SAFETY CODE

6. Section 4 of the Highway Safety Code (chapter C-24.2) is amended by inserting the following definition in alphabetical order:

“**personalized registration plate**” means a registration plate bearing a number chosen by the applicant;”.

Adepte 

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Section 7

AMENDMENT:

Insert before section 144:

7. Section 10.1 of the Code is amended by striking out “and the person in whose name registration is effected must renew them upon expiry” in the second paragraph.

Adopté

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Section 9

AMENDMENT:

Insert before section 144:

9. Section 21 of the Code is amended

(1) by replacing the second paragraph by the following paragraphs:

“The authorization to put a registered road vehicle into operation is valid for the period determined by regulation and is renewed by operation of law, unless

(1) the vehicle is prohibited from being put back into operation; or

(2) the owner

(a) elects not to put his vehicle into operation by notifying the Société on or before the due date prescribed by regulation,

(b) is in default of payment to the Société of sums due under this Code or another Act in respect of another authorization or transaction,

(c) no longer complies with the conditions and formalities established by regulation, or

(d) has not obtained the prior authorization of the Commission des transports du Québec required under subparagraph 4 of the first paragraph.

The owner of a vehicle who, when registering the vehicle, notifies the Société of his election not to put the vehicle into operation is not required to pay the amounts referred to in the first paragraph, except the acquisition duty and the fees.

The owner who has elected not to put his vehicle into operation, who is no longer in default of payment to the Société or to whom the grounds preventing the renewal provided for in the second paragraph no longer apply may obtain authorization to put his vehicle back into operation if the owner complies with the requirements of the first paragraph, except the payment of the acquisition duty.

If the authorization to put the vehicle into operation is not renewed by operation of law under the second paragraph, no person may, as of the day following the due date and without a notice by the Société being necessary, put the vehicle back into operation.

If, when registering a vehicle, the owner of the vehicle elects not to put it into operation, no person may, as of the date of registration of the vehicle and without a notice by the Société being necessary, put the vehicle into operation.”;

(2) by replacing “the sums referred to in the second paragraph have been paid by the owner or, in the case of a heavy vehicle, before” in the third paragraph by “, in the case of a heavy vehicle,”.

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Section 10

AMENDMENT:

Insert before section 144:

10. Section 31.1 of the Code is amended

(1) by replacing “To retain the right to drive a registered road vehicle, the owner thereof must, unless exempted by regulation, pay to the Société, at the intervals and over the periods determined by regulation,” in the first paragraph by “On the expiry of the authorization to put a vehicle into operation, the owner of the vehicle must, unless exempted by regulation, pay to the Société, for the renewal of the authorization,”;

(2) by replacing the second, third and fourth paragraphs by the following paragraph:

“At any time during the period of validity of the authorization to put a road vehicle into operation, the owner of the vehicle may waive the authorization for the unexpired portion of the period by notifying the Société. As of the date specified in the waiver notice, no person may, without a notice to that effect by the Société being necessary, put the vehicle back into operation.”

Adopté
CS

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Section 12

AMENDMENT:

Insert before section 144:

12. Section 35 of the Code is amended by inserting “in the form determined by regulation” after “copy of it” in the first paragraph.

Adopté

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Section 13

AMENDMENT:

Insert before section 144:

13. Section 37 of the Code is amended by adding the following paragraph at the end:

“If the copy of the registration certificate is illegible or damaged, the person referred to in the first paragraph must make a new copy of the certificate.”

Adopté 

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Section 14

AMENDMENT:

Insert before section 144:

14. Section 39 of the Code is amended, in the first paragraph,

(1) by replacing “Every person contemplated in section 10.2” by “The transferor of a road vehicle who does not request the transfer of a registration plate to another vehicle, a person contemplated in section 10.2”;

(2) by inserting “or where the registration plate is invalid or has not been activated in accordance with section 32.2” at the end.

Adopté

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Section 15

AMENDMENT:

Insert before section 144:

15. Section 39.1 of the Code is amended by inserting “or under the second paragraph of section 573.0.1” after “202.0.1”.

Adopté (C)

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Section 16

AMENDMENT:

Insert before section 144:

16. Section 40 of the Code is amended by replacing “the transferor must remit to the Société the registration certificate and the registration plate issued for the vehicle, after endorsing the certificate, and the new purchaser” by “the transferor and the new owner must declare the transfer of ownership to the Société in the manner determined by the Société and the new owner”.

Adopté (A)

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Section 17

AMENDMENT:

Insert before section 144:

17. Section 41 of the Code is repealed.

Adopté (u)

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Section 18

AMENDMENT:

Insert before section 144:

18. The Code is amended by inserting the following sections after section 54:

“**54.1.** Every owner of a road vehicle who drives the vehicle or allows it to be driven while it is carrying a registration plate that has not been activated in accordance with section 32.2 is guilty of an offence and is liable to a fine of \$100 to \$200.

“**54.2.** Every owner of a road vehicle who drives the vehicle or allows it to be driven while it is carrying an invalid personalized registration plate is guilty of an offence and is liable to a fine of \$200 to \$300.”

Accepté

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Section 19

AMENDMENT:

Insert before section 144:

19. Section 59 of the Code is amended by replacing “the third, fourth or fifth paragraph of section 21, the third or fifth paragraph of section 31.1” in the first paragraph by “the fifth, sixth, seventh, eighth or ninth paragraph of section 21, the second or third paragraph of section 31.1”.

Adopté

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Section 20

AMENDMENT:

Insert before section 144:

20. Section 69 of the Code is amended

(1) by striking out “or renew” and “, to obtain a licence” in the first paragraph;

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

“A driver’s licence or a restricted licence issued under section 76.1.1 is valid for the period determined by regulation and is renewed by operation of law, unless

(1) the licence is suspended or the title evidencing it was not replaced when it expired; or

(2) the licence holder

(a) notifies the Société on or before the due date prescribed by regulation that he does not intend to apply for its renewal,

(b) is in default of payment to the Société of sums due under this Code or another Act in respect of another authorization or transaction, or

(c) no longer complies with the conditions or formalities established by regulation.

If a licence is not renewed by operation of law under the third paragraph, the person who held the licence may not, as of the day following the due date and without a notice to that effect by the Société being necessary, drive a road vehicle.”

Adopté (s)

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Section 21

AMENDMENT:

Insert before section 144:

21. Section 73 of the Code is amended, in the first paragraph,
- (1) by striking out “or for the renewal of a licence,”;
 - (2) by inserting “, or may require that person, on the renewal of his licence” after “removed”.

Adepte (A)

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Section 22

AMENDMENT:

Insert before section 144:

- 22.** Section 81 of the Code is amended by striking out paragraph 5.

Adopté (A)

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Section 24

AMENDMENT:

Insert before section 144:

24. Section 95 of the Code is amended by replacing “or renewing a licence” in the first paragraph by “a licence or replacing the title evidencing it”.

Adopté 

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Section 25

AMENDMENT:

Insert before section 144:

25. Section 141 of the Code is amended by replacing “first paragraph of section 93.1” in the first paragraph by “fourth paragraph of section 69”.

Adopted (1)

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Section 26

AMENDMENT:

Insert before section 144:

26. Section 188 of the Code is amended by striking out paragraphs 4, 6 and 7.

Adopté

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Section 27

AMENDMENT:

Insert before section 144:

27. Section 190 of the Code is amended

(1) by replacing “or renewing his licence or the class applied for” in paragraph 5 by “his licence or the class applied for, when replacing the title evidencing it”;

(2) by striking out paragraphs 7 and 8.

Adepte 

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Section 28

AMENDMENT:

Insert before section 144:

28. Section 209.1 of the Code is amended by adding the following paragraph at the end:

“A person whose licence has not been renewed by operation of law solely because of failure to pay the Société is not subject to this section.”

Adopté 

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Section 29

AMENDMENT:

Insert before section 144:

29. The Code is amended by inserting the following section after section 549:

“**549.1.** The Société shall publish, on its website, the cases in which and conditions on which a document or information may be transmitted to the Société by means of information technologies and shall specify, in particular, the location where such a document or information must be filed.

Despite the second paragraph of section 31 of the Act to establish a legal framework for information technology (chapter C-1.1), only a notice from the Société confirms receipt of such a document or information.

A document or information is not presumed to have been received in a case where a notice concerning its unintelligibility has been filed at the designated location.”

Adopté
CS

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Section 30

AMENDMENT:

Insert before section 144:

30. The Code is amended by inserting the following section after section 550.1:

“550.2.Despite the fourth paragraph of section 550 and of section 550.1, if a person has agreed to a decision or the notice referred to in section 553 being transmitted to him by means of information technologies at the location designated by the Société, the document is deemed to be received once the Société has filed it at that location and a notice informing the person concerned of the filing has been notified by the technological means last preferred by that person as of the date of the transmission, as it appears in the Société’s record.”

Adopté

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Section 31

AMENDMENT:

Insert before section 144:

31. Section 553 of the Code is amended by inserting “or of its filing at the location designated by the Société” after “from the time of mailing of the notice” in the first paragraph.

Adepte
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Section 33

AMENDMENT:

Insert before section 144:

33. Section 618 of the Code is amended

(1) by replacing “in which cases and subject to what conditions the Société may issue one or more of the following documents” in paragraph 2 by “in which cases and subject to what conditions any of the following documents are issued or invalidated”;

(2) by inserting “, the form of those certificates and of copies of them,” after “temporary registration certificate” in paragraph 4.1;

(3) by adding “or for renewing the authorization to put a road vehicle into operation” at the end of paragraph 7;

(4) by striking out paragraph 8.7;

(5) by replacing paragraph 8.8 by the following paragraph:

“(8.8) determine the period of validity of the authorization to operate a road vehicle and the period within which the duties, fees and insurance contribution and, where applicable, the contribution of motorists to public transit or the contribution of off-highway vehicle owners and the additional duties exigible under section 31.1 in respect of a registered road vehicle must be paid, periods which may vary according to criteria determined by the Government;”;

(6) by striking out paragraph 11.2.

Adopté

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Section 34

AMENDMENT:

Insert before section 144:

34. Section 619 of the Code is amended

(1) by replacing paragraph 1 by the following paragraphs:

“(1) determine, according to the nature of each licence, the information that the title evidencing it must include and the form of that licence;

“(1.0.1) determine the period of validity of each licence and of the title evidencing it, except as regards a restricted licence issued under section 118;”;

(2) by striking out paragraph 4.1;

(3) by striking out paragraph 5.2;

(4) by replacing “or renewal of such a licence” and “for obtaining or renewing that licence” in paragraph 6 by “or renewal of such a licence, the replacement of the title evidencing it” and “for obtaining or renewing that licence or replacing the title evidencing it”, respectively.

Adapté

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Section 35

AMENDMENT:

Insert before section 144:

35. Section 619.3 of the Code is amended by inserting “or, as the case may be, renewing” after “for obtaining” in subparagraph 2 of the first paragraph.

Adopté

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Section 36

AMENDMENT:

Insert before section 144:

36. Section 624 of the Code is amended, in the first paragraph,

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

“(1.0.1) determine the amount of the management fee exigible for the administration of the personalized registration plate system;”;

(2) by striking out subparagraph 1.1;

(3) by inserting the following subparagraph after subparagraph 1.1:

“(1.2) determine the amount of the fee for the issue of personalized registration plates;”;

(4) by replacing “or renewing such a licence” in subparagraph 3 by “such a licence or for replacing the title evidencing it;”;

(5) by striking out subparagraph 3.1;

(6) by replacing subparagraph 15 by the following subparagraphs:

“(15) fix the amount of the fee exigible in respect of any mode of payment or any transaction rejected by a financial institution;

“(15.1) fix the amount of the recovery fee and the interest rate in respect of the sums it is responsible for collecting under this Code or another Act and establish rules for calculating the fee and the interest;”.

Adopté CS

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Section 37

AMENDMENT:

Insert before section 144:

37. Section 648.4 of the Code is amended, in the first paragraph,

(1) by inserting “and the fourth paragraph” after “subparagraphs 3, 5 and 6 of the first paragraph” in subparagraph 1;

(2) by replacing “the first and fourth paragraphs” in subparagraph 2 by “the first paragraph”.

Adopté (D)

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Section 38

AMENDMENT:

Insert before section 144:

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

38. Section 3 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by replacing paragraph 3 by the following paragraph:

“(3) the number of the registration plate, if applicable;”.

Adopté (s)

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Section 39

AMENDMENT:

Insert before section 144:

39. Section 5 of the Regulation is amended by striking out the first paragraph.

Adopté

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Section 40

AMENDMENT:

Insert before section 144:

40. The Regulation is amended by inserting the following sections after section 7:

“7.1. Only persons who are not legal persons may obtain a personalized registration plate. Such a plate may be associated only with the following road vehicles, unless they are discarded:

- (1) passenger vehicles, for which this regulation does not prescribe a registration plate bearing a prefix;
- (2) motorcycles, mopeds or motor homes with a net weight of 3,000 kg or less; and
- (3) all-terrain vehicles and snowmobiles with a net weight of 450 kg or less.

“7.2. A personalized registration plate may not be affixed to a vehicle before being activated. The plate must be activated according to the instructions enclosed with the plate when it is sent to the recipient, which are also published on the Société’s website.

The plate must be activated within 48 months after the date it is received. Failing that, the plate number becomes available and may be reused by another person as of the day following the date of the default.

A personalized registration plate may not be associated with a road vehicle not belonging to the applicant or be transferred to another person.

“7.3. Despite section 5, every personalized registration plate becomes invalid at the expiry of 48 months after the day on which

- (1) the owner of the vehicle for which the plate was issued notifies the Société that he no longer wishes to associate the plate with the vehicle;
- (2) the vehicle with which the plate is associated is prohibited from being put into operation; or
- (3) ownership of the vehicle is transferred.

However, the plate remains valid beyond the time limit prescribed in the first paragraph if, before the expiry of the time limit, the holder requests the Société to associate the plate with another vehicle owned by the holder or the prohibition referred to in subparagraph 2 of the first paragraph is lifted.

“7.4. Unless it results from the application of the third paragraph of section 32.1 of the Code, the invalidation of a personalized registration plate makes the plate number available; in such a case, the number may be reused by another person who applies for it in accordance with section 10.4 of the Code.

However, if the invalidation of a personalized registration plate results from a failure to pay the management fee provided for in section 32.3 of the Code, the number becomes available only at the expiry of 48 months after the date of invalidation.

“7.5. Despite sections 7.2 and 7.4, if a personalized registration plate is reported lost or stolen, the number may be reused at the expiry of 60 months after the date on which the loss or theft was reported.

“7.6. Sections 19 to 25.7 apply, with the necessary modifications, to payment of the management fee for the administration of the personalized registration plate system.”

Adopté

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Section 41

AMENDMENT:

Insert before section 144:

41. Section 139 of the Regulation is amended

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

“Despite the first paragraph, a personalized registration plate affixed to an all-terrain vehicle shall bear the prefix “V” followed by a hyphen.”;

(2) by replacing “first paragraph” in the second paragraph by “this section”.

Adapté CD

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Section 42

AMENDMENT:

Insert before section 144:

42. Section 141 of the Regulation is amended

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

“However, a personalized registration plate affixed to a snowmobile referred to in the first paragraph shall bear the prefix “V” followed by a hyphen.”;

(2) by replacing “the first paragraph” in the second paragraph by “this section”.

Adopté 

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Section 47

AMENDMENT:

Insert before section 144:

47. Section 32.3 of the Highway Safety Code, enacted by section 11, applies to road vehicle owners who have not paid the fees fixed in section 43.

Accepted

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Section 49

AMENDMENT:

Insert before section 144:

49. Section 31.1 of the Highway Safety Code, as it read before the coming into force of section 10, and the related provisions of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) continue to apply in respect of the owner of a registered road vehicle who is not a legal person within the meaning of that Regulation until the day before the owner's next birthday. That birthday corresponds to the date on which section 31.1 of that Code, as amended by section 10, begins to apply in respect of the owner and also corresponds to the first payment due date for the amounts payable under that section 31.1.

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Section 50

AMENDMENT:

Insert before section 144:

50. When, in respect of the owner of a registered road vehicle who is not a legal person within the meaning of the Regulation respecting road vehicle registration, the first payment due date for the amounts required to be paid under the first paragraph of section 31.1 of the Highway Safety Code, as amended by paragraph i of section 10, occurs, the amounts that have been paid for the period remaining between that due date and the one fixed under the Regulation respecting road vehicle registration, as it read before the coming into force of paragraph 1 of section 10, are subtracted from the amounts payable on that first payment due date.

The deduction provided for in the first paragraph is calculated in accordance with the calculation rules for reimbursing the duties, the insurance contribution, the contribution of motorists to public transit and the contribution of off-highway vehicle owners that are prescribed, as the case may be, by the Regulation respecting road vehicle registration or the Regulation respecting insurance contributions (chapter A-25, r. 3.2), as they read before the coming into force of paragraph 1 of section 10.

Adopté G

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Section 51

AMENDMENT:

Insert before section 144:

51. If, at the time of the coming into force of paragraph 1 of section 10, the owner of a registered road vehicle who is not a legal person within the meaning of the Regulation respecting road vehicle registration pays by pre-authorized debit the amounts payable under section 31.1 of the Highway Safety Code, as it read before that date, the frequency of the pre-authorized debit is maintained until the first payment due date for the amounts payable under the first paragraph of section 31.1 of that Code, as amended by paragraph 1 of section 10.

Adopté 

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Section 52

AMENDMENT:

Insert before section 144:

52. On the first payment due date for the amounts payable under the first paragraph of section 31.1 of the Highway Safety Code, as amended by paragraph 1 of section 10, a registration certificate is issued to the owner of a registered road vehicle and replaces the certificate previously issued to that owner.

Adopté

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Section 53

AMENDMENT:

Insert before section 144:

53. From the date of coming into force of sections 20 and 23 and until the driver's licences, and the restricted licences referred to in section 76.1.1 of the Highway Safety Code, issued before that date have been replaced, the French expression "expire le" appearing on the titles evidencing the licences refers to the expiry of the period of validity of the titles on which the licences are issued.

Accepted (1)

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Section 54

AMENDMENT:

Insert before section 144:

54. From the date of coming into force of sections 9, 26 and 27, the decisions of the Société de l'assurance automobile du Québec, in force or rendered but not yet in force, to prohibit putting a road vehicle back into operation under the second paragraph of section 21 of the Highway Safety Code or any of paragraphs 4, 6 and 7 of section 188 of that Code and its decisions to suspend a licence under paragraph 7 or 8 of section 190 of that Code become, without further notice, revocations of the authorization to operate a vehicle or, as the case may be, of the authorization to drive. Section 573.0.1 of that Code, enacted by section 32, applies to the owner of the vehicle or to the licence holder concerned, except the provisions relating to the recovery fee and the interest.

Adopté CD