

**AMENDMENT**

**Bill 48**

**AN ACT TO AMEND MAINLY THE HIGHWAY SAFETY CODE TO INTRODUCE  
PROVISIONS RELATING TO DETECTION SYSTEMS AND OTHER HIGHWAY  
SAFETY-RELATED PROVISIONS**

**SECTION 2 (section 4 of the Highway Safety Code)**

Strike out "camera detection" in the proposed definition.

*adopté  
apo*

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**SECTION 6 (section 312.2 of the Highway Safety Code)**

Replace "camera" in proposed section 312.2 by "device".

*adopté  
apc*

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**SECTION 7 (section 312.3 of the Highway Safety Code)**

Replace "camera" in proposed subparagraph 2 by "device".

*adopté  
apc*

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**SECTION 3** (section 251 of the Highway Safety Code)

Replace paragraph 2 by:

(2) by replacing "the camera of such a radar device or camera system" by "such a system".

*adopté  
apc*

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**SECTION 9**      **(section 333 of the Highway Safety Code)**

Replace by:

9.      Section 333 of the Code is amended by replacing "the camera of a photo radar device or of a red light camera system" by "a detection system".

*Adopté  
apc*

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**SECTION 10**      **(section 334.1 of the Highway Safety Code)**

Replace by:

**10.**      Section 334.1 of the Code is amended by replacing "the camera of a photo radar device or of a red light camera system" in the first paragraph by "a detection system".

*adopté  
apc*

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**SECTION 15 (section 546.9 of the Highway Safety Code)**

Insert "of this Title" at the end of proposed section 546.9.

*adoption  
appe*

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**SECTION 16**      **(section 573.2 of the Highway Safety Code)**

Replace "for which" in proposed section 573.2 by "where".

*Adopté  
apc*



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**SECTION 16 (section 573.5 of the Highway Safety Code)**

Insert "imposing" after "with" in paragraph 4 of proposed section 573.5.

*adopté  
apc*

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**SECTION 16**      **(section 573.7 of the Highway Safety Code)**

Strike out "within 45 days of the failure to comply by remitting it to the owner or sending it, by any means of transmission providing proof of receipt," in the second paragraph of proposed section 573.7.

*adopté  
apc*

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**SECTION 16** (section 573.8 of the Highway Safety Code)

Insert "or any other person" at the end of the second paragraph of proposed section 573.8.

*adopt  
ape*

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**SECTION 16** (section 573.15 of the Highway Safety Code)

Replace paragraphs 1 and 2 of proposed section 573.15 by:

- (1) the Administrative Tribunal of Québec, where the notice of claim was notified to the person by the Société; or
- (2) the contestation body established by a municipality under the Act respecting monetary administrative penalties in municipal matters (chapter S-2.01) where
  - (a) the notice of claim was notified to the person by the municipality; or
  - (b) the Government, by regulation, entrusted that body rather than the Administrative Tribunal of Québec with the hearing of the contestation of the notice of claim that was notified to the person by the Société.

*adopté  
apc*

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**SECTION 16**      **(section 573.16 of the Highway Safety Code)**

Replace proposed section 573.16 by:

**"573.16.**      A municipality referred to in the fourth paragraph of section 573.7 may enter into an agreement with another municipality that is also referred to in that paragraph so that contestations resulting from the notices of claim notified by the first municipality are heard by the contestation body of that other municipality. The two municipalities must be authorized to establish a system of monetary administrative penalties under the Act respecting monetary administrative penalties in municipal matters.

*adopté  
apc*

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**SECTION 16** (heading of subdivision 1 of Division IV of Chapter I.1 of Title X  
of the Highway Safety Code)

Withdraw ""§1.—*Rules applicable to the contestation body established by government  
regulation*" before proposed section 573.17.

*adopté  
apc*

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**SECTION 16 (section 573.17 of the Highway Safety Code)**

Replace proposed section 573.17 by:

**"573.17.** The Tribunal or municipal contestation body may only confirm or quash the contested decision.

*adopté  
apc*

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**SECTION 16** (sections 573.18 to 573.27 of the Highway Safety Code)

Withdraw proposed sections 573.18 to 573.27.

*adopté  
apc*



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**SECTION 16** (heading of subdivision 2 of Division IV of Chapter I.1 of Title X  
of the Highway Safety Code)

Withdraw ""§2.—*Rules of proof and of procedure*" before proposed section 573.28.

*adoption  
apc*

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**SECTION 16**      **(section 573.28 of the Highway Safety Code)**

In proposed section 573.28:

1. Replace "hearings and decisions" in subparagraph 3 of the first paragraph by "the calling and conduct of hearings, as well as decisions and their review for cause".
2. In the third paragraph:
  - (a) insert "or second" after "the first";
  - (b) strike out ", with the necessary modifications, to the decision-making process of a contestation body established pursuant to section 573.16".

*adopte  
ape*

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**SECTION 16** (section 573.33 of the Highway Safety Code)

Replace the first paragraph of proposed section 573.33 by:

The Société or municipality, as the case may be, is responsible for collecting and recovering any amount owing in respect of a notice of claim that it has notified. It may, for that purpose, enter into a payment agreement with the debtor.

*adopté  
ape*

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**SECTION 16** (section 573.34 of the Highway Safety Code)

In proposed section 573.34:

1. Replace "penalties on the debtor, as part of its recovery measures, with respect to authorizations it issues, the administrative consequences of non-compliance with the penalties imposed and the applicable rules of this Code" in subparagraph 2 of the first paragraph by "on the debtor, as recovery measures, penalties provided for by this Code, as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of this Code".
2. Replace "with respect to authorizations issued by the Société" in the second paragraph by "provided for by this Code".

*adopté  
apc*

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**SECTION 71.1** (section 2.1 of the Act respecting monetary administrative  
penalties in municipal matters)

Insert after section 71:

**ACT RESPECTING MONETARY ADMINISTRATIVE PENALTIES IN MUNICIPAL  
MATTERS**

**71.1.** The Act respecting monetary administrative penalties in municipal matters (chapter S-2.01) is amended by inserting the following section after section 2:

**"2.1.** The Government may, by regulation and after consulting with the Société de l'assurance automobile du Québec, determine in what cases and on what conditions the Société imposes on the debtor, as recovery measures, penalties provided for by the Highway Safety Code (chapter C-24.2), as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of the Code.

The regulation may also prescribe, among the regulatory provisions determining penalties provided for by that Code, those whose contravention constitutes an offence and renders the offender liable to a fine, the amount of which is set by the regulation."

*adopté  
apc*

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**SECTION 22 (section 602.3 of the Highway Safety Code)**

Replace "the defendant requires it and" and "before the contestation body" in proposed section 602.3 by "the person concerned by the statement of offence or, where applicable, the notice of claim requires it and" and "of the contestation", respectively.

*Adopté  
apc*

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**SECTION 22 (section 602.4 of the Highway Safety Code)**

Replace proposed section 602.4 by:

**"602.4.** In proceedings for an offence observed by means of a photograph or series of photographs taken by a detection system, one or more of the photographs must indicate or show the elements that are affixed to or visible in one or more of the photographs taken by the system, without making it possible to identify the occupants of the vehicle or any other person.

*adopté  
apc*

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**SECTION 22 (section 602.5 of the Highway Safety Code)**

In the first paragraph of proposed section 602.5:

1. Replace "Despite sections 592 and 602.4" in the introductory clause by "Despite section 592".
2. Replace "registered in the name of the Société" in subparagraph 4 by "used by the Société".

*adopté  
apc*



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**SECTION 22 (section 602.8 of the Highway Safety Code)**

In the third paragraph of proposed section 602.8:

1. Replace "decision-making authority, which" by "person responsible for hearing the contestation, who".
2. Replace "defendant" by "applicant".
3. Replace "afford him the benefit of a full and complete defence" by "avail himself of the right to be heard".
4. Replace "the authority" and "to it" by "the person responsible for hearing the contestation" and "to him", respectively.

*adopté  
apc*

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**SECTION 27 (article 157.2 of the Code of Penal Procedure)**

Replace section 27 in the French text by:

**27.** L'article 157.2 de ce code est modifié par le remplacement, dans le paragraphe 2°, de « constatée par une photographie ou une série de photographies prises au moyen d'un cinémomètre photographique ou d'un système photographique de contrôle de circulation aux feux rouges » par « constatée au moyen d'une photographie ou d'une série de photographies prises par système de détection au sens de l'article 4 du Code de la sécurité routière (chapitre C-24.2) ».

*adopté  
apc*

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**SECTION 29 (article 218.4 of the Code of Penal Procedure)**

Replace paragraph 1 by:

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

“(6) in the cases referred to in paragraph 3 of article 157.2, the certificate of the person authorized for that purpose by the prosecutor attesting that the statement of offence and the photograph or photographs were sent in accordance with section 592.5 of the Highway Safety Code (chapter C-24.2);”;

*Adopté  
apc*

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**SECTION 31**      **(article 228.1 of the Code of Penal Procedure)**

Replace by:

**31.** Article 228.1 of the Code is amended by striking out "592.1 or" in the second paragraph.

*adopté  
apc*

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**SECTION 31.1** (section 36 of the Act respecting administrative justice)

Insert after section 31:

**ACT RESPECTING ADMINISTRATIVE JUSTICE**

**31.1.** Section 36 of the Act respecting administrative justice (chapter J-3) is amended by adding the following paragraph at the end:

"It is also charged with making determinations in respect of the proceedings referred to in paragraph 6 of Schedule IV pertaining to monetary administrative penalties."

*adopté  
apc*

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**SECTION 31.2 (section 37 of the Act respecting administrative justice)**

Insert after section 31.1, introduced by amendment:

**31.2.** Section 37 of the Act is amended by adding the following paragraph at the end:

“However, proceedings under paragraph 1 of section 573.15 of the Highway Safety Code (chapter C-24.2) shall be heard and determined by a single member who shall be an advocate or notary.”

*adopté  
apc*

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**SECTION 31.3 (section 97 of the Act respecting administrative justice)**

Insert after section 31.2, introduced by amendment:

**31.3.** Section 97 of the Act is amended by inserting “and by the Minister of Transport, out of the highway safety fund” after “Individual and Family Assistance Act (chapter A-13.1.1)” in subparagraph 2 of the second paragraph.

*adopté  
ape*

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**SECTION 31.4 (Schedule IV of the Act respecting administrative justice)**

Insert after section 31.3, introduced by amendment:

**31.4.** Schedule IV to the Act is amended by inserting "and paragraph 1 of section 573.15" after "section 560" in paragraph 6.

*adopté  
apc*



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**SECTION 33** (section 12.39.1 of the Act respecting the Ministère des  
Transports)

Replace paragraph 1 by:

- (1) in paragraph 1.1,
- (a) by striking out "sections 509 and 516 to 516.2 of";
- (b) by replacing "evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system" by "observed by means of a photograph or series of photographs taken by a detection system within the meaning of section 4 of the Code";

*adopté  
apc*

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**SECTION 34** (section 12.39.3 of the Act respecting the Ministère des  
Transports)

In proposed section 12.39.3:

1. Replace "out of the sums credited to the Fund." by ". Those sums are debited from the Fund."
2. Add the following paragraph at the end:

The sums paid to a municipality under an agreement entered into in accordance with section 519.81 of that Code are also debited from the Fund."

*adopté  
apc*

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**SECTION 37.1 (section 3.1 of the Highway Safety Code)**

Insert before section 38:

**37.1.** Section 3.1 of the Highway Safety Code (chapter C-24.2) is amended by replacing "and mobility impaired persons" in the second paragraph by ", mobility impaired persons and persons who, in the performance of their duties, work on foot on a public highway".

*adopté  
apc*

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**SECTION 50.1** (section 209.2 of the Highway Safety Code)

Insert after section 50:

**50.1.** Section 209.2 of the Code, amended by section 16 of chapter 29 of the statutes of 2001 and by section 32 of chapter 7 of the statutes of 2018, is again amended by inserting "327.1," before "328.1".

*adapté  
apc*

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**SECTION 53.1 (section 314.2 of the Highway Safety Code)**

Insert after section 53:

**53.1.** Section 314.2 of the Code is amended by replacing "\$200 to \$400" by "\$300 to \$600".

*adopté  
cyr*

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**SECTION 54**      **(section 326.2 of the Highway Safety Code)**

Replace "registered in the name of the Société" in paragraph 4 of proposed section 326.2  
by "used by the Société".

*adopté  
apc*

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**SECTION 54.1** (sections 327.1, 327.2 and 327.3 of the Highway Safety Code)

Insert after section 54:

**54.1.** The Code is amended by inserting the following sections after section 327:

**"327.1.** A peace officer shall immediately suspend, on behalf of the Société and for a period of seven days, the licence issued under section 61 of a driver of a road vehicle who contravenes section 327.

The suspension period is increased to 30 days in the case of a driver who was convicted of at least one offence under section 327 during the 10 years before the suspension.

If the driver 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 driver's right to obtain a licence under section 61.

**"327.2.** 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 327.1 may, after proving that he was not driving the vehicle in contravention of section 327, obtain the lifting of the suspension by a judge of the Court of Québec acting in the civil practice chamber.

**"327.3.** 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 327.1, with the necessary modifications."

*adopté  
apc*

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**SECTION 58** (section 359.0.1 of the Highway Safety Code)

Replace the second paragraph of proposed section 359.0.1 by:

An automated flagger assistance device is a barrier that is controlled remotely by a flag person in charge of directing traffic around or about work sites or during exceptional events or sports events or competitions. It is equipped with a red light and an amber light."

*adapté  
apc*



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**SECTION 59.1 (section 410 of the Highway Safety Code)**

Insert after section 59:

**59.1.** Section 410 of the Code is amended by striking out "clearly".

*Adopte  
apr*

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**SECTION 62 (section 509.4 of the Highway Safety Code)**

Replace "\$200 to \$400" in proposed section 509.4 by "\$300 to \$600".

*adopte  
ape*

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**SECTION 68** (section 626 of the Highway Safety Code)

Withdraw.

*adaple-  
apc*

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**SECTION 69 (section 626.1 of the Highway Safety Code)**

Withdraw.

*Adopte  
ape*

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**SECTION 73 (section 73 of the Act respecting off-highway vehicles)**

Replace paragraph 1 by:

(1) by replacing "on the conditions fixed by government regulation" in subparagraph 3 of the second paragraph by "where authorized by signs or signals that conform to regulatory standards";

*adopté  
apc*

AM 46  
s. 59

**AMENDMENT**

**Bill 48**

Amendment 46 has been withdrawn and renamed AM I.

*Adopte  
aye*

AM 47  
s. 67.1

**AMENDMENT**

**Bill 48**

Amendment 47 has been withdrawn and renamed AM m.

*adopté  
ape*

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**SECTION 12** (section 519.80 of the Highway Safety Code)

Add the following paragraph at the end of proposed section 519.80:

The Government may, by regulation, prescribe that a detection system may be used on a vehicle or other equipment it designates and set out the cases in which and the conditions on which the system may be used. The provisions of the regulation may depart from those of section 294.1, of the second paragraph of section 312.1 and of sections 519.81, 602.7 and 602.8 of this Code if the Government, on the recommendation of the Minister, considers that their application is inconsistent with the use of a detection system as provided for by the regulation.

*Adopté  
ape*



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**SECTION 12** (section 519.81 of the Highway Safety Code)

In proposed section 519.81:

1. Strike out "that have been authorized by the Minister" in the first paragraph.
2. Replace "its responsibilities under section 573.7" in the second paragraph by ", in particular, its responsibilities under Chapter I.1 of Title X".

*adapté  
apc*

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**Bill 48**

**AN ACT TO AMEND MAINLY THE HIGHWAY SAFETY CODE TO INTRODUCE  
PROVISIONS RELATING TO DETECTION SYSTEMS AND OTHER HIGHWAY  
SAFETY-RELATED PROVISIONS**

**SECTION 52.1** (section 294.0.2 of the Highway Safety Code)

Insert after section 52:

**52.1.** The Code is amended by inserting the following section after section 294.0.1:

**"294.0.2.** When establishing a school route, the person responsible for the maintenance of a public highway must take into account the application guide developed by the Minister of Transport on the subject."

*adopté  
apx*

**AMENDMENT**

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**SECTION 23**      **(section 620.1 of the Highway Safety Code)**

In proposed section 620.1:

1. Insert the following paragraph after paragraph 2:

(2.1) prescribe that a detection system may be used on a vehicle or other equipment it designates and set out the cases in which and the conditions on which the system may be used, and, for those purposes, depart from the provisions of section 294.1, of the second paragraph of section 312.1 and of sections 519.81, 602.7 and 602.8 of this Code if it considers, on the Minister's recommendation, that their application is inconsistent with the use of a detection system as provided for by the regulation;

2. Replace paragraph 6 by:

(6) entrust a municipal contestation body with the hearing of contestations of monetary administrative penalties where a notice of claim was notified by the Société;

3. Strike out paragraphs 7 to 11.

4. Strike out "the body responsible for hearing" in paragraph 12.

5. Replace "penalties on the debtor, as part of its recovery measures, with respect to authorizations it issues, the administrative consequences of non-compliance with the penalties imposed as well as the applicable rules of this Code" in paragraph 16 by "on the debtor, as recovery measures, penalties provided for by this Code, as well as the consequences arising from non-compliance with the penalties imposed and, for those purposes, determine the applicable rules of this Code".

*Adopté  
ape*

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**SECTION 27.1 (section 158.0.1 of the Code of Penal Procedure)**

Insert after section 27:

**27.1.** Article 158.0.1 of the Code, enacted by section 5 of chapter 7 of the statutes of 2024, is amended by replacing "evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system, or of the offence provided for in section 417.2 of the Highway Safety Code (chapter C-24.2)" by "observed by means of a photograph or series of photographs taken by a detection system within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), or of the offence under section 417.2 of the Code".

*adopté  
apc*

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**SECTION 59 (section 388.1 of the Highway Safety Code)**

Replace by:

**59.** Section 388.1 of the Code is amended

- (1) by striking out the last sentence of the first paragraph;
- (2) by inserting the following paragraph after the first paragraph:

"A government regulation may prescribe rules relating to the stopping of such vehicles in a space reserved for recharging electric vehicles. The Government may determine the provisions of the regulation the violation of which constitutes an offence and fix the minimum and maximum amounts of the fine to which the offender is liable."

*adopté  
apr*

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**SECTION 67.1 (section 621 of the Highway Safety Code)**

Insert after section 67:

**67.1.** Section 621 of the Code is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 25.2:

“(25.3) prescribe the conditions for establishing a different speed limit than the one provided for in subparagraph 4.1 of the first paragraph of section 328;”;

(2) by inserting the following subparagraphs after subparagraph 32.9:

“(33) prescribe rules relating to the stopping of electric road vehicles and plug-in hybrid road vehicles in a space reserved for recharging electric vehicles;

“(34) determine, from among the provisions of any regulation made under subparagraph 33, the provisions the violation of which constitutes an offence and fix the minimum and maximum amounts of the fine to which the offender is liable;”.

*Adopté  
apr*

**AMENDMENT**

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**SECTION 83.1**

Insert after section 83:

**83.1.** For the purposes of section 294.0.1 of the Highway Safety Code, as amended by section 52 of this Act, the person responsible for the maintenance of a public highway must, not later than on the date determined by the Minister in an order published in the *Gazette officielle du Québec*, safely lay out any school zone existing on the date preceding the date of coming into force of section 52 of this Act.

*adopté  
apc*

**AMENDMENT**

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**SECTION 87**

Replace by:

**87.** This Act comes into force on (*insert the date of assent to this Act*), except

(1) sections 2 to 11, section 12 insofar as it enacts sections 519.79, 519.80 and 519.82 of the Highway Safety Code, sections 18 to 20, paragraph 1 of section 21, section 22 except as concerns the words "or any other person" in section 602.4 of the Code, sections 23, 25 to 27 and 28 to 31, paragraphs 1 and 3 of section 33, section 36, section 37 insofar as it concerns Chapters I and III of the regulation it enacts, and sections 84 to 86, which come into force on (*insert the date that is 60 days after the date of assent to this Act*);

(2) section 37 insofar as it concerns Chapter II of the regulation it enacts, which comes into force on the date of coming into force of section 16 of this Act;

(3) sections 53.1, 58, 59.1 to 66 and 76, which come into force on (*insert the date that is 30 days after the date of assent to this Act*);

(4) section 59 and paragraph 2 of section 67.1, which come into force on the date of coming into force of the first regulation made under the second paragraph of section 388.1 of the Highway Safety Code, amended by section 59 of this Act;

(5) section 27.1, which comes into force on the date of coming into force of section 5 of chapter 7 of the statutes of 2024;

(6) section 55, paragraph 1 of section 56, section 57 and paragraph 1 of section 67.1, which come into force on the date of coming into force of the first regulation made under the second paragraph of section 329.1 of the Highway Safety Code, enacted by section 57 of this Act; and

(7) the provisions of section 1, section 12 insofar as it enacts section 519.81 of the Highway Safety Code, sections 15 and 16, paragraph 2 of section 21, section 22 insofar as it concerns the words "or any other person" in section 602.4 of the Code,



sections 31.1 to 31.4, section 32, paragraph 2 of section 33 and sections 35, 40, 42, 44 to 46, 48 to 50.1, 52, 52.1, 54.1, 82 and 83, which come into force on the date or dates to be determined by the Government.

asloph  
ape