



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 55

**An Act to again amend the Highway
Safety Code and other legislative
provisions**

Introduction

**Introduced by
Madam Julie Boulet
Minister of Transport**

**Québec Official Publisher
2007**

EXPLANATORY NOTES

This bill again amends the Highway Safety Code in order to enact measures designed to improve road safety. In addition, it introduces provisions that will ensure heightened enforcement of the Code, in particular as regards road signage, mopeds, and penal and administrative measures, and others that will improve the efficiency and quality of the services provided by the Société de l'assurance automobile du Québec and facilitate the work of peace officers.

Under new provisions in the bill, persons who refuse to submit to or fail physical coordination tests administered by a peace officer will get an immediate 24-hour suspension of their driver's licence.

The bill contains various provisions concerning speed limits in school zones, signage, including signs or signals installed on road vehicles and on private land and roads that are accessible to the public, the operation of heavy vehicles, the use of flashing red lights on buses and minibuses used exclusively to transport handicapped school children and exemptions regarding the issue of special permits in certain particular situations.

As well, the bill provides additional specifics with respect to the use of rotating or flashing amber lights, the presence of escort vehicles in front of or behind outsized vehicles, the off-highway inspection of road vehicle equipment and penalties for outsized transportation. It also clarifies certain powers conferred on peace officers as regards the monitoring and control, on highways and within undertakings, of the transportation of people and goods.

The bill grants an override power to the Minister of Transport for the purpose of authorizing and supervising the testing of new vehicles, new equipment and even new traffic rules. It also implements a measure announced in the Budget Speech delivered on 24 May 2007 under which the fees collected for the issue and renewal of certain special permits are to be paid into the road network preservation and improvement fund and used to enhance roadway durability.

Finally, the bill exempts certain municipalities and transit corporations from having to maintain the liability insurance required under the Automobile Insurance Act and abolishes the certificates of financial responsibility provided for in that Act.

LEGISLATION AMENDED BY THIS BILL:

- Automobile Insurance Act (R.S.Q., chapter A-25);
- Highway Safety Code (R.S.Q., chapter C-24.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28).

Bill 55

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

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

HIGHWAY SAFETY CODE

1. Section 4 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by replacing “, provided with a motor having a piston displacement of not over 50 cm³ and equipped with” in the definition of “moped” by “and a maximum speed of 70 km/h, and equipped with an electric motor or a motor having a piston displacement of not over 50 cm³ and”.

2. Section 5.1 of the Code is amended by inserting “202.1.2 to 202.1.4,” after “98.1,” and by replacing “519.67.1” by “519.70”.

3. Section 21 of the Code is amended by adding the following paragraph at the end:

“No person shall put a vehicle into operation on a public highway if it is of a model or class whose use on public highways has been prohibited by the Minister under section 633.1 or if it has been restricted to off-highway use by its manufacturer or importer.”

4. Section 31.1 of the Code, amended by section 25 of chapter 49 of the statutes of 2000 and by section (*insert the number of the section in Bill 36 that amends section 31.1 of the Highway Safety Code*) of chapter (*insert the chapter number of Bill 36*) of the statutes of (*insert the year of assent to Bill 36*), is again amended

(1) by replacing “when they become due” in the third paragraph by “as of the due date and did not notify the Société before the due date of his intention to pay them by pre-authorized debit,” by replacing “in accordance with the second paragraph” in that paragraph by “in accordance with the third paragraph” and by replacing “the date on which the sums become due or” in that paragraph by “the first day following the due date or”;

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

“No person shall put a vehicle back into operation on a public highway if it is of a model or class whose use on public highways has been prohibited by the Minister under section 633.1 or if it has been restricted to off-highway use by its manufacturer or importer.”

5. Section 59 of the Code is amended by replacing “ or fourth paragraph of section 21, the third paragraph” in the first paragraph by “, fourth or fifth paragraph of section 21, the third or fifth paragraph”.

6. Section 67 of the Code is amended by inserting “and each particular” after “each class of licence” in the first paragraph.

7. Section 90 of the Code is amended

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

“Any person whose driver’s licence issued in Canada has been expired for less than three years and who settles in Québec may obtain a driver’s licence from the Société without undergoing an examination, on payment of the amounts prescribed in the first paragraph.”;

(2) by replacing “holder” in the second paragraph by “person referred to in the first paragraph or in the second paragraph” and by replacing “where the exchanged licence is” in that paragraph by “to obtain”.

8. Section 91 of the Code is amended by inserting the following paragraph after the first paragraph:

“Any person whose driver’s licence issued outside Canada has been expired for less than three years and who settles in Québec may obtain a driver’s licence without undergoing a proficiency examination provided the particulars and the validity of the person’s title can be established in accordance with the first paragraph.”

9. Section 93.1 of the Code is amended by replacing the second sentence of the first paragraph by the following sentence: “If the holder has not made the required payments as of the due date and did not notify the Société before the due date of his intention to pay by pre-authorized debit, he may not, from the first day following the due date and without further notice, drive any road vehicle.”

10. Section 188 of the Code is amended by adding the following paragraph at the end:

“(7) the owner does not comply with the terms for payment by pre-authorized debit of the duties, fees, insurance contribution and tax on the contribution with respect to a vehicle belonging to the owner or with respect to a licence.”

11. Section 190 of the Code, amended by section (*insert the number of the section in Bill 42 that amends section 190 of the Highway Safety Code*) of chapter (*insert the chapter number of Bill 42*) of the statutes of (*insert the year of assent to Bill 42*), is again amended

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

“(8) the licence holder does not comply with the terms for payment by pre-authorized debit of the duties, fees, insurance contribution and tax on the contribution with respect to a vehicle belonging to the owner or with respect to a licence.”;

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

“In the case of subparagraphs 1 to 4 of the first paragraph, the Société suspends the class of licence corresponding to the road vehicles referred to in the document requiring an examination or assessment or in the examination or assessment report.”

12. Section 197 of the Code is amended by replacing the first paragraph by the following paragraph:

“**197.** The Société shall lift the suspension imposed on a person referred to in section 196 and the prohibition from putting any road vehicle registered in the person’s name back into operation if the person provides the Société with proof of exoneration, acquittal or payment agreement in respect of any claim arising or that may arise from the accident.”

13. Sections 198 and 199 of the Code are repealed.

14. Section 201 of the Code is amended by striking out “to the satisfaction of the Société, to effect payment in regular instalments” in subparagraph 3 of the first paragraph.

15. The heading of Division I.1 of Chapter II of Title V of the Code is replaced by the following heading:

“SUSPENSION OF LICENCES BY A PEACE OFFICER”.

16. The said Code is amended by inserting the following sections after section 202.1.1, enacted by section (*insert the number of the section in Bill 42 that enacts section 202.1.1 of the Highway Safety Code*) of chapter (*insert the chapter number of Bill 42*) of the statutes of (*insert the year of assent to Bill 42*):

“**202.1.2.** The holder of a learner’s licence, a probationary licence, a driver’s licence or a restricted licence may not drive or have the care or control of a road vehicle while the holder’s driving ability is impaired.

“**202.1.3.** If a peace officer has reason to suspect that the driving ability of a person driving or having the care or control of a road vehicle is impaired, the peace officer may order the person to submit immediately to physical coordination tests.

“202.1.4. A peace officer who, after administering the physical coordination tests, has reasonable grounds to believe that the driving ability of a person driving or having the care or control of a road vehicle is impaired shall immediately suspend the person’s licence for 24 hours on behalf of the Société.

The 24-hour suspension is not imposed if the peace officer suspends the licence in accordance with section 202.4.

“202.1.5. A peace officer may impose a suspension under section 202.1.4 on a person who fails to comply with the peace officer’s order under section 202.1.3.”

17. Section 202.6 of the Code, replaced by section *(insert the number of the section in Bill 42 that replaces section 202.6 of the Highway Safety Code)* of chapter *(insert the chapter number of Bill 42)* of the statutes of *(insert the year of assent to Bill 42)*, is amended by inserting “202.1.4, 202.1.5,” after “section”.

18. The Code is amended by inserting the following section after section 202.7:

“202.7.1. A person who fails to comply with a peace officer’s demand under section 202.1.3 without a reasonable excuse is guilty of an offence and is liable to a fine of \$200 to \$300.”

19. Section 209.2 of the Code, amended by section *(insert the number of the section in Bill 42 that amends section 209.2 of the Highway Safety Code)* of chapter *(insert the chapter number of Bill 42)* of the statutes of *(insert the year of assent to Bill 42)*, is again amended by inserting “202.1.4, 202.1.5” after “195.2,”.

20. Section 209.11 of the Code, amended by section *(insert the number of the section in Bill 42 that amends section 209.11 of the Highway Safety Code)* of chapter *(insert the chapter number of Bill 42)* of the statutes of *(insert the year of assent to Bill 42)*, is again amended

(1) by replacing subparagraph *a* of subparagraph 2 of the first paragraph by the following subparagraph:

“(a) was unaware that the driver he allowed to drive his vehicle was disqualified or did not hold a licence of the class required to drive the vehicle, and had recently obtained confirmation from the Société, in accordance with section 611.1, that the driver held a valid licence; or”;

(2) by adding the following sentence at the end of the third paragraph: “Saturday and Sunday are not counted in calculating the time for the service.”

21. Section 213 of the Code is amended by adding the following at the end of the second paragraph: “, to private roads open to public traffic as well as land occupied by shopping centres and other land where public traffic is allowed”.

22. Section 220.3 of the Code is amended by replacing “a net mass in excess of 3,000 kg” by “a gross vehicle weight rating of 4,500 kg or more”.

23. Section 262 of the Code is amended by adding the following paragraph at the end:

“When an outsized vehicle referred to in the third paragraph is operated under a special permit, the presence of an escort vehicle behind the outsized vehicle may compensate for the absence of rear-view mirrors.”

24. Section 289 of the Code is amended by inserting “or on a road vehicle” after “public highway” in the second line of the second paragraph.

25. Section 301 of the Code is amended by adding “or use a traffic sign on a road vehicle, other than a police car” at the end.

26. Section 303 of the Code is replaced by the following section:

“303. Despite section 301, any person carrying out work requiring occupation of a public highway, duly authorized by the person responsible for the maintenance of the highway, or any person conducting a road check operation must erect traffic signs or signals in compliance with the standards determined by the Minister of Transport for the duration of the work or operation.”

27. Section 306 of the Code is replaced by the following section:

“306. Visible devices, advertising and signs that bear a reproduction of a road signal governed by the standards prescribed by the Minister under section 289 that imitate such a road signal or that may be confused with traffic lights or with such a road signal because of their shape, colour, text, size or location are prohibited on and along public highways.

Devices, advertising and signs that can obstruct a road signal and those that encroach on a public highway are also prohibited.”

28. Section 308 of the Code is amended by inserting “ or on land occupied by shopping centres and other land where public traffic is allowed” after “vehicular traffic”.

29. Section 310 of the Code is amended by striking out “on a road or highway”.

- 30.** Section 328 of the Code is amended by striking out the second paragraph.
- 31.** Section 329 of the Code is amended by replacing “from September to June” in the fourth paragraph by “from 18 August to 23 June”.
- 32.** Section 388 of the Code is amended by inserting “and identified by signs or signals in compliance with the standards prescribed by the Minister of Transport,” after “handicapped persons” in the second line of the first paragraph.
- 33.** Section 389 of the Code is amended by replacing “weighing 3 000 kg or less” by “having a gross vehicle weight rating of 4,500 kg or less”.
- 34.** The Code is amended by inserting the following section after section 395:
- “395.1.** Despite section 395, a person is authorized to drive a police wagon in which the seat belt provided for the seat occupied by a passenger has been removed, modified or rendered inoperative.”
- 35.** Section 396 of the Code is amended by adding the following subparagraph at the end of the second paragraph:
- “(4) to a person occupying a passenger seat in a police wagon.”
- 36.** Section 397 of the Code is amended by replacing the portion preceding subparagraph 1 of the third paragraph by the following:
- “If the first paragraph cannot be complied with, a child occupying a seat in a taxi or a police car must be restrained by the seat belt with which the seat is equipped, except in the following cases:”.
- 37.** Section 456 of the Code is amended
- (1) by inserting “red” after “flashing” in the third line;
- (2) by adding the following paragraph at the end:
- “The first paragraph does not apply when a bus or minibus is used exclusively for transporting school children who require a wheelchair.”
- 38.** Section 457 of the Code is amended by inserting “red” after “flashing” in the fourth line.
- 39.** Section 458 of the Code is amended by inserting “red” after “flashing” in the second line.
- 40.** Section 459 of the Code is amended by inserting “red” after “flashing” in the first line.

41. Section 460 of the Code is amended by inserting “red” after “flashing” in the second line of the first paragraph.

42. Section 463 of the Code is amended by inserting “, the addition of equipment, its” after “its construction” in the fifth line of the second paragraph.

43. Section 470.1 of the Code is amended by inserting the following paragraph after the first paragraph:

“In zones where traffic signs or signals announce the presence of an inspection station that uses equipment to pre-select road vehicles to be inspected, the driver of a road vehicle or a combination of road vehicles designated by the signs or signals must use the right lane where the sensors are placed, unless otherwise indicated.”

44. Section 473 of the Code is amended by replacing the third paragraph by the following paragraph:

“This section does not apply to equipment on a tool vehicle, an impact attenuator mounted on a road vehicle when the vehicle is used as a protection vehicle, or equipment on a road vehicle that levels, clears or marks the roadway of a public highway.”

45. Section 474 of the Code is amended by adding the following paragraphs at the end:

“The first paragraph also applies to the operation of a tool vehicle whose equipment extends beyond the front or rear of the vehicle by more than one metre. The prescribed signs or signals must be visible from the front or the rear, as applicable, and from the sides from a distance of not less than 150 metres. If the equipment extends beyond the vehicle by more than 1.5 metres, an escort vehicle must precede or follow the vehicle at a distance of not more than 50 metres with its hazard lights flashing.

The third paragraph does not apply when the vehicle is being used to carry out work on a public highway.”

46. Section 509 of the Code is amended by striking out the second paragraph.

47. Section 517 of the Code is amended by striking out “heavy” in the first line.

48. Section 517.1 of the Code is amended by striking out paragraph 4.

49. Section 519.10 of the Code, replaced by section 38 of chapter 2 of the statutes of 2004, is amended by striking out “or inspector appointed under section 519.69” and “or inspectors” in the fifth paragraph.

50. Section 519.11 of the Code is amended by striking out “or an inspector appointed under section 519.69” in the first paragraph and “or inspector” in the second paragraph.

51. Section 519.25 of the Code, replaced by section 44 of chapter 2 of the statutes of 2004, is amended by striking out “or inspector appointed under section 519.69” and “or inspector” in the second paragraph.

52. Section 519.31 of the Code, replaced by section 46 of chapter 2 of the statutes of 2004, is amended by striking out “, not exceeding one year” in subparagraph 2 of the first paragraph.

53. The heading of Title VIII.2 of the Code is amended by replacing “MARCHANDISES” in the French text by “BIENS”.

54. Section 519.63 of the Code is amended by replacing the first sentence by the following sentence: “The Société has jurisdiction to ensure the monitoring and control of highway transportation of persons and goods.”

55. The Code is amended by inserting the following section after section 519.66:

“519.66.1. On the request of the Minister of Transport, the Société must provide detailed reports, in the form and within the time the Minister prescribes, on the operations and activities for which highway controllers are responsible under this Title.

On the request of the Minister, the Société must also provide any statistical or administrative report relating to the carrying out of the mandate assigned to the Société under this Title.”

56. Chapter II of Title VIII.2 of the Code is replaced by the following chapter:

“CHAPTER II

“CONTROL ON HIGHWAYS AND WITHIN UNDERTAKINGS

“DIVISION I

“AUTHORITY OF HIGHWAY CONTROLLERS

“519.67. The Société may designate any member of its personnel to act as a highway controller.

Highway controllers are peace officers authorized to monitor and control highway transportation of persons and goods for the enforcement of

(1) this Code, except the provisions relating to the monitoring of passenger vehicle traffic;

(2) the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);

(3) the legislative and regulatory provisions which the Société is responsible for enforcing under an agreement entered into in accordance with this Title; and

(4) sections 84, 96, 186, 187 and 192 of the Automobile Insurance Act (chapter A-25).

On request, highway controllers must identify themselves and show proof of their capacity.

“519.68. Persons having authority over one or more highway controllers are peace officers, vested with the same powers as those conferred on highway controllers under this Code. When they intervene in the enforcement of laws they are responsible for enforcing, they must, on request, identify themselves and show proof of their capacity.

As prescribed by section 126 of the Police Act (chapter P-13.1), the rules of ethics applicable to police officers apply to highway controllers and persons having authority over highway controllers.

“519.69. With the approval of the Minister of Transport, the Société may enter into an agreement with the Minister of Public Security for highway controllers to act as special constables, in particular when, in the performance of their duties, they enforce the Act respecting motor vehicle transport by extra-provincial undertakings (Revised Statutes of Canada, 1985, chapter 29, 3rd Supplement) or ascertain the commission of an offence under the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46).

“DIVISION II

“POWERS RELATING TO THE CONTROL OF HIGHWAY TRANSPORTATION OF PERSONS AND GOODS

“519.70. When performing duties under section 519.67, a highway controller may inspect any vehicle and, for that purpose, enter it and open any passenger compartment, shipping container, compartment, container or vessel or order it to be opened. The highway controller may also require any information relating to the enforcement of this Code, demand that any related document be produced for examination and examine any such document.

Any person who has the care, possession or control of a road vehicle must comply with a highway controller’s orders under the first paragraph.

“519.71. In the performance of their duties, highway controllers may, in particular,

(1) enter, at any reasonable hour, the establishment of a person who is subject to a legislative provision governing the operation of heavy vehicles, the establishment of a heavy vehicle owner or operator or any place where an undertaking or goods referred to in the legislative and regulatory provisions under the responsibility of the Société under an agreement entered into in accordance with this Title is being carried on or are being kept;

(2) inspect, within those places, any equipment or any premises where registers and records that must be kept under Title VIII.1 or the legislative or regulatory provisions referred to in subparagraph 1 are found;

(3) inspect any vehicle and, for that purpose, order the immobilization of the vehicle if necessary, enter it, examine registers and records referred to in subparagraph 2, and open any passenger compartment, shipping container, compartment, container or vessel or order it to be opened, and require a mechanical inspection of the vehicle if necessary, unless the vehicle is registered as impounded in the road vehicle registration register held by the Société;

(4) require any information relating to the enforcement of this Code and the legislative and regulatory provisions referred to in subparagraph 1, demand that any related document be produced, and examine and make copies of books, registers, accounts, records or other documents containing such information.

Any person who has the care, possession or control of such books, registers, accounts, records or other documents must make them available to the highway controller on request and facilitate their examination.”

57. Section 519.77 of the Code is replaced by the following section:

“519.77. Every person who contravenes the second paragraph of section 519.70 or the second paragraph of section 519.71 is liable to a fine of \$700 to \$2,100.”

58. Section 520 of the Code is amended by replacing the second paragraph by the following paragraph:

“If the persons are not members of the personnel of the Société, they must pay the fee prescribed by regulation.”

59. Section 520.2 of the Code is amended by replacing the second paragraph by the following paragraph:

“If the persons are not members of the personnel of the Société, they must pay the fee prescribed by regulation.”

60. Section 521 of the Code is amended by replacing “a net mass in excess of 3,000 kg” in subparagraph 5 of the first paragraph by “a gross vehicle weight rating of 4,500 kg or more”.

61. Section 543.12 of the Code is amended by replacing “mechanical inspection controller” by “highway controller”.

62. Section 543.13 of the Code is amended by striking out “to act as a mechanical inspection controller”.

63. Section 543.14 of the Code is amended by replacing “a mechanical inspection controller” in the first paragraph by “the person designated by the Société under section 543.13”.

64. Section 543.15 of the Code is amended by replacing “a mechanical inspection controller” by “a person designated by the Société under section 543.13”.

65. Section 543.16 of the Code is repealed.

66. Section 546.2 of the Code is amended by replacing “section 101 or section” in the second paragraph by “section”.

67. Section 546.6.1 of the Code is amended by replacing “section 101 or section” by “section”.

68. Section 595 of the Code is amended by striking out “containing information transmitted electronically and”.

69. Section 596.3 of the Code is amended

(1) by inserting “or 539.1,” after “523” in the first paragraph and “or 539.5” after “524” in that paragraph;

(2) by inserting “or photometric” after “mechanical” in the second paragraph.

70. Section 596.5 of the Code is repealed.

71. Section 611.2 of the Code is amended by striking out the third paragraph.

72. Section 621 of the Code, amended by section (*insert the number of the section in Bill 42 that amends section 621 of the Highway Safety Code*) of chapter (*insert the chapter number of Bill 42*) of the statutes of (*insert the year of assent to Bill 42*), is again amended by striking out subparagraph 39.1 of the first paragraph.

73. The Code is amended by inserting the following sections after section 633:

“633.1. After consultation with the Société, the Minister may, by order, restrict or prohibit the use on public highways of any model or class of vehicle the Minister determines until it is proved to be safe. The order of the Minister is published in the *Gazette officielle du Québec* in accordance with the Regulations Act (chapter R-18.1).

On the same conditions, the Minister may, by order, authorize pilot projects to test the use of vehicles or to study, improve or develop traffic rules or standards applicable to safety equipment. The Minister may prescribe rules relating to the use of a vehicle on a public highway as part of a pilot project. The Minister may also, in the context of a pilot project, authorize any person or body to use a vehicle in compliance with standards and rules prescribed by the Minister that are different from those provided in this Act and the regulations.

Pilot projects are conducted for a period of up to three years, which the Minister may extend by up to two years if the Minister considers it necessary.

The Minister may modify or terminate a pilot project at any time.

The Minister may also determine the provisions of an order made under this section the violation of which is an offence and determine the minimum and maximum amounts for which the offender is liable, which may not be less than \$30 or more than \$360.

“633.2. If the Minister considers that it is in the interest of the public and is not likely to compromise highway safety, the Minister may, by order and after consultation with the Société, suspend the application of a provision of this Code or the regulations for the period determined by the Minister. When using this exemption, the Minister may prescribe any rule that, in the opinion of the Minister, ensures an equivalent level of safety. The publication requirement under section 8 of the Regulations Act (chapter R-18.1) does not apply to such an order.”

74. Section 636 of the Code is amended by inserting “, agreements entered into under section 519.65” after “Code”.

75. Section 638.1 of the Code is replaced by the following section:

“638.1. Every person who in any way hinders a peace officer in the performance of duties under this Code, the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3) or an Act the Société is responsible for enforcing in accordance with section 519.64, in particular by misleading the peace officer by concealment or false declarations, refusing to provide the peace officer with any information or document the peace officer 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 \$300 to \$600 or, if the offence is committed during an intervention involving a heavy vehicle, \$700 to \$2,100.”

76. Section 643.2 of the Code is amended by replacing “section 636 or 638.1” in the first and second paragraphs by “section 636”.

77. Section 648 of the Code, amended by section 27 of chapter 49 of the statutes of 2000 and by section (*insert the number of the section in Bill 42 that amends section 648 of the Highway Safety Code*) of chapter (*insert the chapter number of Bill 42*) of the statutes of (*insert the year of assent to Bill 42*), is again amended by adding the following paragraph after paragraph 7:

“(8) the fee described in subparagraph 2.1 of the first paragraph of section 12.32 of the Act respecting the Ministère des Transports (chapter M-28).”

78. Section 660 of the Code is repealed.

OTHER AMENDING PROVISIONS

AUTOMOBILE INSURANCE ACT

79. Section 87.1 of the Automobile Insurance Act (R.S.Q., chapter A-25) is amended by replacing the second paragraph by the following paragraph:

“However, the amount is \$2,000,000 if the person referred to in the first paragraph transports a dangerous substance listed in Schedule 1 to the Transportation of Dangerous Goods Regulations made by Privy Council Order 2001-1366 (*Canada Gazette*, Part II, Supplement of 15 August 2001, 1) in a quantity exceeding that indicated in column 7 of that schedule.”

80. The heading of Division III of Chapter I of Title III of the Act is amended by striking out “AND CERTIFICATE OF FINANCIAL RESPONSIBILITY”.

81. Section 96 of the Act is amended

- (1) by striking out “or of financial responsibility” in the first paragraph;
- (2) by striking out the third paragraph.

82. Section 102 of the Act is repealed.

83. Section 103 of the Act is amended by striking out “, and a person contemplated in section 102,” in the first paragraph and “or a person contemplated in section 102,” in the second paragraph.

84. Sections 104 and 105 of the Act are repealed.

85. Section 149 of the Act is amended by replacing “, partnerships and any person exempted by the Société under section 102 from taking out liability insurance” in paragraph 1 by “or partnerships”.

86. Section 192 of the Act is amended by striking out “or of financial responsibility”.

87. Section 196 of the Act is amended by striking out paragraphs *e* and *f*.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

88. Section 12.32 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended

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

“(2.1) the fee paid for the issue or renewal of a special permit issued under section 633 of the Highway Safety Code (chapter C-24.2) to authorize the operation of a road vehicle or combination of road vehicles equipped with single tires;”;

(2) by adding the following paragraph:

“The fee referred to in subparagraph 2.1 of the first paragraph are used to pay expenses incurred to improve roadway durability.”

TRANSITIONAL AND FINAL PROVISIONS

89. Sections 90 to 92 have precedence over the Regulation respecting road vehicle registration, enacted by Order in Council 1420-91 (1991, G.O. 2, 4111). They do not apply to a road vehicle acquired in co-ownership or to an owner whose birthday is the 31st day of the month. They remain in force until replaced by a regulation made under section 618 of the Highway Safety Code.

90. If the owner of a road vehicle notifies the Société de l'assurance automobile du Québec of the owner's intention to pay the sums referred to in section 31.1 of the Highway Safety Code and the tax on the insurance contribution by pre-authorized debit, the withdrawals are made at the following intervals subject to the terms prescribed by the Regulation respecting road vehicle registration:

(1) annually: one single withdrawal in the month following the month of the due date set out in sections 19 and 21 to 24 of the regulation, on the day that has the same calendar number as the owner's birthday; or

(2) bi-monthly or monthly: the first withdrawal on the day set out in paragraph 1 and subsequent withdrawals every two months or every month, depending on the interval selected.

91. If the owner of a road vehicle notifies the Société of the owner's intention to pay the sums referred to in section 21 of the Highway Safety Code and the tax on the insurance contribution by pre-authorized debit, the withdrawals are made at the following intervals subject to the terms prescribed by the Regulation:

(1) annually: one single withdrawal on the day after the date the vehicle is registered; or

(2) bi-monthly or monthly: the first withdrawal in the month following the month the vehicle is registered, on the day that has the same calendar number as the owner's birthday, and subsequent withdrawals every two months or every month, depending on the interval selected.

92. If the owner of a road vehicle wishes to pay the sums referred to in section 31.1 of the Highway Safety Code and the tax on the insurance contribution by pre-authorized debit but has not, as of the due date determined by regulation, paid those amounts or notified the Société that the owner has chosen not to drive the vehicle must select one of the following withdrawal intervals:

(1) annually: one single withdrawal on the day after the date the owner receives authorization to put the vehicle back into operation; or

(2) bi-monthly or monthly: the first withdrawal on the day after the date the owner receives authorization to put the vehicle back into operation, and subsequent withdrawals on the dates set out in paragraph 2 of section 90 of this Act.

93. Traffic signs or signals erected before (*insert the date of assent to this Act*) on land occupied by a shopping centre or other land where public traffic is allowed that do not comply with the standards determined by the Minister of Transport in respect of public highways must be replaced by traffic signs or signals in compliance with those standards not later than (*insert the date occurring three years after the date of assent to this Act*).

94. Sections 77 and 88 have effect from 25 May 2007.

95. The provisions of this Act come into force on the date or dates to be set by the Government, except sections 89 to 92, which come into force on 1 January 2008.

