

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 12

AMENDMENT:

Replace by:

12. The Act is amended by inserting the following section after section 83.22:

“83.22.1. Unless notice to the contrary is given by the victim, where the amount of the income replacement indemnity to be paid once every 14 days is less than \$30, the indemnity may be paid by the Société semi-annually

(1) in the month of June, for indemnities payable for the months of January to June; and

(2) in the month of December, for indemnities payable for the months of July to December.”

Adopté
MM

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 77

AMENDMENT:

Replace subparagraph 1 of the second paragraph of proposed section 1 by:

(1) A is

(a) if the victim is under 64 years of age at the time of the accident, the amount of the income replacement indemnity computed on the date of the victim's sixty-seventh birthday before applying the reduction provided for in section 40 of the Automobile Insurance Act (chapter A-25) or any other reduction provided for by that Act, except for the reduction provided for in section 55; or

(b) if the victim is 64 years of age at the time of the accident, the amount of the income replacement indemnity computed on the date that is three years after the date of the accident before applying the reduction provided for in section 40 of the Automobile Insurance Act or any other reduction provided for by that Act, except for the reduction provided for in section 55; and

*Adopte
17/3*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 15

AMENDMENT:

Replace by:

15. Section 83.34 of the Act is amended by replacing the second paragraph by the following paragraph:

“The indemnity amounts prescribed by a regulation under this title shall also be revalorized on 1 January each year, unless a mechanism for updating the amounts is already provided for in the regulation or the amounts are prescribed under a rate external to the Société.”

*A. Laporte
MB*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 16

AMENDMENT:

Withdraw.

*Adopte
ppz*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 34

AMENDMENT:

Replace "\$4,000" by "\$5,000".

*Adopted
M*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 40

AMENDMENT:

In proposed section 226.2:

1. Replace “a flashing green light” in the introductory clause of the first paragraph by “one or more flashing green lights”.
2. Replace “the tow truck” in subparagraph 2 of the first paragraph by “such lights are activated and the tow truck”.
3. Replace the fourth paragraph by:

The Government prescribes, by regulation, the conditions for obtaining the authorization referred to in subparagraph 1 of the first paragraph and the form and content of the certificate of authorization. It determines in what cases and on what conditions more than one flashing green light may be used and prescribes the technical standards the light must meet, which may vary according to the vehicle on which the light is installed, and the method for its installation.

*Adopte
AB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 54.1

AMENDMENT:

Insert after section 54:

54.1. Section 379 of the Code is amended by inserting “Except in the case provided for in section 226.2,” at the beginning.

*Adopte
MB*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 54.0.1

AMENDMENT:

Insert after section 54:

54.0.1. Section 332 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“A photograph or series of photographs of a road vehicle obtained by means of such a photo radar device are admissible as evidence in any penal proceedings for the contravention of a speed limit.

The photograph or series of photographs are proof, in the absence of any evidence to the contrary, of the accuracy of the elements that are affixed to or visible in one or more of the photographs, such as

- (1) the place where the photograph or series of photographs were taken, with reference to an identifier or otherwise;
- (2) the date and time on which the photograph was taken;
- (3) the road vehicle;
- (4) the registration plate number of the road vehicle;
- (5) the authorized speed limit, except the speed limit set under any of sections 299, 303.1 and 329; and
- (6) the speed of the road vehicle recorded by the photo radar device.”

*Adopted
1/22*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 54.0.2

AMENDMENT:

Insert after section 54.0.1, introduced by amendment:

54.0.2. Section 359.3 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“A photograph or series of photographs of a road vehicle obtained by means of such a camera system are admissible as evidence in any penal proceedings for an offence under section 359.

The photograph or series of photographs are proof, in the absence of any evidence to the contrary, of the accuracy of the elements that are affixed to or visible in one or more of the photographs, such as

- (1) the place where the photograph or series of photographs were taken, with reference to an identifier or otherwise;
- (2) the date and time on which the photograph was taken;
- (3) the road vehicle;
- (4) the registration plate number of the road vehicle; and
- (5) the traffic light involved.”

*Adopted
MS*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 66.2

AMENDMENT:

Insert after section 66.1, introduced by amendment:

66.2. Section 592.1 of the Code, amended by section 21 of chapter 15 of the statutes of 2012, is again amended, in the first paragraph,

(1) by replacing “photograph taken” by “photograph or series of photographs taken”;

(2) by replacing “indicating the place, date and time the photograph was taken and, as applicable, the traffic light involved or the speed recorded,” by “or photographs from the series”;

(3) by replacing the last sentence by the following sentence: “One or more of the photographs sent must indicate or show the elements provided for in the third paragraph of section 332 or 359.3, as the case may be, without making it possible to identify the occupants of the vehicle.”

*Adopted
1/13*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 66.1

AMENDMENT:

Insert after section 66:

66.1. Sections 592 and 592.0.0.1 of the Code are amended by replacing “taken” by “or series of photographs taken”.

*Adopted
MB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 66.3

AMENDMENT:

Insert after section 66.2, introduced by amendment:

66.3. Sections 592.2.1, 592.4, 592.4.2 and 597.1 of the Code are amended by replacing all occurrences of “taken” by “or series of photographs taken”.

*Adopted
P/B*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 72.1

AMENDMENT:

Insert after section 72:

CODE OF PENAL PROCEDURE

72.1. Article 157.2 of the Code of Penal Procedure (chapter C-25.1) is amended by replacing “taken” in paragraph 2 by “or series of photographs taken”.

*Adopted
3/3*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 72.2

AMENDMENT:

Insert after section 72.1, introduced by amendment:

72.2. Article 218.4 of the Code is amended by replacing “photograph” in subparagraph 6 of the second paragraph by “photograph or photographs”.

*Adopted
M3*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 82.1

AMENDMENT:

Insert after section 82:

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

82.1. 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 both occurrences of "second" in subparagraph ii of subparagraph c of paragraph 1 by "third".

*Adopté
AB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 51.1

AMENDMENT:

Insert after section 51:

51.1. Sections 312.2 and 312.3 of the Code are amended by replacing all occurrences of “second” by “third”.

*Adopted
1/17*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 74

AMENDMENT:

Replace by:

74. Section 12.39.1 of the Act respecting the Ministère des Transports (chapter M-28) is amended, in paragraph 1.1,

- (1) by replacing “, 516 and 516.1” by “and 516 to 516.2”;
- (2) by replacing “taken” by “or series of photographs taken”.

*Adopté
MB*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 107

AMENDMENT:

Insert "of paragraph 1" after "provisions".

*Adopted
MB*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 64.1

AMENDMENT:

Insert after section 64:

64.1. The Code is amended by inserting the following section after section 546.6.0.2:

“546.6.0.3. Despite the prohibitions under section 546.6 and the third paragraph of section 546.6.0.1 or 546.6.0.2, a vehicle that must undergo technical appraisal may be put back into operation only for the dynamic recalibration of the advanced driver assistance systems, provided that a temporary registration certificate has been issued for that purpose.”

*Adopte
RB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 69

AMENDMENT:

1. Replace “and the method for its installation” in proposed subparagraph 5.2 in paragraph 1 by “, which may vary according to the vehicle on which the light is installed, and the method for its installation”.

2. Insert after paragraph 1:

(1.1) by inserting the following subparagraph after subparagraph 5.2:

“(5.3) determine in what cases and on what conditions more than one flashing green light may be used on a road vehicle other than an emergency vehicle;”;

*Adopted
MB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 76.3

AMENDMENT:

Insert after section 76.2, introduced by amendment:

ACT TO IMPROVE THE PERFORMANCE OF THE SOCIÉTÉ DE
L'ASSURANCE AUTOMOBILE DU QUÉBEC, TO BETTER REGULATE THE
DIGITAL ECONOMY AS REGARDS E-COMMERCE, REMUNERATED
PASSENGER TRANSPORTATION AND TOURIST ACCOMMODATION
AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

76.3. Sections 44 to 47 of the Act to improve the performance of the Société de
l'assurance automobile du Québec, to better regulate the digital economy as regards
e-commerce, remunerated passenger transportation and tourist accommodation and
to amend various legislative provisions (2018, chapter 18) are repealed.

*Adopté
m3*

Bill 22

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Insurance Act, the Highway Safety
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Section 76.1

AMENDMENT:

Insert after section 76:

ACT RESPECTING OFF-HIGHWAY VEHICLES

76.1. Section 52 of the Act respecting off-highway vehicles (chapter V-1.3) is amended by striking out “if the vehicle is equipped with a closed compartment; nor is it required” in the fourth paragraph.

*Adopté
MB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 76.2

AMENDMENT:

Insert after section 76.1, introduced by amendment:

76.2. Section 114 of the Act is amended, in paragraph 3,

- (1) by inserting “section 27,” after “contravenes”;
- (2) by replacing “third” by “fourth”.

*Adopted
MB*

Bill 22

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Insurance Act, the Highway Safety
Code and other provisions**

Section 75.1

AMENDMENT:

Insert before section 76:

75.1. Section 16 of the Transport Act (chapter T-12) is amended

(1) by replacing “of 11 members” in the first paragraph by “of not more than 11 members”;

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

“A member may, with the permission of the president, continue the examination of an application referred to him and render a decision despite the expiry of his term.”

*Adopte
MB*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 106.1

AMENDMENT:

Insert after section 106:

106.1. The rule set out in the second paragraph of section 16 of the Transport Act (chapter T-12), as amended by section 75.1 of this Act, is deemed to be part of the conditions of employment of the members of the Commission des transports du Québec annexed to their deed of appointment. It replaces the rule relating to the expiry of their terms set out in section 4.3 of the conditions of employment.

*Adopté
1993*

Bill 22

**An Act to amend the Automobile
Insurance Act, the Highway Safety
Code and other provisions**

Section 108

AMENDMENT:

1. Replace “49 to 54, 56, 57, 63 and 64, paragraphs 8 and 9 of section 69 and sections 71” in paragraph 1 by “49 to 51, 52 to 54, 56, 57, 63 and 64, paragraphs 8 and 9 of section 69 and sections 71, 76.2”.
2. Replace “77, 78, 80 to 83 and 91 to 98” in paragraph 2 by “34, 77, 78, 80 to 82, 83, 91 to 98 and 106”.
3. Insert “, 54.1” after “48” in paragraph 5.
4. Replace paragraph 6 by:
 - (6) paragraph 2 of sections 20 and 21, section 27, paragraph 1 and paragraph 2, insofar as it concerns section 202.2.0.1, of section 28, sections 29, 30, 32, 58 to 62 and 64.1, paragraphs 3 to 7, 10 and 12 of section 69 and sections 75, 101 and 102, which come into force on the date or dates to be determined by the Government.

*Adopte'
PB*