



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 165

An Act to amend the Highway Safety Code and other provisions

Introduction

**Introduced by
Mr. André Fortin
Minister of Transport, Sustainable Mobility and Transport
Electrification**

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EXPLANATORY NOTES

This bill proposes numerous amendments relating to road safety.

The Highway Safety Code is amended to clearly state the duty of care that is binding on all road users. All road users must be careful and considerate when travelling on a public highway, especially toward more vulnerable users.

Several new traffic and signage rules applicable to road users are enacted.

Measures to encourage users to share the road, in particular special provisions on shared streets and bicycle boulevards, are introduced. The safe distance that drivers of road vehicles must maintain when passing cyclists on the roadway or shoulder of a public highway is specified, as are the safe behaviours that drivers must adopt in such situations. Similar provisions are also to apply with respect to pedestrians and groups of participants during exceptional events or sports events or competitions.

The rules that road users must comply with in intersections and traffic circles are set out.

As regards repeat drinking and driving offenders, the bill provides that, from the very first repeat offence, any licence that may subsequently be issued to the repeat offender is to be subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device. That condition may however be lifted after a 10-year period provided certain conditions are met.

The bill contains various rules to regulate sources of distraction while driving, such as the use of portable electronic devices and display screens. It increases the amounts of the fines for contraventions and provides that, in the case of a repeat offence, the offender's licence is immediately suspended.

A midnight to 5 a.m. driving curfew is imposed on novice passenger vehicle or motorcycle drivers during their learning period. The number of passengers 19 years of age or younger that novice passenger vehicle drivers may carry during that curfew and in the first year of their probationary licence is restricted, with some

exceptions. The requirement that learner drivers of motorcycles be accompanied is withdrawn. Visual protection is made mandatory for motorcyclists in certain circumstances, and motorcyclists are prohibited from driving between rows of vehicles.

Under specific conditions, peace officers are given the power to immediately suspend the driver's licence of a person who fails a test to check whether he or she is able to orient in space and time.

The date on which an automobile must be equipped with winter tires is moved forward to 1 December. Driving a vehicle covered with ice, snow or any other matter that may detach from the vehicle is prohibited. Several rules relating to the stopping of vehicles are revisited, and peace officers are given the power to have stopped vehicles moved, in particular when they are stopped because of special weather conditions or inadequate visibility conditions.

The bill amends the fines for speeding violations in school zones to double their amounts. It also includes certain provisions on the use of photo radar devices and red light camera systems.

The bill clarifies the Minister's power regarding toll rates for operating a vehicle on a public highway subject to a toll.

Municipalities are given the power to designate, by a by-law approved by the Minister, level crossings on their territory where drivers of vehicles carrying dangerous substances and drivers of buses or minibuses are exempt from stopping their vehicles at least five metres before the crossing.

Special rules are stipulated as regards operating heavy vehicles and securing their loads. Certain provisions relating to the equipment of certain vehicles and the verification of their compliance are revised. More specifically, heavy vehicles with a dump body must be equipped with a warning light that activates when the dump body is not completely lowered.

Provisions are made to afford better protection for flag persons called on to direct traffic because of roadwork.

The bill provides for the special rules that could be set under a pilot project authorized by the Minister to allow autonomous vehicles to operate on the road network; those provisions would prevail over the provisions of the Highway Safety Code and the Automobile Insurance Act. Such pilot projects are to last five years, but may be extended by up to two years.

The Automobile Insurance Act is amended to delimit public plan coverage in relation to certain activities and vehicles.

Lastly, various administrative and penal measures as well as transitional and final provisions are included.

LEGISLATION AMENDED BY THIS BILL:

- Automobile Insurance Act (chapter A-25);
- Highway Safety Code (chapter C-24.2);
- Act respecting administrative justice (chapter J-3);
- Act respecting transport infrastructure partnerships (chapter P-9.001);
- Act respecting off-highway vehicles (chapter V-1.2);
- Act to amend the Highway Safety Code and other legislative provisions (1996, chapter 56);
- Act respecting owners and operators of heavy vehicles (1998, chapter 40);
- Act to amend the Highway Safety Code and other legislative provisions (2004, chapter 2);
- Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14).

REGULATIONS AMENDED BY THIS BILL:

- Ministerial Order concerning driving of buses on certain autoroute shoulders (chapter C-24.2, r. 6.02);
- Ministerial Order concerning riding of bicycles on shoulders (chapter C-24.2, r. 6.1);
- Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9);

- Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27);
- Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32);
- Regulation respecting licences (chapter C-24.2, r. 34);
- Regulation respecting demerit points (chapter C-24.2, r. 37);
- Pilot project concerning motorized mobility aids (chapter C-24.2, r. 39.1.1).

Bill 165

AN ACT TO AMEND THE HIGHWAY SAFETY CODE AND OTHER PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

HIGHWAY SAFETY CODE

1. The heading of the preliminary title of the Highway Safety Code (chapter C-24.2) is replaced by the following heading:

“SCOPE, DUTY OF CARE AND DEFINITIONS”.

2. Section 1 of the Code is amended by inserting “, cyclist and other road user” after “pedestrian” in the first paragraph.

3. The Code is amended by inserting the following section after section 3:

“3.1. All road users have a duty, especially toward more vulnerable users, to be careful and considerate when travelling on a public highway.

Drivers of road vehicles have a duty to show extra care for more vulnerable users such as pedestrians and cyclists.

Vulnerable users, for their part, have a duty to adopt behaviours that enhance their own safety, in particular by making sure they are seen by other users.”

4. Section 4 of the Code, amended by section 2 of chapter 83 of the statutes of 1990 and by section 1 of chapter 14 of the statutes of 2008, is again amended

(1) by inserting the following definition in alphabetical order:

““**shared street**” means all or part of a public highway on which pedestrian traffic has priority;”;

(2) by inserting the following definition in alphabetical order:

““**autonomous vehicle**” means a road vehicle equipped with an automated driving system that can operate a vehicle at driving automation level 3, 4 or 5 of the SAE International’s Standard J3016;”;

(3) by inserting the following definition in alphabetical order:

“**“bicycle boulevard”** means all or part of a public highway on which bicycle traffic is facilitated;”.

5. Section 5.1 of the Code is amended by replacing “202.2, 202.2.1, 202.4” by “202.2 to 202.2.1.2, 202.4, 202.5.1”.

6. Section 9 of the Code is amended by striking out “, with the approval of the Minister of Transport,”.

7. Section 62 of the Code is amended by replacing the first paragraph by the following paragraph:

“The Société may, on the conditions it determines, recognize driving schools or delegate its power to specific bodies.”

8. Section 63.2 of the Code is repealed.

9. Section 64.1 of the Code is replaced by the following section:

“64.1. The Société shall issue, on the conditions set out in this Code, a licence that is subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device approved by the Société.

The Société shall determine the conditions of use of the alcohol ignition interlock device. The person responsible for managing the data collected by the device must send the data to the Société along with any information the person has concerning the licence holder, in the manner prescribed by agreement.”

10. Section 66.1 of the Code is amended by replacing “recognized by a body approved by the Société” in the first paragraph by “recognized in accordance with section 62”.

11. Section 67 of the Code, amended by section 6 of chapter 14 of the statutes of 2008, is again amended by adding the following paragraph at the end:

“The Société may designate, on the conditions it determines, persons to conduct the proficiency examinations.”

12. Section 69.1 of the Code is amended by striking out “, with the approval of the Minister of Transport,”.

13. Section 76.1.2 of the Code is amended by replacing the first and second paragraphs by the following paragraph:

“When the offence for which a cancellation or suspension is incurred is an alcohol-related offence and if, during the 10 years before cancellation or suspension, the person incurred no cancellation or suspension for an alcohol-related offence, for having a high blood alcohol concentration level or for refusing to provide a breath sample, the person must, to obtain a new licence, establish by means of a summary assessment that the person’s relationship with alcohol or drugs does not compromise the safe operation of a road vehicle corresponding to the class of licence applied for.”

14. Section 76.1.3 of the Code is amended

(1) by striking out “or a maintenance assessment provided for in section 76.1.4.1”;

(2) by replacing “either one or two years, depending on whether, during the 10 years before the cancellation or suspension, the person incurred no cancellation or suspension for an alcohol-related offence, for having a high blood alcohol concentration level or for refusing to provide a breath sample, or one such cancellation or suspension” by “one year”.

15. Section 76.1.4 of the Code is amended

(1) by striking out “and the person must, in order to obtain a new licence, establish by means of a comprehensive assessment that the person’s relationship with alcohol or drugs does not compromise the safe operation of a road vehicle corresponding to the class of licence applied for”;

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

“If, during the 10 years before the cancellation or suspension, the person incurred no cancellation or suspension for an alcohol-related offence, for having a high blood alcohol concentration level or for refusing to provide a breath sample, the person must, to obtain a new licence, establish by means of a comprehensive assessment that the person’s relationship with alcohol or drugs does not compromise the safe operation of a road vehicle corresponding to the class of licence applied for.”

16. Section 76.1.4.1 of the Code is amended by replacing both occurrences of “in sections 76.1.2 and” by “in section”.

17. Section 76.1.5 of the Code is amended by replacing “either two or three years, depending on whether, during the 10 years before the cancellation or suspension, the person incurred no cancellation or suspension for an alcohol-related offence or for having a high blood alcohol concentration level, or one cancellation or suspension for an alcohol-related offence” by “two years”.

18. Section 76.1.6 of the Code is replaced by the following section:

“76.1.6. When the offence for which a cancellation or suspension is incurred is an alcohol-related offence, having a high blood alcohol concentration level or refusing to provide a breath sample and if, during the 10 years before the cancellation or suspension, the person incurred one or more cancellations or suspensions for any of those offences, the new licence and every subsequent licence issued to the person during the person’s lifetime is subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device approved by the Société.

However, in the case of a second licence cancellation or suspension, the person may, at the expiry of a 10-year period during which the person’s licence is subject to the condition of driving a vehicle equipped with an alcohol ignition interlock device, apply to the Court of Québec, civil practice chamber, to have the condition lifted, the onus being on the person to establish that the person’s relationship with alcohol or drugs does not compromise the safe operation of a road vehicle.

When computing the period referred to in the second paragraph, any time during which the person was not authorized to drive a road vehicle, whether because the person did not hold a licence or the person’s licence was subject to a sanction, must be disregarded.”

19. The Code is amended by inserting the following sections after section 76.1.6:

“76.1.6.1. The application shall be presented before the court of the applicant’s domicile and served on the Société at least 60 days before the date fixed for its presentation.

The application must be accompanied by any document that the applicant intends to produce as evidence.

“76.1.6.2. When the application is served on it, the Société shall transmit to the court, before the date fixed for the presentation of the application, the data collected by the alcohol ignition interlock device and any relevant information held by the Société in respect of the applicant.

The Société may plead any ground of law or fact to oppose the conclusions sought in the application.

“76.1.6.3. When a person referred to in section 76.1.6 incurs a new cancellation or suspension, the person remains subject to the conditions specified in that section for obtaining a new licence and need not undergo the assessments imposed by sections 76.1.2, 76.1.4 and 76.1.4.1.

“76.1.6.4. The application of the provisions of this Code concerning the medical examinations or the assessments imposed on a person with a disorder related to the consumption of alcohol and the application of the provisions of the second paragraph of section 64 concerning the operation of a vehicle equipped with an alcohol ignition interlock device approved by the Société, at the driver’s request, are suspended with respect to a person referred to in section 76.1.6 for as long as the person’s new licence, or any subsequent licence issued to the person during the person’s lifetime, is subject to the condition of driving a vehicle equipped with an alcohol ignition interlock device.”

20. Section 76.1.10 of the Code is amended by replacing “one, two- and three-year” by “one- and two-year”.

21. Section 99 of the Code is amended by adding the following paragraphs at the end:

“Holders of a class 5 or class 6A learner’s licence, as determined by regulation, are prohibited from driving a road vehicle covered by either class between midnight and 5 a.m.

The holder of a learner’s licence driving a motorcycle may not carry passengers.

A government regulation may, in the cases and on the conditions it determines, exempt the holder of a learner’s licence from the assistance conditions set out in the first paragraph or prescribe different conditions.”

22. Section 100 of the Code is replaced by the following section:

“100. The driver of a road vehicle who holds a class 5 probationary licence, as determined by regulation, and who is 19 years of age or younger is subject to the following rules in the year after the licence is issued:

(1) for the first six months, the driver may only carry one passenger 19 years of age or younger between midnight and 5 a.m.; and

(2) for the next six months, the driver may only carry three passengers 19 years of age or younger between midnight and 5 a.m.

The rules set out in the first paragraph do not apply if one of the passengers has held, for at least two years, a valid driver’s licence of the appropriate class for driving the vehicle, is seated beside the driver and is in a position to give the driver assistance and advice.

For the purposes of the first paragraph, a passenger who is a member of the driver’s immediate family is not taken into account in the computation of the number of passengers.

“Driver’s immediate family” means

- (1) the driver’s married, civil union or de facto spouse;
- (2) the driver’s children and the driver’s spouse’s children;
- (3) the driver’s brothers and sisters; and
- (4) any other child of the driver’s father or mother or of either’s spouse.

A peace officer who has reasonable grounds to suspect that a driver is contravening this section may ask a passenger to identify himself or herself, in which case the passenger shall give the peace officer the following information:

- (1) the passenger’s name and address;
- (2) the passenger’s date of birth; and
- (3) if applicable, the nature of the passenger’s family relationship with the driver.”

23. Section 110 of the Code is amended by inserting “, except a cyclist or pedestrian,” after “person”.

24. Section 137.1 of the Code is amended by replacing “section 99 or section 100” by “the first paragraph of section 99 or a regulatory provision determining the holder’s assistance conditions made under the fifth paragraph of that section”.

25. Section 140.1 of the Code is replaced by the following section:

“140.1. A driver who contravenes section 99, a regulatory provision made under the fifth paragraph of section 99 or section 100 is guilty of an offence and is liable to a fine of \$200 to \$300.”

26. Section 156 of the Code is replaced by the following section:

“156. A peace officer or an employee of the Société designated for that purpose may enter, at any reasonable time, any establishment of a road vehicle recycler in order to require any information relating to the enforcement of section 155 and any related document, and examine and make copies of any such document. The officer or employee may also examine the road vehicles and major components in the recycler’s possession.

Société employees must identify themselves and show proof of their capacity.”

27. Section 165 of the Code is amended by striking out “, or who contravenes section 156,”.

28. Section 189 of the Code is amended by striking out subparagraph 5 of the first paragraph.

29. The Code is amended by inserting the following section after section 202.5:

“202.5.1. If a peace officer has reasonable grounds to suspect that a person who is driving a road vehicle is a danger to himself or to other road users, the peace officer may require the person to undergo a test, at the time the peace officer intercepts him, to check whether he is able to orient in space and time.

If the person fails the test, the peace officer shall immediately suspend, on behalf of the Société, the person’s licence or right to obtain a licence.

The suspension is maintained until the person establishes, through a medical examination carried out as specified in section 73, that the person does not suffer from an illness or deficiency or is not in a condition which, under the medical or health standards established by regulation, is essentially inconsistent with the driving of a road vehicle.

A government regulation determines the tenor of the test and the parameters for establishing whether a person has failed it or not.”

30. Section 202.6 of the Code is amended by replacing “or 202.4” by “, 202.4 or 202.5.1”.

31. Section 202.6.6 of the Code, amended by section 25 of chapter 29 of the statutes of 2002, is again amended

(1) by replacing “section 202.3 or 636.1” in subparagraph 3 of the first paragraph by “section 202.3”;

(2) by adding the following subparagraph at the end of the first paragraph:

“(5) in the case of a suspension under section 202.5.1, that the person was not, by driving, a danger to himself or to other road users.”

32. Section 209.2 of the Code, amended by section 16 of chapter 29 of the statutes of 2001, is again amended

(1) by replacing “328.1” by “202.5.1, 328.1”;

(2) by replacing “and 434.2” by “, 434.2 and 443.3”.

33. Section 209.12 of the Code is amended by replacing “which shows that the conclusions of the application cannot be granted in whole or in part” by “to oppose the conclusions sought in the application in whole or in part”.

34. Section 209.18 of the Code is amended

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

“Where the value of the road vehicle is greater than \$3,000, the Société shall dispose of it by any method of sale it considers appropriate in the circumstances.”;

(2) by striking out the third paragraph.

35. Section 214 of the Code is replaced by the following section:

“214. No person may put any of the following vehicles into operation:

(1) a road vehicle intended to be operated on a public highway that has undergone alterations which may affect its compliance with the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16);

(2) a road vehicle intended to be operated on a public highway that has undergone alterations, including to the chassis, the body, a system or a mechanism, which may reduce its stability or braking capacity, or that was transformed into another type of vehicle; or

(3) a motor vehicle made by hand.

Despite the first paragraph, vehicles described in that paragraph may be put into operation if they have first undergone an inspection of the alterations made or, in the case of a vehicle made by hand, of its components and their assembly. For that purpose, the Société may also require any information that is necessary to determine whether the vehicle is safe.

The inspection shall be carried out before the mechanical inspection prescribed by subparagraph 8 of the first paragraph of section 521.

The Société shall issue an inspection certificate when it is proved to the Société’s satisfaction that the vehicle is safe.

The inspection prescribed by this section however is not required if the Société considers that the safety of road users is not compromised.

The Société has exclusive jurisdiction to carry out the inspection of altered vehicles or vehicles made by hand and to issue inspection certificates. The Société may, however, on the conditions it determines, appoint persons authorized to carry out the inspection of such vehicles on its behalf.”

36. Section 220.2 of the Code is amended by replacing “or semi-trailer” by “, semi-trailer or truck tractor”.

37. Section 220.3 of the Code is amended by replacing “at least 2.05 m” by “2.05 m or more” and “4,500 kg or more” by “more than 4,536 kg”.

38. Section 226 of the Code is amended by replacing “in the cases and on the conditions prescribed by regulation” in the first paragraph by “and flashing or rotating white lights”.

39. Section 227 of the Code is amended by replacing the first paragraph by the following paragraph:

“In addition to road vehicles that are required by law to be so equipped, the following vehicles may carry flashing or rotating amber lights:

(1) vehicles recognized by the Société in accordance with the criteria established by regulation;

(2) service vehicles;

(3) equipment vehicles;

(4) vehicles used for road maintenance or for snow removal;

(5) vehicles used for work on a public utility and belonging to a telecommunications enterprise, the Canada Post Corporation, an enterprise operating an electrical transmission system or a public transportation enterprise for the supervision or maintenance of a public transport network;

(6) farm tractors regardless of whether they belong to a farmer;

(7) tool vehicles; and

(8) vehicles that escort participants during exceptional events or sports events or competitions.”

40. The Code is amended by inserting the following section after section 227:

“227.1. Road vehicles belonging to a funeral services business may carry flashing white or purple lights on the front of the vehicle.”

41. Section 230 of the Code is amended by adding the following paragraphs at the end:

“(5) two amber reflectors, one on each side, at the same height, as far forward as practicable; and

“(6) two red reflectors, one on each side, at the same height, as far to the rear as practicable.”

42. Section 232 of the Code is replaced by the following section:

“**232.** Every bicycle must carry

(1) one white reflector at the front;

(2) one red reflector at the rear;

(3) one amber or white reflector on each pedal;

(4) on the front wheel, an amber or white reflector attached to the spokes and visible on both sides of the bicycle, an amber or white reflective strip attached to each side of the fork, a tire with reflective sidewalls or a rim with a continuous reflective strip around the entire circumference of the wheel on both sides; and

(5) on the back wheel, a red reflector attached to the spokes and visible on both sides of the bicycle, a red reflective strip on each seat stay, a tire with reflective sidewalls, or a rim with a continuous reflective strip around the entire circumference of the wheel on both sides.

Despite the first paragraph, a bicycle need not carry the reflector required under subparagraph 3 of that paragraph if the cyclist wears a reflective band around each ankle or shoes with reflective strips.

Any equipment or object placed on a bicycle that blocks a prescribed reflector or its substitute must carry a reflector or a reflective strip.

A trailer towed by a bicycle must carry two red reflectors at the rear, as far apart as practicable, or a red reflective strip placed as close to horizontal as possible across the width of the trailer.”

43. Section 233 of the Code is amended

(1) by replacing “at least one white headlight” by “a white headlight or light”;

(2) by inserting “, both of which may be flashing” after “tail-light”.

44. Section 233.1 of the Code is amended

(1) by replacing “carries the reflectors prescribed by” by “complies with the requirements of the first paragraph of”;

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

“However, if the bicycle carries clipless pedals or does not have pedals, the prohibition set out in this section does not apply as regards the reflectors required under subparagraph 3 of the first paragraph of section 232.”

45. Section 237 of the Code is amended by adding the following paragraph at the end:

“If equipment installed on a vehicle blocks the vehicle’s headlights, lights or reflectors, the vehicle or equipment must carry equivalent headlights, lights or reflectors in places where they are visible.”

46. Section 239 of the Code, amended by section 29 of chapter 14 of the statutes of 2008, is again amended

(1) by replacing “or section 227” in the first paragraph by “or section 227 or 227.1”;

(2) by replacing “or in section 227” in the second paragraph by “, 227 or 227.1”.

47. The Code is amended by inserting the following sections after section 239:

“239.1. The driver of a road vehicle recognized by the Société, according to the criteria established by regulation, as an emergency vehicle or as a vehicle that may carry flashing or rotating amber lights must have the certificate of recognition with him.

The owner of the vehicle must affix the sticker issued by the Société as required by the regulation.

“239.2. A driver referred to in section 239.1 must, at the request of a peace officer, surrender for examination the certificate the driver is required to have under that section.

The peace officer must return the certificate to the driver as soon as the officer has examined it.”

48. Section 240.2 of the Code is replaced by the following section:

“240.2. Except section 240.3, this chapter does not apply to the following vehicles to the extent that the conditions set out in the second paragraph are complied with:

(1) self-propelled farm machines;

(2) towed vehicles in a combination of agricultural vehicles, as defined by regulation, belonging to a farmer and used for agricultural purposes or for the exclusive transport of unprocessed timber; and

(3) trailers in a combination of road vehicles used for the exclusive transport of unprocessed timber.

The conditions to which the first paragraph refers are the following:

(1) the farm machine or combination of vehicles travels at a speed of less than 40 km/h and is equipped at the rear with the sign required under section 274; and

(2) the farm machine or combination of vehicles is equipped with two red reflectors at the rear, one on each side of the vertical centreline and as far apart as practicable.”

49. Section 240.3 of the Code is amended by replacing the second paragraph by the following paragraphs:

“Self-propelled farm machines and combinations of farm vehicles as defined by regulation must be equipped with the equipment that meets the safety standards prescribed by regulation, to the extent that the machines or vehicles exceed 2.6 m in width and belong to a farmer.

In addition, the drivers of such machines or combinations of vehicles and the drivers of road vehicles escorting them are subject to the traffic rules prescribed by regulation.”

50. Section 244 of the Code is amended by replacing the third paragraph by the following paragraph:

“This section does not apply to the following combinations of vehicles that comply with the conditions set out in the second paragraph of section 240.2:

(1) combinations of farm vehicles as defined by regulation, including combinations with semi-trailers, whose towed vehicles belong to a farmer and are used for agricultural purposes or for the exclusive transport of unprocessed timber; and

(2) combinations of road vehicles whose trailers and semi-trailers are used for the exclusive transport of unprocessed timber.”

51. The Code is amended by inserting the following section after section 257:

“257.1. Every heavy vehicle with a dump body whose height, when the dump body is raised, exceeds the maximum height prescribed by regulation must be equipped with a flashing red warning light that activates automatically if the dump body is not completely lowered.

The Government may prescribe, by regulation, other standards applicable to the warning light required under the first paragraph.”

52. Section 258 of the Code is amended by inserting “, except a vehicle that does not use fuel as its source of energy,” after “vehicle”.

53. The Code is amended by inserting the following section after section 275:

“**275.1.** The owner or driver of a road vehicle who contravenes section 239.1 is guilty of an offence and is liable to a fine of \$30 to \$60.”

54. Section 276 of the Code is amended

(1) by replacing “\$15 to \$30” by “\$80 to \$100”;

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

“A cyclist whose bicycle is not equipped with the reflector required under subparagraph 3 of the first paragraph of section 232 and who does not wear a reflective band around each ankle or shoes with reflective strips as required under the second paragraph of that section is guilty of an offence and is liable to a fine of \$80 to \$100.”

55. Section 276.1 of the Code is amended by replacing “\$15 to \$30” by “\$80 to \$100”.

56. Section 281.1 of the Code is amended by inserting “whose headlights, lights or reflectors do not comply with the requirements of the second paragraph of section 237 or” after “vehicle”.

57. The Code is amended by inserting the following section after section 281.2:

“**281.3.** The driver of a road vehicle who contravenes the first paragraph of section 239.2 is guilty of an offence and is liable to a fine of \$100 to \$200.”

58. Section 282 of the Code is amended, in the first paragraph,

(1) by replacing “, 235, 237,” by “and 235, the first or third paragraph of section 237, any of sections”;

(2) by striking out “258.”.

59. Section 283.1 of the Code is amended by adding the following paragraph at the end:

“The owner of a motor vehicle that does not comply with the requirements of section 258 is guilty of an offence and is liable to a fine of \$200 to \$300.”

60. The Code is amended by inserting the following section after section 285:

“**285.1.** Every owner or operator of a heavy vehicle that does not comply with the requirements of section 257.1 is guilty of an offence and is liable to a fine of \$350 to \$1,050.”

61. Section 286 of the Code is amended by replacing “\$30 to \$60” in the second paragraph by “\$80 to \$100”.

62. Section 289 of the Code is amended by adding the following sentence at the end of the second paragraph: “Those standards are not subject to the Regulations Act (chapter R-18.1).”

63. The Code is amended by inserting the following section after section 289:

“**289.1.** A road sign or signal does not constitute a business practice.”

64. Section 293 of the Code is amended by inserting “or competitions” after “sports events” in the first paragraph.

65. Section 295 of the Code is amended

(1) by replacing “pedestrian walkways” in paragraph 3 by “pedestrian crosswalks or bicycle crossings”;

(2) by replacing “where the driver of a road vehicle referred to in section 413 is exempt from the requirements of that section” in paragraph 5 by “covered by an order or a regulation made under section 414, as the case may be”;

(3) by adding the following paragraph at the end:

“(9) reserve spaces for recharging electric road vehicles and plug-in hybrid road vehicles.”

66. The Code is amended by inserting the following section after section 297:

“**297.1.** The person responsible for the maintenance of a public highway must, by means of proper signs or signals, indicate the toll rates for operating a vehicle on a public highway subject to a toll.

In accordance with the first paragraph of section 289, the Minister shall determine the information that must appear on such a sign or signal.

A public highway subject to a toll referred to in the first paragraph is a public highway for which payment of a duty, comprising a toll and any fees, is required to obtain the right to operate a road vehicle on that highway.”

67. The Code is amended by inserting the following section after section 303.2:

“303.3. The person responsible for the maintenance of a public highway must, if traffic is to be directed by a flag person because of work, see that the flag person complies with the standards determined by ministerial regulation as regards, in particular, the clothing that the flag person must wear.

This section also applies to any person who, on behalf of the person responsible for the maintenance of a public highway, carries out work on such a highway.

Every flag person is required to comply with those standards.”

68. Section 313 of the Code is amended

(1) by replacing “\$15 to \$30” in the first paragraph by “\$80 to \$100”;

(2) by replacing “\$15 to \$30” in the second paragraph by “\$80 to \$100”.

69. Section 314.1 of the Code is amended by replacing “310 to 312” in the first paragraph by “310, 311.1 and 312”.

70. The Code is amended by inserting the following section after section 314.1:

“314.2. Every driver of a road vehicle who contravenes section 311 is guilty of an offence and is liable to a fine of \$200 to \$400.”

71. Section 322 of the Code is amended

(1) by replacing “used in either” by “reserved for making left turns from either”;

(2) by striking out “for passing or”.

72. Section 323 of the Code is amended by replacing “used in either” by “reserved for making left turns from either”.

73. Section 326 of the Code is amended by replacing “any other separation” by “any other raised physical device”.

74. Section 326.1 of the Code is amended

(1) by replacing “lines marking off lanes” in the introductory clause of the first paragraph by “roadway markings”;

(2) by adding the following subparagraph at the end of the first paragraph:

“(4) crosshatch markings.”;

(3) by replacing the second paragraph by the following paragraph:

“In addition to what is provided for in section 344, subparagraph 1 of the second paragraph of section 348 and section 378, the first paragraph does not apply if the driver can safely

(1) enter a public highway from the shoulder, from a private road or from private land;

(2) leave a lane that is obstructed or closed to traffic;

(3) make a left turn to enter a private road or private land;

(4) make a right turn to pull onto the shoulder or enter a private road or private land;

(5) enter a lane reserved for left turns from either direction; or

(6) cross a traffic lane reserved for the exclusive use of certain vehicles.”

75. Section 332 of the Code is replaced by the following section:

“332. The speed of a road vehicle may be measured by means of a photo radar device approved by the Minister of Transport and the Minister of Public Security.

A photograph of a road vehicle obtained by means of such a photo radar device is admissible as evidence in any penal proceedings for the contravention of a speed limit if

(1) the place where the photograph was taken, with reference to an identifier or otherwise, the date and time it was taken, the authorized speed limit and the speed recorded by the photo radar device are affixed to it; and

(2) the road vehicle and its registration plate number are visible on it.

In the absence of any evidence to the contrary, the elements affixed to or visible on the photograph are proof of their accuracy and of the place where the photograph was taken, except the authorized speed limit when it is set under any of sections 299, 303.1 and 329.

An order made under the first paragraph is to be published in the *Gazette officielle du Québec*.”

76. Section 335 of the Code is amended by replacing “follow another vehicle” by “follow another road vehicle or a bicycle”.

77. Section 341 of the Code is replaced by the following section:

“341. The driver of a road vehicle may not pass a cyclist within the same traffic lane unless it can be done safely, after reducing the vehicle’s speed and ensuring that a reasonable distance can be kept between the vehicle and the cyclist during the manoeuvre.

In no case may the driver of a road vehicle perform this manoeuvre if the part of the roadway on which the driver must encroach is not clear of traffic for a sufficient distance, in particular if another vehicle is oncoming or is coming up alongside the vehicle. In such a case, the driver must remain in the lane and reduce the vehicle’s speed, in particular by staying behind the cyclist. The driver must do the same in the cases referred to in sections 345 and 348.

A reasonable distance is 1.5 m on a road where the maximum authorized speed limit is more than 50 km/h or 1 m on a road where the maximum authorized speed limit is 50 km/h or less.

This section applies to the driver of a road vehicle when meeting an oncoming pedestrian, with the necessary modifications. It also applies to such a driver if the cyclist or pedestrian is travelling on the shoulder or on a cycle lane that is not separated from the roadway by a median strip or any other raised physical device.”

78. The Code is amended by inserting the following section after section 341:

“341.1. The driver of a road vehicle must reduce the vehicle’s speed when approaching an oncoming group of participants in an exceptional event or sports event or competition escorted by vehicles.

The driver must also

(1) on a two-way roadway, put as much distance as possible between the vehicle and the group of participants while remaining in the same lane; or

(2) on a two-way roadway with two or more traffic lanes, travel in such a way as to leave at least one free lane between the vehicle and the group of participants. The driver must change lanes if necessary, after making sure that he can do so safely.

This section does not apply to such a driver if the lane in which he is driving is separated from the adjacent lane occupied by the group of participants by a median strip or any other raised physical device.”

79. Section 344 of the Code is amended

(1) by replacing “line” by “marking”;

(2) by replacing “or a bicycle” by “, a cyclist or a pedestrian or to return to the right of the roadway after passing”;

(3) by adding the following paragraph at the end:

“The driver of a road vehicle may, in the same manner, cross such a marking when meeting a pedestrian.”

80. Section 348 of the Code is amended by adding the following paragraph at the end:

“Furthermore, no driver of a road vehicle is allowed to pass

(1) on a two-way roadway, when a group of participants in an exceptional event or sports event or competition escorted by vehicles is ahead of him, unless a peace officer authorizes him to pass; or

(2) on a two-way roadway with two or more traffic lanes, when a group of participants in an exceptional event or sports event or competition escorted by vehicles is ahead of him, unless he reduces speed and moves to another lane for travelling in the same direction as the one in which he is travelling.”

81. The Code is amended by inserting the following section after section 358:

“**358.1.** When approaching a traffic circle, the driver of a vehicle must slow down and yield the right of way to users already in the circle before entering.

When in the traffic circle, the driver must move in a counter-clockwise direction. Section 487 continues to apply to cyclists, with the necessary modifications.”

82. Section 359 of the Code is amended by adding the following paragraph at the end:

“An arrow-shaped red light may be used to regulate stopping before a particular manoeuvre.”

83. Section 359.3 of the Code is replaced by the following section:

“**359.3.** Stopping at a red light may be verified by means of a red light camera system approved by the Minister of Transport and the Minister of Public Security.

A photograph of a road vehicle obtained by means of such a camera system is admissible as evidence in any penal proceedings for an offence under section 359 if

(1) the place where the photograph was taken, with reference to an identifier or otherwise, and the date and time it was taken are affixed to it; and

(2) the traffic light involved, the road vehicle and its registration plate number are visible on it.

In the absence of any evidence to the contrary, the elements affixed to or visible on the photograph are proof of their accuracy and of the place where the photograph was taken.

An order made under the first paragraph is to be published in the *Gazette officielle du Québec*.”

84. Section 361 of the Code is amended by adding the following paragraph at the end:

“An amber light in the shape of an arrow may be used to regulate stopping before a specific manoeuvre.”

85. The Code is amended by inserting the following section after section 364:

“**364.1.** When facing a bus traffic light, the driver of a bus may proceed in the authorized direction, if it can be done safely.”

86. Section 365 of the Code is amended by adding the following paragraph at the end:

“The driver of a road vehicle must, when facing a flashing horizontal amber arrow installed above the lane in which he is travelling, proceed toward the lane indicated by the arrow, after signalling his intention and ensuring that he can do so safely.”

87. Section 369 of the Code is amended

- (1) by replacing “any person riding a bicycle” by “a cyclist”;
- (2) by inserting “or walking or cycling alongside” after “crossing”.

88. Section 370 of the Code is amended

- (1) by replacing “any person riding a bicycle” by “a cyclist”;
- (2) by inserting “or walking or cycling alongside” after “crossing”.

89. Section 378 of the Code is amended by replacing the second paragraph by the following paragraph:

“The driver is then not bound to comply with sections 299, 303.2 and 310, the first paragraph of section 326.1, sections 328, 329 and 342, paragraph 2 of section 345 and sections 346, 347, 359, 360, 364, 365, 367, 368, 371, 381 to 384, 386, 406.2, 496.4 and 496.7. In each of the situations referred to in those sections, the driver must however ensure that non-compliance with the prescribed rule can be done safely.”

90. The Code is amended by inserting the following section after section 379:

“379.1. The driver of a road vehicle belonging to a funeral services business may operate the flashing white or purple lights referred to in section 227.1 with which the vehicle is equipped only when he is travelling in a procession.”

91. Section 384 of the Code is amended

- (1) by inserting “or shoulder” after “roadway”;
- (2) by adding the following paragraph at the end:

“The prohibition from stopping a road vehicle on the shoulder set out in the first paragraph does not apply if the vehicle is an emergency vehicle or another vehicle determined by government regulation.”

92. Section 386 of the Code is amended

- (1) by replacing paragraph 2 by the following paragraph:

“(2) less than 3 metres from a fire hydrant;”;
- (2) by replacing “pedestrian crosswalk clearly identified as such” in paragraph 4 by “pedestrian crosswalk or bicycle crossing identified by means of proper signs or signals”;
- (3) by inserting the following paragraph after paragraph 4:

“(4.1) in a traffic circle;”.

93. The Code is amended by inserting the following section after section 388:

“388.1. Only electric road vehicles and plug-in hybrid road vehicles may stop in a space reserved for recharging electric vehicles. However, they may stop in such a space only when they are plugged into a charging station.

In addition to public highways, this section applies on private roads open to public vehicular traffic and on land occupied by shopping centres or other land where public traffic is allowed.”

94. Section 390 of the Code is amended by inserting the following paragraph after the first paragraph:

“A peace officer may also exercise the power provided for in the first paragraph when a road vehicle is stopped out of necessity, in particular because of special weather conditions or inadequate visibility conditions.”

95. Section 395 of the Code is amended by replacing “No person” by “Subject to section 398, no person”.

96. Section 397 of the Code is amended

(1) by replacing all occurrences of “cushion” by “seat”;

(2) by replacing “whose sitting height is less than 63 cm, measured from the seat to the top of the head,” in the first paragraph by “who is less than 145 cm tall or under 9 years of age”;

(3) by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) for a child authorized by the Société, in accordance with section 398, to use a restraint system other than the one prescribed by the first paragraph.”

97. Section 398 of the Code is replaced by the following section:

“398. On a written application, the Société may grant a person invoking exceptional medical reasons, for the period it determines,

(1) an exemption from wearing a seat belt;

(2) an authorization to partially wear a seat belt;

(3) an authorization to equip the seat belt or restraint system with additional devices; or

(4) an authorization to use a restraint system other than the one prescribed by section 397.

An application concerning the wearing of a seat belt made under subparagraph 1 or 2 of the first paragraph must be supported by a written recommendation of a physician obtained after a medical examination of the applicant.

In the case of the authorizations referred to in subparagraphs 3 and 4 of the first paragraph, the applicant must provide a written recommendation of a physician or occupational therapist, who determines the applicant's specific needs, taking into account the medical diagnosis.

The Société may require that the examination or recommendation required under this section be performed or provided by the physician or occupational therapist that it designates by name.

A certificate attesting that an exemption or authorization has been granted under this section is to be issued by the Société.”

98. Section 399 of the Code is repealed.

99. Section 400 of the Code is replaced by the following section:

“400. The person invoking an exemption or authorization obtained under section 398 must have the certificate issued by the Société with him and show it to the peace officer on request.

The peace officer must return the certificate to its holder after examination.”

100. The Code is amended by inserting the following section after section 406.1:

“406.2. Unless otherwise directed by a sign or signal, no person may change lanes when approaching or when in an intersection.

This section does not apply to the driver of a bus authorized by a bus traffic light to enter an intersection. In such a case, the driver must however ensure that he can do so safely.”

101. Section 407 of the Code is amended by adding the following paragraph at the end:

“This section applies, with the necessary modifications, on a section of an autoroute or of another limited access highway when a bus is travelling on the autoroute or highway pursuant to section 418.2.”

102. Section 410 of the Code is replaced by the following section:

“410. When a pedestrian enters or clearly demonstrates the intention to enter a pedestrian crosswalk, the driver of a road vehicle must stop his vehicle to allow the pedestrian to cross. At such a crossing, a cyclist must also give pedestrians the priority.”

103. Section 414 of the Code is amended by adding the following paragraph at the end:

“A municipality may also, by by-law, exercise the power that the first paragraph confers on the Minister. The by-law must be approved by the Minister in order to come into force.”

104. Section 418 of the Code is amended

- (1) by inserting “or on the sidewalk” after “highway”;
- (2) by inserting “or allowed” after “directed”.

105. Section 418.1 of the Code is amended

- (1) by inserting “the sidewalk or” after “back up on”;
- (2) by inserting “after ensuring that it can be done safely” after “ramps of a limited access highway”.

106. The Code is amended by inserting the following sections after section 418.1:

“418.2. The driver of a bus may travel on a section of the shoulder of an autoroute or other limited access highway if all the following conditions are met:

- (1) a sign or signal allows the driver to travel on the shoulder section;
- (2) the speed of road traffic on the public highway concerned is less than 50 km/h; and
- (3) the driver has taken training on driving on shoulder sections.

“418.3. When travelling on a shoulder section under section 418.2, the driver of a bus may not exceed the speed of road traffic in the traffic lane contiguous to the shoulder by more than 20 km/h.

Nor may a bus driver exceed a speed of 50 km/h, except to return to the roadway.”

107. Section 425 of the Code is amended

- (1) by inserting “at all times” after “his vehicle”;
- (2) by adding the following paragraph at the end:

“However, the driver of a motorcycle or moped is required to dim the lights on the front of his vehicle during the day only when he is less than 15 metres behind another vehicle.”

108. Section 432 of the Code is amended

(1) by inserting “, on the shoulder” after “roadway”;

(2) by adding the following sentence at the end: “Before doing so, the driver must make sure that it can be done safely, and if intending to stop the vehicle on the shoulder, that the shoulder is in good condition.”

109. Sections 439 to 440 of the Code are repealed.

110. Section 440.1 of the Code is amended

(1) in the first paragraph,

(a) by replacing “15 December” by “1 December”;

(b) by replacing “taxi or a passenger vehicle registered in Québec” by “motorized road vehicle registered in Québec, except a heavy vehicle, tool vehicle or farm machine.”;

(c) by replacing “passenger vehicles not equipped with that type of tires” by “such a vehicle regardless of where it is registered”;

(2) by replacing “a taxi owner or person who owns or rents out a passenger vehicle” in subparagraph 2 of the second paragraph by “the owner of a vehicle referred to in the first paragraph or the person renting out such a vehicle, as applicable.”.

111. Section 442 of the Code is amended by replacing “No person may drive a road vehicle in which” by “No person may drive a road vehicle or ride a bicycle if”.

112. The Code is amended by inserting the following division after section 443:

“DIVISION V

“DISTRACTIONS WHILE DRIVING

“§1.—Prohibitions

“443.1. Every driver of a road vehicle and every cyclist are prohibited from using a portable electronic device or a display screen, except in the following cases:

(1) the driver of the road vehicle sends or receives telephone calls using a hands-free device;

(2) the driver of the road vehicle or the cyclist consults the information displayed on a display screen, including that of a portable electronic device, or activates a screen function if the screen

(a) displays only such information as is relevant to driving or riding the vehicle or related to the operation of its usual equipment;

(b) is integrated into the vehicle or mounted on a bracket, whether detachable or not, attached to the vehicle;

(c) is placed so as not to obstruct the driver's or cyclist's view, interfere with driving or riding, or prevent the operation of equipment or reduce its efficiency and in a manner that does not present a risk of injury in an accident; and

(d) is positioned and designed in such a way that the driver of the road vehicle or cyclist can operate and consult it easily.

For the purposes of the first paragraph, the driver of a road vehicle or a cyclist who is holding a portable electronic device in hand or in any other manner is presumed to be using the device.

The Government may, by regulation, determine the manner in which this section is to be applied, in particular by defining the meaning of certain expressions. It may also prescribe other exceptions to the prohibitions under this section and other standards applicable to display screens.

“443.2. Neither the driver of a road vehicle nor a cyclist may wear headphones.

For the purposes of the first paragraph, devices that are integrated into a protective helmet and that allow the persons wearing them to communicate with each other without preventing them from hearing surrounding traffic noises are not headphones.

“§2.—Immediate licence suspension

“443.3. A peace officer shall immediately suspend, on behalf of the Société and for a period of three days, the licence issued under section 61 of a person who is driving a road vehicle in contravention of section 443.1 if the person has been found guilty of an offence under that section during the two years before the offence being ascertained.

The suspension period is increased to seven days if, during the two years before the offence being ascertained, the person was found guilty of two offences under section 443.1. If the person was found guilty of more than two offences during that same period, the suspension is 30 days.

If the person found guilty of an offence under section 443.1 does not hold a licence or holds a licence issued by another administrative authority, the first and second paragraphs apply, with the necessary modifications, to the person's right to obtain a licence under section 61.

“443.4. The driver of a road vehicle whose licence or right to obtain a licence is suspended for a 30-day period in accordance with section 443.3 may, after proving that he was not driving the vehicle in contravention of section 443.1, obtain the lifting of the suspension by a judge of the Court of Québec acting in the civil practice chamber.

“443.5. Sections 202.6.1, 202.6.7 and 202.7, the second paragraph of section 209.11 and section 209.12 apply to the licence suspension under section 443.3, with the necessary modifications.

“§3. — Rules

“443.6. This division applies not only on public highways, but also on highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune, on private roads open to public vehicular traffic and on land occupied by shopping centres or other land where public traffic is allowed.

“443.7. Sections 443.1 and 443.2 do not apply

(1) to the driver of a road vehicle, if his vehicle is parked so as not to contravene the provisions of this Code or another law;

(2) to a cyclist, if he is stopped on the side of the roadway or on the shoulder in such a way that does not obstruct traffic.”

II3. Section 453 of the Code is amended by inserting “or shoulder” after “of the roadway”.

II4. The Code is amended by inserting the following section after section 453.1:

“453.2. No pedestrian may cross the roadway of a traffic circle or walk on its central island.”

II5. Section 460 of the Code, amended by section 53 of chapter 14 of the statutes of 2008, is again amended

(1) by inserting “or a cyclist” after “road vehicle” in the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“The first paragraph does not apply to the driver of a road vehicle or a cyclist meeting a bus or minibus used for the transportation of school children on an adjacent roadway separated by a median strip or other raised physical device.”

116. Section 474 of the Code is amended

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

“The devices required under the first paragraph are not necessary when

(1) the equipment whose farthest point extends beyond the rear of the road vehicle is an aerodynamic system that complies with the rules established by a regulation;

(2) the farthest point of the load consists in a passenger vehicle carrying reflectors at the rear and extends 1.2 metres or less beyond the rear of a road vehicle designed to carry three or more passenger vehicles or of a combination of road vehicles designed for that purpose.”;

(2) by replacing “third and fifth” in the last paragraph by “fourth and sixth”.

117. Section 478 of the Code is replaced by the following section:

“**478.** No person may drive a motorcycle or a moped

(1) between rows of vehicles moving on contiguous lanes;

(2) between the side of the roadway and another vehicle travelling in the same lane; or

(3) between a vehicle travelling in the same lane and a vehicle parked to the right or left of that lane.

Subparagraph 1 of the first paragraph applies to cyclists, except when the lane in which the cyclist is travelling is contiguous to a lane reserved for right turns.”

118. Section 479 of the Code is replaced by the following section:

“**479.** No person may drive a motorcycle equipped with a motor having a piston displacement of 125 cc or less or with an electric motor having a power rating of 11 kW or less, drive a moped or ride a bicycle or any other non-motorized vehicle on a limited access highway or on the entrance or exit ramps of such a highway.”

119. The Code is amended by inserting the following section after section 483:

“**483.1.** No person may carry a child who is less than 145 cm tall or who is under 9 years of age in a motorcycle sidecar.”

120. Section 484 of the Code is amended

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

“The driver of a motorcycle or moped must also wear visual protection if his protective helmet does not have a visor and he is travelling in a zone where the maximum authorized speed limit is over 50 km/h.”;

(2) by inserting “and visual protection” after “helmets” in the second paragraph;

(3) by striking out the third paragraph.

121. The Code is amended by inserting the following sections after section 484:

“**484.1.** No owner of a motorcycle or moped may drive his vehicle or allow it to be driven if the sound level of its exhaust system exceeds the values determined by regulation.

“**484.2.** The sound level of a motorcycle’s or moped’s exhaust system may be measured according to the method prescribed by regulation by means of a sound level meter that complies with the technical and maintenance standards determined by government regulation and used by a peace officer who has successfully completed training recognized by the Société.

The sound level measured under the conditions set out in the first paragraph is proof of its accuracy, in the absence of any evidence to the contrary.

“**484.3.** When required to do so by a peace officer, the driver of a motorcycle or moped must drive the vehicle to the place indicated, provided it is not over 15 km from the place of interception, and must, in compliance with the peace officer’s orders, help in measuring the sound level of the vehicle’s exhaust system in the manner prescribed by regulation.”

122. Section 487 of the Code is replaced by the following section:

“**487.** A cyclist must ride as close as possible to the edge or right side of the roadway and in the same direction as traffic, except when about to make a left turn, when riding against traffic is authorized or in case of necessity.

A cyclist may also ride on the shoulder in the same direction as traffic.”

123. Section 490 of the Code is replaced by the following section:

“490. Before turning, a cyclist must signal his intention without interruption and for a sufficient distance, unless doing so endangers his safety.

When turning right, a cyclist must extend his left forearm vertically upwards or extend his right arm horizontally. When turning left, he must extend his left arm horizontally.”

124. Section 492.1 of the Code is replaced by the following section:

“492.1. A cyclist may not ride a bicycle on a sidewalk except in case of necessity or where directed or allowed to do so by a sign or signal. In such a case, the cyclist must ride at a safe, reasonable speed and give pedestrians the priority.”

125. The Code is amended by inserting the following after section 492.6:

“492.7. No person may carry a child who is less than 145 cm tall or under 9 years of age in a low-speed vehicle.

“DIVISION V

“AUTONOMOUS VEHICLES

“492.8. No person may put an autonomous vehicle into operation on public highways, on highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune, on private roads open to public vehicular traffic or on land occupied by shopping centres or other land where public traffic is allowed.”

126. The Code is amended by inserting the following chapter after section 496:

“CHAPTER V.1

“SPECIAL PROVISIONS RESPECTING SHARED STREETS AND BICYCLE BOULEVARDS

“DIVISION I

“MUNICIPAL POWERS

“496.1. A municipality may, by by-law, identify a shared street or bicycle boulevard on all or part of a public highway under its management.

The by-law must prescribe the boundaries of the shared street or bicycle boulevard. It may also prescribe additional rules applicable to such a street or boulevard without however departing from the rules prescribed under this Code.

The municipality may determine the provisions of the by-law the violation of which constitutes an offence and determine the applicable fines, which may not exceed \$120.

“496.2. A municipality must safely lay out shared streets and bicycle boulevards, in particular by taking into account any application guide developed by the Minister of Transport on the subject. The municipality must install the proper signs and signals.

The layout must be completed on all or part of the public highway concerned and the proper signs and signals must be installed before the coming into force of a by-law made under section 496.1.

“496.3. Section 341 applies to shared streets and bicycle boulevards. The driver of a road vehicle is however exempt from complying with the prescribed reasonable distance if there is sufficient space to allow him to safely pass or meet a cyclist or pedestrian.

“DIVISION II

“SHARED STREETS

“496.4. No person may drive a road vehicle on a shared street at a speed over 20 km/h.

“496.5. A pedestrian may choose where to walk on a shared street. He may go in any direction and cross at any location at any time.

“496.6. The driver of a road vehicle or a cyclist must yield the right of way to any pedestrian using a shared street.

“DIVISION III

“BICYCLE BOULEVARD

“496.7. No person may drive a road vehicle on a bicycle boulevard at a speed over 30 km/h.

“496.8. A cyclist riding on a bicycle boulevard with a two-way roadway may use the entire width of the lane in the direction of traffic. A cyclist riding on a bicycle boulevard with a one-way roadway may do the same.

“496.9. A cyclist must ride as close as possible to the edge or right side of the roadway of a bicycle boulevard when riding against traffic is authorized.

“496.10. Two cyclists are authorized to ride side-by-side on a bicycle boulevard, unless they are riding against traffic.”

127. Section 498 of the Code is amended by striking out the second paragraph.

128. The Code is amended by inserting the following section after section 498:

“**498.1.** No person may drive a vehicle covered with snow, ice or any other matter that may detach from the vehicle and that may constitute a hazard for road users.”

129. Section 502 of the Code is replaced by the following section:

“**502.** Subject to sections 378 and 379, no person may, on private property, use a lighting system or flashing or rotating lights, whether installed on a vehicle or not, that may interfere with the vision of drivers of road vehicles on a public highway or that may distract them.

The owner of the premises may not tolerate the use of such a system or of such lights.”

130. Section 503 of the Code is amended

(1) by replacing “is installed” in the first paragraph by “or flashing or rotating lights are used” and by inserting “or lights” after “the system” in that paragraph;

(2) by replacing “remove the lighting system” in the second paragraph by “may enter the property and remove the lighting system or lights”.

131. Section 504 of the Code is replaced by the following section:

“**504.** Every cyclist who contravenes any of sections 346, 349, 350, 358.1, 359 to 364, 367 to 371, 402, 404 to 406, 408 to 411 and 421, the second paragraph of section 424 or any of sections 442, 443.1, 443.2, 460, 477 to 479, 485 to 492.1, 496.6, 496.9 and 496.10 is guilty of an offence and is liable to a fine of \$80 to \$100.”

132. Section 504.1 of the Code is amended

(1) by inserting “or user of skates, skis, a skateboard or a toy vehicle who contravenes section 499” after “492.3”;

(2) by replacing “\$25 to \$50” by “\$80 to \$100”.

133. Section 505 of the Code is amended by replacing “453.1” by “453.2”.

134. Section 506 of the Code, amended by section 100 of chapter 14 of the statutes of 2008, is again amended

(1) by striking out “339, 351 to 358,” “372 to 376,” “paragraphs 1 to 7, 8 and 9 of section 386,” “the third paragraph of section 407,” and “440, 442”;

(2) by replacing “, 493 and 499” by “and 493”;

(3) by replacing “section 477” by “any of sections 358.1, 442, 443.2 and 477”;

(4) by replacing “\$30 to \$60” by “\$60 to \$120”.

135. Section 507 of the Code is amended

(1) by replacing “494 to 496 and 498” by “492.2, 494 to 496, 498 and 498.1”;

(2) by replacing “, 424 and 492.1” by “and 424”.

136. Section 508 of the Code is amended

(1) by replacing “any of sections 396, 401, 439, 439.1 and 484” by “section 401 or the second paragraph of section 484”;

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

“The driver of a motorcycle or moped carrying a passenger under 16 years of age who contravenes the second paragraph of section 484 is guilty of an offence and is liable to the fine prescribed by the first paragraph of this section.”

137. Section 509 of the Code is amended

(1) by replacing “365, paragraph 7.1 of section 386, section 388 or section 391, the first paragraph of section 407” by “339, 351 to 358, 364.1, 365, 372 to 376, 386, 388.1, 391 and 407”;

(2) by striking out “, 492.2”;

(3) by replacing “and 479” by “, 479 and 496.6”.

138. The Code is amended by inserting the following sections after section 509.2:

“509.2.1. Every owner of a motorcycle or moped who contravenes section 484.1 is guilty of an offence and is liable to a fine of \$200 to \$300.

“509.2.2. Every driver of a road vehicle who contravenes section 443.1 is guilty of an offence and is liable to a fine of \$300 to \$600. In the case of a second or subsequent offence, the minimum fine is doubled.”

139. Section 510 of the Code, amended by section 109 of chapter 40 of the statutes of 1998, is again amended

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

“Every person who contravenes any of sections 326.1, 340 to 342, 345, 347, 348, 388, 389, 395, 396, 406.1, 406.2, 413, 418.2, 418.3, 423, 426, 427, 430, 437.1, 437.2, 440.1, 455, 458 and 459, the second paragraph of section 472, section 473, the second paragraph of section 474.1, section 483.1 and the first paragraph of section 484 or section 492.7 or 497 or every person other than a person riding a bicycle who contravenes any of sections 346, 406 and 460 is guilty of an offence and is liable to a fine of \$200 to \$300.”;

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

“The driver of a motorcycle or moped carrying a passenger under 16 years of age who contravenes the first paragraph of section 484 is guilty of an offence and is liable to the fine prescribed by the first paragraph of this section.”

140. The Code is amended by inserting the following section after section 511:

“**511.0.1.** Every driver of a motorcycle or moped who contravenes section 484.3 is guilty of an offence and is liable to a fine of \$300 to \$600.”

141. Section 512 of the Code is amended by replacing “or 434” by “, 434 or 492.8”.

142. Section 516 of the Code is amended by replacing “or the third paragraph of section 329” in the first paragraph by “, the third paragraph of section 329 or section 496.4 or 496.7”.

143. The Code is amended by inserting the following section after section 516.1:

“**516.2.** Every person who drives over the authorized speed limit in a school zone is liable to double the fine set out in the first paragraph of section 516 if the offence occurs during the school year indicated on a sign or signal erected by the person responsible for the maintenance of the public highway or, in the absence of such a sign or signal, during the period specified in the fourth paragraph of section 329.”

144. The Code is amended by inserting the following division after section 519.29:

“DIVISION III

“SPECIAL PROVISIONS RESPECTING HEAVY VEHICLE CROSSINGS

“519.29.1. The person responsible for the maintenance of a public highway may identify a heavy vehicle crossing by means of proper signs or signals on such a highway. If that person is a municipality, its decision is subject to the authorization of the Minister of Transport.

In this division, “heavy vehicle crossing” means the place, on a public highway and for the entire part used as an intersection, where such a highway meets

- (1) a highway under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune;
- (2) a private road open or closed to public traffic; or
- (3) private land.

“519.29.2. Where a sign or signal so indicates, every driver of a heavy vehicle is authorized to enter a heavy vehicle crossing at a right angle to proceed on a highway referred to in subparagraph 1 or 2 of the second paragraph of section 519.29.1 or to enter private property. The following provisions do not apply to a heavy vehicle owner, operator or driver on such a crossing:

- (1) sections 462 to 470.1, subparagraph 4 of the first paragraph of section 471, sections 473 to 473.1, section 474 except the second paragraph concerning amber lights with the necessary modifications, sections 474.1 and 474.2 as well as the provisions of Chapter II of this Title except section 519.6, subparagraphs 1 and 2 of the first paragraph of section 519.8.1 and subparagraphs 1 and 2 of the first paragraph of section 519.21.1;
- (2) the rules relating to the maximum dimensions and the maximum total loaded mass prescribed by a government regulation made under subparagraph 17 of the first paragraph of section 621; and
- (3) the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3).”

145. Section 519.30 of the Code is replaced by the following section:

“519.30. The Société may designate, subject to the conditions it determines, persons to conduct the qualification examinations required to obtain a licence of a class authorizing the driving of a heavy vehicle.”

146. Section 521 of the Code, amended by section 72 of chapter 14 of the statutes of 2008, is again amended by inserting “or vehicles which the Société has reasonable grounds to believe are not in compliance with this Code” after “hazard” in subparagraph 10.1 of the first paragraph.

147. Section 546.2 of the Code is amended by replacing the first and second paragraphs by the following paragraphs:

“Every insurer who compensates the owner of a road vehicle so seriously damaged that it cannot be rebuilt must, upon payment of the compensation to the owner, notify the Société of the condition of the vehicle. The insurer must do the same in respect of a vehicle so seriously damaged that it must be rebuilt before being driven again, but in that case only if the amount of the compensation is not used to pay to repair the vehicle.

If a vehicle owner is exempt from the obligation of contracting liability insurance guaranteeing compensation for property damage caused by his vehicle under section 101 of the Automobile Insurance Act (chapter A-25) or a regulation made under paragraph *c* of section 196 of that Act, it is incumbent on the vehicle owner, if the vehicle cannot be or has not been rebuilt, to notify the Société of its condition as soon as the owner transfers ownership of it.

A regulation may determine which damaged road vehicles cannot be rebuilt.”

148. Section 546.4 of the Code is amended, in the first paragraph,

(1) by replacing “the following documents and information:” by “the documents and information prescribed by regulation.”;

(2) by striking out subparagraphs 1 to 8.

149. Section 546.5 of the Code is amended by replacing “when he is satisfied, on the basis of an inspection of the vehicle and record of rebuilding, that the vehicle is the vehicle described in the record of rebuilding” in the first paragraph by “when he has made sure that the record of rebuilding meets all the requirements of section 546.4, that it contains all the documents and information prescribed by that section and that the documents and information are legible”.

150. Section 546.6 of the Code is amended by replacing the second and third paragraphs by the following paragraph:

“However, in the case of a vehicle that has been damaged and rebuilt outside Québec and registered there as a rebuilt vehicle, the record of rebuilding need not be submitted at the technical appraisal, unless the Société requires it when such a record exists.”

151. The Code is amended by inserting the following sections after section 546.6:

“546.6.0.1. The Société may prohibit a road vehicle from being put back into operation where it has reasonable grounds to believe

(1) that the vehicle is so seriously damaged that it must be rebuilt before being driven again;

(2) that the vehicle is so seriously damaged or in such a condition that it cannot be rebuilt; or

(3) that the vehicle was seriously damaged and rebuilt without having undergone the technical appraisal prescribed under this title.

In such a case, the Société shall enter the vehicle’s condition in the register it keeps under section 10.

No person may subsequently put the vehicle back into operation, unless it is proven to the satisfaction of the Société, in the case of a vehicle referred to in subparagraph 1 or 3 of the first paragraph, that the vehicle has undergone the technical appraisal and that a certificate of technical inspection and a certificate of mechanical inspection stating that the vehicle meets the requirements of this Code were obtained.

“546.6.0.2. The Société must prohibit a road vehicle from being put back into operation when the vehicle was identified to the Société by its owner, by the insurer that paid compensation to the owner, by another administrative authority or by a third person as a vehicle so seriously damaged or in such a condition that it cannot be rebuilt or must be rebuilt before being driven again.

In such a case, the Société shall enter the vehicle’s condition in the register it keeps under section 10.

No person may subsequently put a vehicle back into operation, unless it is proven that the vehicle, identified as one that must be rebuilt before being driven again, has undergone the technical appraisal and that a certificate of technical conformity and a certificate of mechanical inspection stating that the vehicle meets the requirements of this Code were obtained.”

152. Section 546.6.1 of the Code is amended by replacing “section 101 or section 102 of the Automobile Insurance Act (chapter A-25)” by “section 101 of the Automobile Insurance Act (chapter A-25) or by a regulation made under paragraph *c* of section 196 of the Act”.

153. Section 546.7 of the Code is amended by inserting “or the third paragraph of section 546.6.0.1 or 546.6.0.2” after “546.6”.

154. Section 592 of the Code is amended, in the second paragraph,

(1) by inserting “, 299, 303.2” after “171”;

(2) by inserting “, 496.4 and 496.7” after “484”.

155. Section 592.4.1 of the Code is amended by replacing “section 359” by “section 359, 496.4 or 496.7”.

156. The Code is amended by inserting the following section after section 592.4.1:

“592.4.2. In the case of an offence evidenced by a photograph taken by a photo radar device or a red light camera system, a peace officer, the supplier of the device or system, its manufacturer or any person authorized to carry out maintenance on the device or system is not required to give oral testimony at trial unless a summons authorized by a judge requiring the person to attend to testify is issued in accordance with the Code of Penal Procedure (chapter C-25.1). In such a case, article 63 of that Code does not apply.

The judge shall authorize a summons contemplated in the first paragraph only if he is satisfied that the testimony of that person is useful to allow the prosecutor to prove the commission of an offence, to afford the defendant the benefit of a full and complete defence or to allow the judge to rule on a question submitted to him.”

157. The Code is amended by inserting the following section after section 608:

“608.1. To allow the Société to verify the origin of an official document emanating from the registrar of civil status or another state authority and establishing the identity of a person applying for a licence, the Société may communicate any information necessary for that purpose to such an authority. It may also collect such information from that authority.”

158. The Code is amended by inserting the following section after section 611.3:

“611.4. The data collected by an alcohol ignition interlock device and any other information concerning a licence holder that the Société or the person responsible for managing the data collected by the device has may be released only for the purposes of this Code and the prosecution of a criminal offence.”

159. Section 619 of the Code is amended

(1) by striking out paragraph 1.1;

(2) by inserting the following paragraph after paragraph 6.4:

“(6.5) exempt the holder of a learner’s licence, in the cases and on the conditions it determines, from the assistance conditions set out in the first paragraph of section 99 or prescribe different conditions;”;

(3) by inserting the following paragraph after paragraph 8:

“(8.0.1) determine the tenor of the test intended to check whether a person is able to orient in space and time and the parameters for finding that a person has failed the test;”.

160. Section 621 of the Code, amended by section 77 of chapter 40 of the statutes of 2007 and by section 86 of chapter 14 of the statutes of 2008, is again amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 11:

“(11.1) prescribe standards applicable to the height of the dumb body of a heavy vehicle and the flashing red warning light required under section 257.1;”;

(2) by inserting the following subparagraphs after subparagraph 27:

“(27.1) prescribe the values for the sound level of a motorcycle’s or moped’s exhaust system according to classes of road vehicles and sound level measurement methods and prescribe measurement methods;

“(27.2) determine the technical standards of the sound level meters and other instruments that may be used to monitor the sound level of a motorcycle’s or moped’s exhaust system;”;

(3) by striking out “or by fire or flood” in subparagraph 31.1;

(4) by replacing subparagraph 31.2 by the following subparagraph:

“(31.2) prescribe the documents and information which must be included in the record of rebuilding of a road vehicle for the purposes of section 546.4 and the cases in which the record need not be submitted;”;

(5) by inserting the following subparagraph after subparagraph 42.1:

“(42.2) determine the classes of vehicles in respect of which the prohibition from stopping on a shoulder set out in the first paragraph of section 384 does not apply;”;

(6) by replacing subparagraph 51 by the following subparagraph:

“(51) determine the manner in which section 443.1 is to be applied, in particular by defining the meaning of certain expressions and prescribing other exceptions to the prohibition under that section as well as other standards applicable to display screens; and”.

161. Section 624 of the Code is amended by inserting the following subparagraph after subparagraph 8 of the first paragraph:

“(8.1) determine the amount of the fee exigible for the issue of the certificate of recognition and the sticker for vehicles recognized by the Société as emergency vehicles or vehicles that may carry flashing or rotating amber lights;”.

162. Section 626 of the Code, amended by section 73 of chapter 2 of the statutes of 2004 and by section 100 of chapter 14 of the statutes of 2008, is again amended by adding the following subparagraphs at the end of the first paragraph:

“(18) determine the areas where free play is permitted, the applicable restrictions on traffic, if any, the applicable safety rules and the prohibitions relating to free play or any other condition;

“(19) identify a shared street or bicycle boulevard on all or part of a public highway under its management, prescribe the boundaries of that shared space and prescribe any additional rules that are to be applicable.”

163. Section 633 of the Code is replaced by the following section:

“**633.** The Minister of Transport may, after consultation with the Société, issue a special permit authorizing the operation of a road vehicle or combination of road vehicles to an applicant who does not meet the requirements of a regulation made under subparagraph 20 of the first paragraph of section 621, provided exceptional circumstances justify issuing the permit, issuing the permit is conducive to promoting highway transportation without compromising highway safety or issuing the permit allows

(1) the application of a regulatory relief measure agreed on as part of a Canadian intergovernmental agreement on vehicle weight and dimension regulations;

(2) tests or trials of a vehicle, of a combination of vehicles or of equipment installed on a vehicle;

(3) the operation, in a region or on an established route, of a vehicle or combination of vehicles with a configuration or a weight or dimension limit that is different from what is enacted for the purposes of this Code; or

(4) the recognition of the equivalence of a load securement system with a system authorized under subparagraph 23 of the first paragraph of section 621.

If the Minister grants the permit, the Minister shall determine the conditions attached to it, the fee exigible and the amount and nature of the security guaranteeing payment of any damage that the operation of such a vehicle or combination of vehicles may cause to a public highway.

The Minister may delegate the exercise of a power under this section to a public servant or an employee of the Minister's department or to any other person or any body the Minister designates."

164. Section 633.1 of the Code is amended

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

"After consultation with the Société, the Minister may, by order, authorize the implementation of pilot projects to study, test or innovate in respect of any matter relevant to this Code. For the purposes of road safety, the Minister may in particular develop new rules on traffic or vehicle use. The Minister shall set the rules and conditions for the implementation of a pilot project. The Minister may also, as part of a pilot project, authorize any person or body to use a vehicle in compliance with the standards and rules prescribed by the Minister. The provisions of a pilot project prevail over any inconsistent provision of this Code.

As regards pilot projects relating to autonomous vehicles, the Minister may also provide for an exemption from the insurance contribution associated with the authorization to operate a vehicle and set the minimum required amount of liability insurance guaranteeing compensation for property damage caused by an automobile. The Minister may also require the manufacturer or distributor to reimburse the Société for compensation that it will be required to pay in the event of an automobile accident. Those special rules prevail over the rules prescribed by the Automobile Insurance Act (chapter A-25).";

(2) by inserting " , or five years when they relate to autonomous vehicles," after "three years" in the third paragraph.

165. Section 634.3 of the Code is amended

(1) by replacing the first paragraph and the introductory clause of the second paragraph by the following:

"Photo radar devices and red light camera systems may only be used to monitor compliance with highway safety rules";

(2) by replacing "second" in the third paragraph by "first";

(3) by replacing "the first or" in the fourth paragraph by "subparagraph 3 of the".

166. The Code is amended by inserting the following section after section 634.3:

“634.4. The Minister of Transport and the Minister of Public Security shall determine, by regulation, conditions and procedures for the use of photo radar devices and red light camera systems.

Those ministers shall also determine, by regulation, the information that must be contained in a register kept by the Sûreté du Québec or by any other person that they designate by regulation to be responsible for keeping one. They shall also determine the persons authorized to make entries in the register.

A regulation made under the first and second paragraphs may have a shorter publication period than that required under section 11 of the Regulations Act (chapter R-18.1) but not shorter than 20 days.”

167. Section 638.1 of the Code is amended by adding the following paragraph at the end:

“Despite the first paragraph, the fine is \$600 to \$2,000 if the offence is committed by a road vehicle recycler during an intervention by a peace officer in the performance of duties under section 156 of this Code.”

168. The Code is amended by inserting the following section after section 638.1:

“638.2. A road vehicle recycler who in any way hinders a Société employee in the performance of duties under section 156, in particular by misleading the employee by concealment or false declarations, refusing to provide the employee with any information or document the employee is entitled to require or examine, or concealing or destroying any document or property relevant to an inspection, is guilty of an offence and is liable to a fine of \$600 to \$2,000.”

169. The Code is amended by replacing, with the necessary modifications, all occurrences of “a person riding a bicycle” and “the person riding a bicycle” by “a cyclist”, “no person riding a bicycle” by “no cyclist”, “every person riding a bicycle” and “every person on a bicycle” by “every cyclist” and “driver of a road vehicle or any person riding a bicycle” by “driver of a road vehicle or a cyclist”.

AUTOMOBILE INSURANCE ACT

170. Section 10 of the Automobile Insurance Act (chapter A-25) is amended

(1) by replacing “an automobile contest, show or race” and “the race, the contest or the show” in subparagraph 4 of the first paragraph by “a contest, show, race, trial, demonstration or exhibition involving one or more automobiles” and “the contest, show, race, trial, demonstration or exhibition”, respectively, and by inserting “or inside a building” after “automobile traffic” in that subparagraph;

(2) by adding the following subparagraph after subparagraph 4 of the first paragraph:

“(5) if the injury is caused by a motor-assisted bicycle, a motorized mobility aid or a motorized personal mobility device, as defined by regulation.”;

(3) by replacing “2 and 3” in the third paragraph by “2, 3 and 5”.

171. Section 149 of the Act is amended by replacing “an automobile contest, show or race” and “the race, contest or show” in paragraph 2 by “a contest, show, race, open trial, demonstration or exhibition involving one or more automobiles” and “the competition, show, race, open trial, demonstration or exhibition”, respectively, and by inserting “or inside a building” after “automobile traffic” in that paragraph.

172. Section 151 of the Act is amended by adding the following paragraph at the end:

“(6) the information listed in the first paragraph of section 179.1.”

173. Section 179.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Authority must, at the request of the Société, communicate the same information to the Société for the purposes of road accident prevention and highway safety promotion and for the purposes of section 151 of this Act and section 22 of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3).”

174. Section 195 of the Act is amended by inserting the following paragraph after paragraph 4:

“(4.1) to define, for the purposes of subparagraph 5 of the first paragraph of section 10, the expressions “motor-assisted bicycle”, “motorized mobility aid” and “motorized personal mobility device”.”.

175. Section 197 of the Act is amended by replacing “and 195.1” by “, paragraphs 31 and 32 of section 195 and section 195.1”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

176. Section 25 of the Act respecting administrative justice (chapter J-3), amended by section 1 of chapter 25 of the statutes of 2015 and by section 119 of chapter 1 of the statutes of 2016, is again amended by inserting “2.1.1.1,” after “2,” in the first paragraph.

177. Section 119 of the Act is amended by inserting the following paragraph after paragraph 7:

“(7.1) a proceeding under section 202.6.11 of the Highway Safety Code (chapter C-24.2) following a decision to suspend a licence or the right to obtain a licence, when the suspension is imposed for failing the test referred to in section 202.5.1 of that Code;”.

178. Section 3 of Schedule I to the Act, amended by section 70 of chapter 31 of the statutes of 2004, by section 1 of chapter 25 of the statutes of 2015 and by section 120 of chapter 1 of the statutes of 2016, is again amended

(1) by inserting “, except those brought following a decision to suspend a person’s licence or right to obtain a licence because the person failed the test referred to in section 202.5.1 of that Code” after “(chapter C-24.2)” in paragraph 2.1.1;

(2) by inserting the following paragraph after paragraph 2.1.1:

“(2.1.1.1) proceedings under section 202.6.11 of the Highway Safety Code against decisions to suspend a person’s licence or right to obtain a licence because the person failed the test referred to in section 202.5.1 of that Code;”.

ACT RESPECTING TRANSPORT INFRASTRUCTURE PARTNERSHIPS

179. Sections 16 and 16.1 of the Act respecting transport infrastructure partnerships (chapter P-9.001) are replaced by the following section:

16. The duties, comprised of tolls and fees, required under this Act and the interest they generate belong to the State. Those duties are credited to the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).

The partner is deemed to hold those duties and that interest in trust for the State to be paid into the Consolidated Revenue Fund. Those duties and that interest must be considered as forming a fund separate from the partner’s own patrimony and property, whether or not they have in fact been held separately from the partner’s own funds and the general mass of the partner’s own property.”

ACT RESPECTING OFF-HIGHWAY VEHICLES

180. Section 1.1 of the Act respecting off-highway vehicles (chapter V-1.2) is amended

(1) by replacing “to 443” and “and IV” in subparagraph *a* of subparagraph 4 of the second paragraph by “to 443.7” and “, IV and V”, respectively;

(2) by replacing “and 498” in subparagraph *b* of subparagraph 4 of the second paragraph by “, 498 and 498.1”.

ACT TO AMEND THE HIGHWAY SAFETY CODE AND OTHER LEGISLATIVE PROVISIONS

181. Section 84 of the Act to amend the Highway Safety Code and other legislative provisions (1996, chapter 56) is repealed.

ACT RESPECTING OWNERS AND OPERATORS OF HEAVY VEHICLES

182. Sections 87 and 97 of the Act respecting owners and operators of heavy vehicles (1998, chapter 40) are repealed.

183. Section 109 of the Act is amended by striking out ““413,” and” in paragraph 1.

ACT TO AMEND THE HIGHWAY SAFETY CODE AND OTHER LEGISLATIVE PROVISIONS

184. Sections 73 and 74 of the Act to amend the Highway Safety Code and other legislative provisions (2004, chapter 2) are repealed.

ACT TO AGAIN AMEND THE HIGHWAY SAFETY CODE AND OTHER LEGISLATIVE PROVISIONS

185. Sections 79 and 80 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14) are repealed.

MINISTERIAL ORDER CONCERNING DRIVING OF BUSES ON CERTAIN AUTOROUTE SHOULDERS

186. The Ministerial Order concerning driving of buses on certain autoroute shoulders (chapter C-24.2, r. 6.02) is repealed.

MINISTERIAL ORDER CONCERNING RIDING OF BICYCLES ON SHOULDERS

187. The Ministerial Order concerning riding of bicycles on shoulders (chapter C-24.2, r. 6.1) is repealed.

REGULATION RESPECTING THE CONDITIONS AND PROCEDURES FOR THE USE OF PHOTO RADAR DEVICES AND RED LIGHT CAMERA SYSTEMS

188. Section 1 of the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9) is amended by replacing “332, 359.3 and 634.3 of the Highway Safety Code (chapter C-24.2) may only be used if it has been” in the introductory clause by “332 and 359.3 of the Highway Safety Code (chapter C-24.2) is”.

REGULATION RESPECTING FEES EXIGIBLE UNDER THE HIGHWAY SAFETY CODE AND THE RETURN OF CONFISCATED OBJECTS

189. Section 4 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27) is amended by striking out subparagraphs 4.11 to 4.14 of the first paragraph.

REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

190. Chapter II.1 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32), comprising sections 178.1 and 178.2, is repealed.

REGULATION RESPECTING LICENCES

191. Section 1 of the Regulation respecting licences (chapter C-24.2, r. 34) is amended by striking out the definition of “driver’s licence Plus”.

192. Section 5 of the Regulation is amended by striking out subparagraphs 7.2 and 10 of the first paragraph.

193. Section 7.12 of the Regulation is repealed.

194. Sections 32.3 to 32.8 of the Regulation are repealed.

195. Section 35.1 of the Regulation is amended by striking out the second paragraph.

196. The Regulation is amended by replacing all occurrences of “recognized by a body certified by the Société” and “recognized by a body approved by the Société” by “recognized under section 62 of the Highway Safety Code”.

REGULATION RESPECTING DEMERIT POINTS

197. The “Table of demerit points” Schedule to the Regulation respecting demerit points (chapter C-24.2, r. 37) is amended

(1) by replacing element 1 by the following element:

“1. Driving while unaccompanied or during prohibited hours

99 140.1 4”;

(2) by inserting the following element after element 1:

“1.1. Driving during prohibited hours with certain passengers

100 140.1 4”;

(3) by replacing element 26.1 by the following element:

“26.1. Driving while using a portable electronic device or a display screen

443.1 509.2.2 4”.

PILOT PROJECT CONCERNING MOTORIZED MOBILITY AIDS

198. Section 11 of the Pilot project concerning motorized mobility aids (chapter C-24.2, r. 39.1.1) is amended

(1) by replacing “440” in paragraph 3 by “443.2”;

(2) by replacing “section 439.1” in paragraph 5 by “section 443.1”.

TRANSITIONAL AND FINAL PROVISIONS

199. Any driver’s licence Plus issued before (*insert the date of assent to this Act*) in accordance with section 63.2 of the Highway Safety Code (chapter C-24.2), as it read before being repealed, remains valid until the date on which it is set to expire, unless it is revoked under the Highway Safety Code.

200. Sections 76.1.2 to 76.1.5 of the Highway Safety Code, as they read before being amended by sections 13 to 17, continue to apply to the issue of a licence after a cancellation or suspension incurred because of a finding of guilt for an offence under section 180 of the Code committed before (*insert the date of assent to this Act*).

201. The holder of a licence subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device under section 76.1.6 of the Highway Safety Code, as it read before being replaced by section 18, may, after a second licence cancellation or suspension incurred because of a finding of guilt for an offence under section 180 of that Code, obtain the lifting of the condition by a judge of the Court of Québec on the conditions set out in sections 76.1.6 to 76.1.6.3, enacted by sections 18 and 19.

202. Until the coming into force of section 29 of chapter 14 of the statutes of 2008, the first paragraph of section 239 of the Highway Safety Code, amended by section 46, is to be read as follows:

“No road vehicle, except a vehicle contemplated in section 226, 227 or 227.1, may carry alternately flashing white headlights or flashing or rotating lights of whatever colour.”

203. Until the coming into force of section 106, the first paragraph of section 510 of the Highway Safety Code, as amended by section 139, is to be read as follows:

“Every person who contravenes any of sections 326.1, 340 to 342, 345, 347, 348, 388, 389, 395, 396, 406.1, 406.2, 413, 423, 426, 427, 430, 437.1, 437.2, 440.1, 455, 458 and 459, the second paragraph of section 472, section 473, the second paragraph of section 474.1, section 483.1 and the first paragraph of section 484 or section 492.7 or 497 or every person other than a person riding a bicycle who contravenes any of sections 346, 406 and 460 is guilty of an offence and is liable to a fine of \$200 to \$300.”

204. Until the coming into force of section 109, the first paragraph of section 508 of the Highway Safety Code, as amended by section 136, is to be read as follows:

“Every person who contravenes any of sections 401, 439 and 439.1 or the second paragraph of section 484 is guilty of an offence and is liable to a fine of \$80 to \$100.”

205. Until the coming into force of section 112,

(1) section 504 of the Highway Safety Code, as amended by section 131, is to be read as follows:

“**504.** Every cyclist who contravenes any of sections 346, 349, 350, 358.1, 359 to 364, 367 to 371, 402, 404 to 406, 408 to 411 and 421 and the second paragraph of section 424 or any of sections 442, 460, 477 to 479, 485 to 492.1, 496.6, 496.9 and 496.10 is guilty of an offence and is liable to a fine of \$80 to \$100.”;

(2) section 506 of the Highway Safety Code, as amended by section 134, is to be read as follows:

“506. Every person who contravenes section 324, the second paragraph of section 325, any of sections 336, 366 and 381 to 385, section 387 or any of sections 412, 417, 428, 429, 431, 432, 435, 436, 480, 481, 482 and 493 or every person other than a person riding a bicycle who contravenes any of sections 358.1, 442 and 477 is guilty of an offence and is liable to a fine of \$60 to \$120.

Every person who contravenes section 440 commits an offence and is liable to a fine of \$30 to \$60.”

206. The I-422 and I-425 highway road or traffic signs, described and illustrated in Volume V of the manual entitled *Traffic Control Devices* according to the standards determined and set out by the Minister of Transport under the second paragraph of section 289 of the Highway Safety Code, are deemed to be proper signs or signals within the meaning of section 297.1 of that Code, enacted by section 66.

The standards determined in that volume that relate to flag persons, in particular those that relate to the clothes they must wear, are deemed to have been determined under section 303.3 of the Highway Safety Code, enacted by section 67, until the coming into force of a regulation made under that section 303.3.

207. Element 26.1 of the “Table of demerit points” Schedule to the Regulation respecting demerit points (chapter C-24.2, r. 37), as it read before being replaced by section 197, continues to apply when a person is found guilty of an offence under section 439.1 of the Highway Safety Code committed before the coming into force of section 443.1 of the Code, enacted by section 112.

208. For the purposes of section 443.3 of the Highway Safety Code, enacted by section 112, only findings of guilt entered after (*insert the date of coming into force of section 112 which enacts section 443.1 of that Code*) are taken into account for the calculation of findings of guilt for an offence under section 443.1 of that Code, enacted by section 112.

209. Until the date of coming into force of the first regulation made by the Government under the third paragraph of section 443.1 of the Highway Safety Code, enacted by section 112,

(1) “hands-free device” means a device that can be used to operate another device, in particular a cellular phone, through a vocal command or a simple manual command that the driver can activate without being distracted from driving the vehicle;

(2) the prohibition set out in that section 443.1 does not apply to

(a) cordless voice communication devices, also known as two-way radios, which do not allow the parties to speak simultaneously;

(b) a display screen or portable electronic device used by peace officers or drivers of emergency vehicles in the performance of their duties;

(c) a display screen used to manage messages as part of an enterprise's activities or to collect fees payable by a vehicle passenger;

(d) a display screen used as part of a public utility's or telecommunications enterprise's activities; or

(e) a portable electronic device used to make a call to 911 emergency services.

210. The Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9), made under section 634.3 of the Highway Safety Code as it read before being amended by section 165, as amended by section 188, is deemed to have been made under section 634.4, enacted by section 166.

211. Section 63 is declaratory.

The first paragraph has no effect with regard to judicial applications, including applications for authorization to institute a class action, brought before (*insert the date of introduction of this bill*) concerning a road sign or signal in relation to a toll.

212. The provisions of this Act come into force on (*insert the date of assent to this Act*), except

(1) sections 4, 21, 22, 24 to 27, 35, 39, 40, 42, 44 to 47, 53 to 59, 61, 65, 68 to 70, 77, 78, 80, 81, 85, 86, 89 to 93, 100, 102, 104, 108, 111, 114, 115, 117 to 120, 122, 123 to 137, 139, 141 to 143, 154, 155, 167 and 168, paragraph 2 of section 180, sections 187 and 195 and paragraphs 1 and 2 of section 197, which come into force on (*insert the date that is 30 days after the date of assent to this Act*);

(2) paragraph 2 of section 32, sections 109 and 112, section 138 to the extent that it enacts section 509.2.2 of the Highway Safety Code, paragraph 1 of section 160, paragraph 1 of section 180, section 190, paragraph 3 of section 197 and section 198, which come into force on 30 June 2018;

(3) section 150, which comes into force on (*insert the date that is 90 days after the date of assent to this Act*);

(4) sections 51 and 60 and paragraph 2 of section 96, which come into force on *(insert the date that is 12 months after the date of assent to this Act)*;

(5) section 110, which comes into force on 1 December 2019, unless the Government sets an earlier date for its coming into force;

(6) sections 101, 106 and 186, which come into force on 19 April 2020, unless the Government sets an earlier date for their coming into force;

(7) section 5 to the extent that it enacts section 202.5.1 of the Highway Safety Code, sections 9, 13 to 20 and 29, paragraph 2 of section 31, paragraph 1 of section 32, section 121, section 138 to the extent that it enacts section 509.2.1 of the Highway Safety Code, sections 140, 144, 148 and 158, paragraphs 3 and 4 of section 160, paragraphs 2 and 3 of section 170 and sections 176 to 178, which come into force on the date or dates to be set by the Government.