

Bill 57

**An Act to modify the rules governing  
the use of photo radar devices and red  
light camera systems and amend other  
legislative provisions**

Section 14

**AMENDMENT:**

Add at the end of proposed section 592.2.1:

- (4) an emergency vehicle registered in the name of the Société;
- (5) an emergency vehicle used mainly in emergency situations to bring medical personnel or medical equipment to a location where a person requires immediate medical care;
- (6) an emergency vehicle used mainly in emergency situations to bring a technician or rescue equipment to a location where rapid intervention is required in order to provide immediate medical care.”

*adpte-*  
*R*

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Section 17

**AMENDMENT:**

Replace by:

17. Section 597.1 of the Code is amended by replacing the second paragraph by the following paragraph:

“The Minister may make an agreement with a municipality under which the Minister is to pay to the municipality a part of the fines collected for offences under the first paragraph committed on public highways the maintenance of which is under the responsibility of the municipality, provided that the sums are allocated to financing new highway safety or road victim assistance measures or programs that have been authorized by the Minister.”

*Adopted  
Re*

AM 3  
s. 18 (634.3)

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Section 18

**AMENDMENT:**

Amendment 3 has been withdrawn and renamed Amendment f.

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Section 18

**AMENDMENT:**

1. Replace the paragraph proposed by paragraph 2 by:

“They may only be used to monitor compliance with highway safety rules

(1) on a road or land situated in a school zone, as defined by regulation of the Minister of Transport;

(2) in a construction or maintenance work zone limited, for the purposes of this section, to the part of a public highway for which the maximum authorized speed limit is indicated in accordance with section 303.1; and

(3) on any other public highway determined by the Minister of Transport and the Minister of Public Security after consulting with the municipality responsible for the maintenance of the highway, if applicable.

When determining a public highway under subparagraph 3, the Ministers may take into account such factors as the accident potential of the highway.”

2. Replace paragraph 3 by:

(3) by striking out the second and third paragraphs;

*adapte -  
AR*

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Section 21

**AMENDMENT:**

Add “, at least one of whom represents drivers of passenger vehicles” after the second occurrence of “Table québécoise de la sécurité routière”.

*Adopté*  
*RA*

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Section 1.1

**AMENDMENT:**

Insert after section 1:

- 1.1. Section 39.1 of the Code is amended by replacing "202" by "202.0.1".

*Adopte -  
RA*

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Section 2.1

**AMENDMENT:**

Insert after section 2:

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

“Despite the first paragraph, if an offence under section 39.1 is committed by the owner of a road vehicle that has been put back into operation and in respect of which a decision under section 202.0.1 is in force, the owner is liable to a fine of \$1,500 to \$3,000 and, in the case of a second or subsequent offence, of \$3,000 to \$6,000.”

*Adopted*  
*Re*

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Section 9.2

**AMENDMENT:**

Insert after section 9:

**9.2.** Section 439.1 of the Code is amended by adding the following paragraphs at the end:

“The first paragraph does not apply to a two-way radio, that is to say a cordless voice communication device which does not allow the parties to speak simultaneously.

The Minister may, by order, determine other situations or types of devices to which the prohibition set out in the first paragraph does not apply.”

*adpte*  
*RE*



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Section 4

**AMENDMENT:**

Add at the end of proposed section 294.1:

The person must also, as often as the Minister determines, verify the presence and adequacy of those signs or signals, and report the verification results to the Minister.”

A handwritten signature in black ink, appearing to be 'Adopted' followed by a stylized signature.

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Section 9.1

**AMENDMENT:**

Amendment withdrawn.

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Section 10.1

**AMENDMENT:**

Insert after section 10:

**10.1.** Section 510 of the Code is amended by inserting "406.1," after "395," in the first paragraph.

*Adopted  
RC*

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Section 22.1

**AMENDMENT:**

Amendment withdrawn.

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Section 11.1

**AMENDMENT:**

Insert after section 11:

**11.1.** The Code is amended by inserting the following section after section 592:

**"592.0.0.1.** A short-term renter of a road vehicle may be convicted of an offence under this Code evidenced by a photograph taken by a photo radar device or a red light camera system unless the renter proves that, at the time of the offence, the vehicle was in the possession of a third party without the renter's consent."

*Adopted*  
*RE*

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Section 4.1

**AMENDMENT:**

Insert after section 4:

4.1. The Code is amended by inserting the following section after section 311:

“311.1. When approaching a yellow arrow light signal that is mounted on a moving road vehicle and directs a lane change, the driver of a road vehicle must reduce speed and, in the direction indicated by the arrow and after making sure that it can be done safely, switch to the other lane or, in the absence of another lane, to the shoulder.”

*Adante*  
*[Signature]*

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Section 9.1

**AMENDMENT:**

Insert after section 9:

9.1. The Code is amended by inserting the following section after section 406:

**“406.1.** When an emergency vehicle or tow truck with its flashing or rotating lights activated is stopped in a lane of a public highway, the driver of a road vehicle travelling in that lane must reduce speed to avoid endangering human life or safety or any property that is in that lane and, if necessary, stop the vehicle and switch to the other lane after making sure it can be done safely. In the case of a two-way roadway, the driver must, before switching to the other lane, yield the right of way to any vehicle travelling in the opposite direction.

If the emergency vehicle or tow truck is stopped on the shoulder or on a lane contiguous to the lane in which the driver of the road vehicle is travelling, the driver must, in the following order,

(1) reduce speed to avoid endangering human life or safety or any property that is on the shoulder or in that other lane;

(2) change lanes, if there is another lane for travelling in the same direction and after making sure it can be done safely, so as to leave one free lane between the vehicle and the stopped vehicle or, otherwise, put as much distance as possible between the vehicle and the stopped vehicle while remaining in the same lane.

The second paragraph does not apply when the direction of traffic in the driver's lane is opposite that of the lane in which the emergency vehicle or tow truck is stopped.

*adapte*  
*MR*

This section also applies when a road vehicle with an activated yellow arrow light signal directing a lane change is stopped on a public highway. The lane change must be carried out in the direction indicated by the arrow."



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Section 22.1

**AMENDMENT:**

Insert after section 22:

**REGULATION RESPECTING DEMERIT POINTS**

**22.1.** The Regulation respecting demerit points (R.R.Q., chapter C-24.2, r. 37) is amended by inserting the following element after element 21 of the schedule entitled "TABLE OF DEMERIT POINTS":

|  |       |     |   |
|--|-------|-----|---|
| "21.1. Failure to slow down<br>or change lanes when approaching<br>a stopped road vehicle with its<br>flashing or rotating lights or<br>yellow arrow signal light<br>activated." | 406.1 | 510 | 4 |
|--|-------|-----|---|

*Adopte*  
*RR*

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Section 24.1

**AMENDMENT:**

Amendment withdrawn.

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Section 12.1

**AMENDMENT:**

Insert after section 12:

**12.1.** The Code is amended by inserting the following section after section 592.1:

**“592.1.1.** If the road vehicle used to commit the offence was under a short-term rental contract at the time of the offence, the owner of the vehicle may identify the renter of the vehicle, in accordance with the second and third paragraphs of section 592.1, with the necessary modifications.”

*Adopted  
AC*

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Section 13

**AMENDMENT:**

Replace by:

13. Section 592.2 of the Code is amended
  - (1) by replacing "592.1" by "592";
  - (2) by inserting "or short-term renter of the vehicle" after "driver".

*Adopted*  
*AA*

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Section 24.1

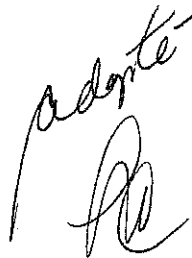
**AMENDMENT:**

Insert after section 24:

**24.1.** Not later than (*insert the date that is 18 months after the date of the coming into force of this section*) and subsequently every 12 months for the following four years, the Minister of Transport must report to the Government on the use of photo radar devices and red light camera systems.

The report is tabled by the Minister in the National Assembly within the following 30 days or, if the Assembly is not sitting, within 30 days of resumption. The first report is examined by the competent committee of the National Assembly.

The first report must deal, among other things, with the enforcement of section 592.1 of the Highway Safety Code (R.S.Q., chapter C-24.2) and the advisability of amending the legislative provisions concerning the use of photo radar devices and red light camera systems.

A handwritten signature in black ink, appearing to read 'Adante' with a stylized flourish below it.

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Section 25

**AMENDMENT:**

Replace by:

25. This Act comes into force on *(insert the date of assent to this Act)*, except
- (1) sections 1.1, 2.1 and 10, which come into force on 30 June 2012;
  - (2) sections 9.1, 10.1 and 22.1, which come into force on *(insert the date that is 60 days after the date of assent to this Act)*;
  - (3) sections 11, 11.1, paragraphs 1, 2 and 4 of section 12 and sections 12.1, 13 and 15, which come into force on 1 October 2012; and
  - (4) paragraphs 3 and 5 of section 12, which come into force on the date or dates to be set by the Government, which may not be earlier than the date that is six months after the date on which the first report referred to in section 24.1 is tabled in the National Assembly.

A handwritten signature in black ink, appearing to be 'Adopter' followed by a stylized initial 'A'.