

chapter C-24.2

HIGHWAY SAFETY CODE



See the Order respecting motorized mobility aids, chapter C-24.2, r. 1.01.

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TITLE PRELIMINARY

SCOPE, DUTY OF CARE AND DEFINITIONS

1986, c. 91; 2018, c. 7, s. 1.

1. This Code governs the use of vehicles on public highways and, in specified cases, on certain private roads and lands, and pedestrian, cyclist and other road user traffic on public highways.

It establishes the rules relating to highway safety, to the registration of road vehicles, to licences and permits which are under the administration of the Société de l'assurance automobile du Québec, and to the control of highway transportation of persons and goods.

The provisions of this Code regarding the registration and identification of a vehicle by means of a number affixed to it apply to the vehicles referred to in the Act respecting off-highway vehicles (chapter V-1.3).

The rules set out by this Code to ensure safe vehicular traffic are also applicable to off-highway vehicles and maintenance vehicles governed by the Act respecting off-highway vehicles when such vehicles travel in those areas where the Code applies, taking into account the specific equipment and vehicle specifications, and with the other necessary modifications.

In areas where this Code applies, if one of its provisions is inconsistent with a provision of the Act respecting off-highway vehicles, the more restrictive provisions to ensure public safety prevail. In particular, the lowest speed limits prevail.

1986, c. 91, s. 1; 1990, c. 19, s. 11; 1990, c. 83, s. 1; 1996, c. 56, s. 1; 1996, c. 60, s. 69; 2014, c. 12, s. 42; 2018, c. 7, s. 2; 2020, c. 26, s. 128.

2. The provisions of this Code which apply to the owner of a road vehicle also apply to every person who acquires or possesses a road vehicle under a title involving a condition or a term giving him the right to become owner thereof, or under a title giving him the right to use it as owner thereof charged to deliver over.

They also apply to every person who leases a road vehicle for a period of not less than one year.

1986, c. 91, s. 2.

3. The person in whose name a road vehicle is registered is responsible for any offence imputable to the owner pursuant to this Code.

1986, c. 91, s. 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, cyclists and mobility impaired persons.

Vulnerable users, for their part, have a duty to adopt behaviours that enhance their own safety.

2018, c. 7, s. 3.

4. In this Code, unless the context indicates otherwise,

“**automobile considered to be a taxi**” means a qualified automobile within the meaning of section 9 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) when it is used to offer remunerated passenger transportation;

“**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;

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

“**bus**” means a motor vehicle, other than a minibus, designed for the transportation of more than nine occupants at a time and used mainly for that purpose or equipped with devices to secure wheelchairs against movement;

“**combination of road vehicles**” means a combination of vehicles consisting of a motorized road vehicle drawing a trailer, a semi-trailer or a detachable axle;

“**commercial vehicle**” means a motor vehicle mainly used for the transportation of property;

“**drug**” includes cannabis and the other substances included in the types of drugs listed in subsection 5 of section 320.28 of the Criminal Code (R.S.C. 1985, c. C-46);

“**emergency vehicle**” means a road vehicle used as a police car in accordance with the Police Act (chapter P-13.1), a road vehicle used as an ambulance in accordance with the Act respecting pre-hospital emergency services (chapter S-6.2), a fire safety vehicle, or any other road vehicle which meets the criteria established by regulation for recognition as an emergency vehicle by the Société;

“**farmer**” means a natural person who is a member of an association certified under the Farm Producers Act (chapter P-28), a person who is the owner or the lessee of a farm and whose principal activity is agriculture, or an agricultural cooperative governed by the Cooperatives Act (chapter C-67.2) whose object is the use of agricultural equipment by its members;

“**health care professional**” means a person holding a permit or licence issued by one of the following professional orders, and who is entered on the roll of that order:

- (1) Ordre professionnel des médecins du Québec;
- (2) Ordre professionnel des optométristes du Québec;
- (3) Ordre professionnel des psychologues du Québec;
- (4) Ordre professionnel des ergothérapeutes du Québec;
- (5) Ordre professionnel des infirmières et infirmiers du Québec;

“**heavy vehicle**” means a heavy vehicle within the meaning of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);

“**low-speed vehicle**” means a motor vehicle having not more than four seats, belonging to the “low-speed vehicle” class defined in the Motor Vehicle Safety Regulations (C.R.C., c. 1038) and bearing a compliance label required by those Regulations;

“**minibus**” means a motor vehicle having two axles with single wheels and equipped with not more than five rows of seats for the transportation of more than nine occupants at a time, or equipped with devices to secure wheelchairs against movement;

“**moped**” means a passenger vehicle having two or three wheels and a maximum speed of 70 km/h, equipped with an electric motor or a motor having a piston displacement of not more than 50 cm³ and with an automatic transmission;

“**motorcycle**” means a passenger vehicle, other than a power-assisted bicycle, having two or three wheels that has at least one characteristic different from the characteristics of a moped;

“**motor vehicle**” means a motorized road vehicle primarily adapted for the transportation of persons or property;

“**municipality**” means a local municipality and also an metropolitan community or a regional county municipality where, under its constituent Act, it exercises its jurisdiction in respect of a public highway with regard to a matter contemplated in this Code;

“**off-highway vehicle**” means a vehicle to which the Act respecting off-highway vehicles (chapter V-1.3) applies;

“**passenger vehicle**” means a motor vehicle designed for the transportation of not more than nine occupants at a time, where such transportation does not require a permit from the Commission des transports du Québec;

“**personalized registration plate**” means a registration plate bearing a number chosen by the applicant;

“**pound**” means a place determined by a municipality or by the Société as a place to which road vehicles seized by a peace officer on behalf of the Société are taken;

“**power-assisted bicycle**” means a bicycle that has an electric motor;

“**public highway**” means the surface of land or of a structure, the maintenance of which is entrusted to a municipality, a government or one of its agencies, over part of which one or more roadways open to public vehicular traffic and, where such is the case, one or more cycle lanes are laid out, except

(1) highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune or the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation,

(2) highways under construction or repair, but only with respect to vehicles assigned to the construction or repair, and

(3) highways which the Government determines, under section 5.2, as being exempt from the application of this Code;

“**road vehicle**” means a motor vehicle that can be driven on a highway, other than a vehicle that runs only on rails, a power-assisted bicycle or an electrically propelled wheelchair; a trailer, a semi-trailer or a detachable axle is defined as a road vehicle;

“**roadway**” means that part of a public highway ordinarily used for vehicular traffic;

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

“**taxi**” means an automobile referred to in section 144 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);

“**tool vehicle**” means a road vehicle, other than a vehicle mounted on a truck chassis, manufactured to perform work and the work station of which is an integral part of the driver’s compartment. For the purposes of this definition, a truck chassis is a frame equipped with all the mechanical components required on a road vehicle designed for the transportation of persons, goods or equipment;

“**tow truck**” means a motor vehicle equipped to lift and tow a road vehicle or to load a road vehicle onto its platform.

1986, c. 91, s. 4; 1987, c. 94, s. 2; 1990, c. 19, s. 11; 1990, c. 85, s. 122; 1990, c. 64, s. 26; 1990, c. 83, s. 2; 1994, c. 13, s. 15, s. 16; 1996, c. 56, s. 2; 1997, c. 40, s. 3; 1996, c. 60, s. 70; 1998, c. 40, s. 55; 2000, c. 12, s. 315; 2000, c. 56, s. 218; 2000, c. 64, s. 1; 2001, c. 60, s. 166; 2002, c. 29, s. 1; 2002, c. 69, s. 123; 2003, c. 8, s. 6; 2004, c. 2, s. 1; 2005, c. 39, s. 52; 2006, c. 3, s. 35; 2008, c. 14, s. 1; 2007, c. 40, s. 1; 2010, c. 34, s. 1; 2012, c. 15, s. 1; 2015, c. 4, s. 18; 2016, c. 8, s. 51; 2018, c. 7, s. 4; 2018, c. 18, s. 1; 2018, c. 19, s. 21; 2019, c. 18, s. 224; 2020, c. 26, s. 149.



The definition of minibus set out with respect to a motor vehicle equipped with two restraining devices to keep a wheelchair in place and whose gross vehicle weight rating is 3,100 kg or less or, if the motor vehicle is a vehicle powered by electricity, 3,600 kg or less, is suspended. (See M.O. 2021-19, 2021-09-01, (2021) 153 G.O. 2, 3714).

5. For the purposes of this Code, the word “person” also includes a partnership and the words “farm machine” include a farm tractor.

1986, c. 91, s. 5; 2004, c. 2, s. 2.

5.1. For the purposes of this Code, a person is deemed to have the care or control of a road vehicle when that person occupies the seat or position ordinarily occupied by the driver in circumstances in which it may be believed that there is a risk of the person setting the vehicle in motion.

1996, c. 56, s. 3; 2002, c. 29, s. 2; 2008, c. 14, s. 2; 2018, c. 7, s. 5; 2018, c. 19, ss. 22 and 66.

5.2. The Government may, by order in council published in the *Gazette officielle du Québec*, determine that a highway to which paragraph *i* of section 3 of the Act respecting the Ministère des Transports (chapter M-28) applies is not a public highway within the meaning of section 4, or that certain provisions of this Code or of a regulation thereunder do not apply to such a highway.

1997, c. 40, s. 4.

TITLE 0.1

AUTOMOBILE ADVERTISING

2007, c. 40, s. 2.

5.3. In collaboration with automobile manufacturers, advertising agencies and highway safety stakeholders, the Société shall establish guidelines aimed at prohibiting any advertisement that portrays a road vehicle and conveys a careless attitude with respect to road safety by presenting situations that encourage reckless, dangerous or prohibited practices or behaviour.

The Société shall promote observance of the guidelines. It shall also, within two years, evaluate whether the guidelines have enabled the targeted objectives to be met, and report to the Minister of Transport.

The Minister shall table the report in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly shall examine the report.

2007, c. 40, s. 2.

TITLE I

REGISTRATION OF ROAD VEHICLES

CHAPTER I

GENERAL PROVISIONS

6. Every road vehicle must be registered except a vehicle exempt from registration under this Code.

1986, c. 91, s. 6.

7. The owner of a road vehicle must apply to the Société for its registration upon taking possession of it.

1986, c. 91, s. 7; 1990, c. 19, s. 11.

8. The owner of a road vehicle who establishes residence in Québec must apply to the Société for its registration within 90 days thereafter.

1986, c. 91, s. 8; 1990, c. 19, s. 11.

9. The Société may, on such conditions as it shall establish, appoint persons authorized to collect on its behalf the sums provided for in either of sections 21 or 31.1 and to effect any transaction it shall indicate relating to registration, and fix the amount and mode of their remuneration.

1986, c. 91, s. 9; 1990, c. 19, s. 11; 1990, c. 83, s. 3; 2018, c. 7, s. 6.

10. Registration is effected by entering in the register kept by the Société for that purpose such information concerning the road vehicle and its owner as is prescribed by regulation.

Registration shall subsist for as long as the road vehicle and its owner remain the same.

1986, c. 91, s. 10; 1990, c. 83, s. 4.

10.1. The Société shall issue, on the conditions and in the cases provided for by regulation, one or more of the following documents: a registration certificate, a registration plate including, if needed, a validation sticker.

The registration certificate, the registration plate and the sticker are valid for the period determined by regulation and the person in whose name registration is effected must renew them upon expiry.

1990, c. 83, s. 4; 1997, c. 49, s. 4.

10.2. Notwithstanding sections 10 and 10.1, registration of certain classes of road vehicles that are prescribed by regulation may be effected by entering in the register of the Société the information prescribed by regulation with regard to those classes of vehicles and to the persons meeting the conditions prescribed by regulation for obtaining such registration.

The Société shall issue one or more registration certificates and removable registration plates.

Every vehicle of a class contemplated in the first paragraph is deemed to be registered in accordance with section 6 when a removable registration plate is affixed to it.

Sections 188, 189 and 196 to 202 shall apply with any necessary changes, except that the Société shall cancel the registration obtained by any person under this section instead of prohibiting the putting back into operation of a road vehicle.

1990, c. 83, s. 4.

10.3. Every registration plate issued by the Société remains the property of the Société.

2018, c. 18, s. 3.

10.4. A personalized registration plate may, on payment of the fees prescribed by regulation and in the cases and on the conditions prescribed by government regulation, be issued to any person having a file at the Société relating to the registration of a road vehicle or to a licence authorizing the person to drive a road vehicle, provided that the person is the owner of such a vehicle or, if the person is not, that the person gives an undertaking to the Société to become the owner.

The Société is not responsible for any injury or damage which may result from an applicant's choice of number.

2018, c. 18, s. 3.

11. A handicapped person or a public institution may be authorized to use parking spaces reserved for the exclusive use of handicapped persons and be given an identification sticker and a certificate of issue to that effect.

The sticker and the certificate are issued upon payment of the fees prescribed by regulation.

A “public institution” is a public institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) that owns a motor vehicle equipped with devices to secure wheelchairs against movement.

The Société is responsible for the application of this section according to the rules established by agreement between the Société and the Minister of Transport.

1986, c. 91, s. 11; 1990, c. 19, s. 11; 1990, c. 83, s. 5; 1992, c. 21, s. 375; 1994, c. 23, s. 8; 1997, c. 49, s. 5; 2004, c. 34, s. 21.

11.1. The holder of an identification sticker must inform the Société of any change of address or of the destruction, loss or theft of the sticker or certificate of issue within 30 days.

The holder of an identification sticker must return the sticker and the certificate of issue to the Société if they are no longer required or if the holder no longer meets the eligibility requirements.

2002, c. 29, s. 3.

12. Every registration certificate shall contain the information determined by regulation.

1986, c. 91, s. 12.

13. *(Repealed).*

1986, c. 91, s. 13; 1990, c. 83, s. 6.

13.1. The Minister of Revenue may, at the request of the Société, verify the operational records of the fleets of road vehicles registered under apportioned registration pursuant to a regulation under section 631.

Sections 37.7, 38 and 42 of the Tax Administration Act (chapter A-6.002) apply to such verification with the necessary modifications.

2002, c. 62, s. 1; 2010, c. 31, s. 175.

CHAPTER II

VEHICLES EXEMPT FROM REGISTRATION

14. The following road vehicles are exempt from registration:

(1) a farm machine owned by a farmer, other than a farm tractor used on a public highway;

(2) *(paragraph repealed)*;

(3) an off-highway vehicle used exclusively in activities held in compliance with standards prescribed in a regulation made or approved by the Minister of Education, Recreation and Sports under the Act respecting safety in sports (chapter S-3.1) and, in the cases provided for by regulation, an off-highway vehicle to which the Act respecting off-highway vehicles (chapter V-1.3) applies and a recreation vehicle;

(4) a detachable axle;

(5) a single-axle towing dolly;

(6) a motorized scooter;

(7) a self-propelled aerial basket other than one mounted on a truck chassis;

(8) a road vehicle determined by regulation.

1986, c. 91, s. 14; 1987, c. 94, s. 3; 1990, c. 83, s. 7; 1996, c. 56, s. 4; 1996, c. 60, s. 71; 2001, c. 21, s. 1; 2002, c. 29, s. 4; 2004, c. 2, s. 3; 2014, c. 12, s. 43; 2020, c. 26, s. 149.

15. The following road vehicles, unless used on a public highway, are exempt from registration:

(1) a vehicle stocked by the manufacturer or, during delivery, a vehicle delivered by a manufacturer to a road vehicle dealer;

(2) a vehicle which a road vehicle dealer holds in stock for sale;

(3) a vehicle entrusted to the management of the Public Curator or to the Minister of Revenue as provisional administrator of property;

(4) a vehicle seized or impounded by a peace officer;

(5) a vehicle designed mainly for use on snow, other than a snowmobile to which the Act respecting off-highway vehicles (chapter V-1.3) applies in the cases prescribed by regulation.

The exemption provided for in the first paragraph applies to vehicles referred to in subparagraphs 1 and 2, other than a trailer or semi-trailer with a net mass of less than 1,300 kg, only if the road vehicle dealer holds a permit issued under the Consumer Protection Act (chapter P-40.1).

1986, c. 91, s. 15; 1996, c. 60, s. 72; 2004, c. 2, s. 4; 2005, c. 44, s. 50; 2015, c. 4, s. 19; 2020, c. 26, s. 149.

16. *(Repealed).*

1986, c. 91, s. 16; 2004, c. 2, s. 5.

17. A road vehicle the ownership of which is transferred following a death is exempt from registration if the ownership is again transferred within seven days after the heir or particular legatee obtains delivery of it or receives it in payment of his legacy.

1986, c. 91, s. 17; 1999, c. 40, s. 55.

18. A trailer or semi-trailer leased for a period not exceeding 12 months is exempt from registration if the following conditions are met:

(1) the leasing contract is entered into outside Québec;

(2) its owner is not required to hold a leasing permit from the Commission des transports du Québec;

(3) it is in the possession of the lessee;

(4) its net mass is 900 kg or less.

1986, c. 91, s. 18.

19. The passenger vehicle, trailer or semi-trailer of a non-resident is exempt from registration in Québec for a period of six consecutive months from his arrival if the following conditions are met:

(1) the vehicle is registered as required by the law of the main place of residence or the business establishment of its owner;

(2) the vehicle carries a valid registration plate of that place;

(3) the driver furnishes proof of that registration at the request of the Société or of a peace officer.

1986, c. 91, s. 19; 1990, c. 19, s. 11; 1999, c. 40, s. 55.

20. A road vehicle acquired outside Québec by a foreign student, *coopérant* or trainee staying in Québec is exempt from registration for the duration of his studies or training if the following conditions are met:

(1) the vehicle is registered as required by the law of the main place of residence of its owner or the place where he established residence;

(2) the vehicle carries a valid registration plate of that place;

(3) the student, *coopérant* or trainee furnishes proof of that registration at the request of the Société or of a peace officer;

(4) the same right is granted to students, *coopérants* or trainees from Québec staying in the place of domicile of that student, *coopérant* or trainee.

1986, c. 91, s. 20; 1990, c. 19, s. 11.

CHAPTER III

OBTENTION OF REGISTRATION

1990, c. 83, s. 8.

21. To obtain the registration of a road vehicle and the right to put the vehicle into operation on a public highway, a private road open to public vehicular traffic and on land occupied by shopping centres or other land where public traffic is allowed, the owner of the vehicle must

(1) comply with the conditions and formalities established by regulation;

(2) (*subparagraph repealed*);

(3) pay the fees fixed by regulation, the duties fixed by regulation and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25), the insurance contribution fixed pursuant to sections 151.1 and 151.2 of that Act and, where applicable, the contribution of motorists to public transit fixed pursuant to section 88.3 of the Transport Act (chapter T-12) or the contribution fixed under section 11 of the Act respecting off-highway vehicles (chapter V-1.3), hereinafter called the off-highway vehicle owners' contribution;

(4) have the prior authorization of the Commission des transports du Québec, in the cases provided for in sections 35 and 40.2 of the Transport Act, or of the Société, in the case provided for in the first paragraph of section 118 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);

(5) in respect of a road vehicle belonging to the class determined by regulation which is seven years old or less and whose value exceeds \$40,000, pay, according to the calculation methods established by regulation, an additional duty which, computed on an annual basis, is equal to 1% of the value of the vehicle in excess of \$40,000;

(6) in respect of a road vehicle belonging to a class determined by regulation, equipped with an engine with a displacement determined by regulation, pay an additional duty and an acquisition duty and an acquisition duty determined by regulation.

Notwithstanding the foregoing, the Société may, without further notice, prohibit such an owner from putting his vehicle into operation if he does not pay the sums referred to in paragraph 3 of the first paragraph or if he is indebted to the Société with regard to the sums referred to in section 31.1 in relation to any vehicle belonging to him or any sums referred to in either of section 69, 93.1 or 209.22.

No person may put a road vehicle into operation before the sums referred to in the second paragraph have been paid by the owner or, in the case of a heavy vehicle, before the owner or operator is registered in the *Registre des propriétaires et des exploitants de véhicules lourds* at the *Commission des transports du Québec*.

No person shall put a road vehicle into operation if a decision of the *Société* rendered under section 194 is in force.

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.

1986, c. 91, s. 21; 1987, c. 94, s. 4; 1990, c. 19, s. 11; 1991, c. 32, s. 165; 1990, c. 83, s. 9; 1991, c. 55, s. 8; 1993, c. 57, s. 5; 1996, c. 56, s. 5; 1997, c. 85, s. 13; 1998, c. 40, s. 56; 1999, c. 66, s. 1; 2001, c. 15, s. 128; 2003, c. 5, s. 1; 2004, c. 34, s. 22; 2004, c. 35, s. 40; 2007, c. 40, s. 3; 2010, c. 33, s. 22; 2016, c. 7, s. 85; 2019, c. 18, s. 225; 2020, c. 26, s. 129.

22. The registration of a road vehicle owned by a partnership is made in the name of the partner making the application.

1986, c. 91, s. 22.

23. The registration of a road vehicle acquired in co-ownership is made in the name of the co-owner making the application.

1986, c. 91, s. 23.

24. A minor applying for the registration of a road vehicle must furnish to the *Société* the written consent of the person having parental authority or, failing such a person, the consent of the person having legal custody of the minor.

The first paragraph does not apply to a minor if he is emancipated or engaged in trade, provided that he proves his status.

1986, c. 91, s. 24; 1990, c. 19, s. 11.

25. *(Repealed).*

1986, c. 91, s. 25; 1987, c. 94, s. 5; 1990, c. 19, s. 11; 1990, c. 83, s. 10.

26. The *Société* must refuse to register a road vehicle whenever the person applying for registration is unable to establish that he is the owner or joint owner of that vehicle or that the vehicle is the property of the partnership of which he is a member.

1986, c. 91, s. 26; 1990, c. 19, s. 11; 1990, c. 83, s. 11.

CHAPTER IV

CONDITIONS ATTACHED TO REGISTRATION

27. The person in whose name registration of a road vehicle has been effected by the *Société* must sign the registration certificate upon receiving it.

The certificate must bear the identifying mark of the *Société* or the signature of a person authorized by the *Société*.

1986, c. 91, s. 27; 1990, c. 19, s. 11; 1990, c. 83, s. 12.

28. The person in whose name the registration of a road vehicle is effected by the *Société* must inform the latter, upon making payment of the amounts required to be paid under section 31.1, of any change concerning

the information prescribed by regulation, and forming the registration or which appears on the registration certificate, the registration plate or the stickers.

That person must also, for as long as the registration is in effect, notify the Société of any such changes within 30 days after the change.

1986, c. 91, s. 28; 1990, c. 19, s. 11; 1990, c. 83, s. 13.

29. The owner of a road vehicle must place the temporary registration certificate issued to him in the upper left hand part of the rear window of the vehicle or in such other place as is determined by regulation.

1986, c. 91, s. 29.

30. The owner of a road vehicle must solidly attach the registration plate issued to him to the rear of the vehicle or to such other place as is determined by regulation.

Where a regulation prescribes the issue of two duplicates of the registration plate, one must be attached to the front of the vehicle and the other to the rear.

1986, c. 91, s. 30.

31. The owner of a road vehicle must place the validation stickers on the registration plate at the places determined by regulation.

1986, c. 91, s. 31; 1997, c. 49, s. 6.

31.1. To retain the right to drive a registered road vehicle, the owner thereof must, unless exempted by regulation, pay to the Société, at the intervals and over the periods determined by regulation, the fees fixed by regulation, the duties fixed by regulation and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25), the insurance contribution fixed pursuant to section 151.1 of that Act and, where applicable, the contribution of motorists to public transit fixed pursuant to section 88.3 of the Transport Act (chapter T-12), the contribution of off-highway vehicle owners and, in respect of a road vehicle belonging to a class determined by regulation which is seven years old or less and whose value exceeds \$40,000, an additional duty which, computed on an annual basis, is equal to 1% of the value of the vehicle in excess of \$40,000 and, in respect of a road vehicle belonging to a class determined by regulation, equipped with an engine with a displacement determined by regulation, an additional duty determined by regulation.

An owner who elects not to drive the vehicle for all or part of the period corresponding to the payment of the amounts referred to in the first paragraph must notify the Société thereof before the date on which payment of such amounts becomes due or any later date determined by regulation. In this case, he will not be bound to pay the duties, additional duties, fees, insurance contribution, contribution of motorists to public transit or contribution of off-highway vehicle owners prescribed for the period during which such election has effect.

If, on the due date, the owner has not paid the amounts referred to in the first paragraph or notified the Société of his intention to pay them by pre-authorized debit or if the owner has notified the Société of his election not to drive the vehicle in accordance with the second paragraph, no person may, as of the first day following the due date or as of the date on which the Société received the notice of election not to drive, and without further notice, put the road vehicle back into operation.

The owner may, during the period corresponding to the payment of the amounts referred to in the first paragraph, apply to the Société to obtain the authorization to put the road vehicle back into operation. He must, in that case, pay the duties, additional duties and fees, the insurance contribution, the contribution of motorists to public transit, the contribution of off-highway vehicle owners and the additional fee prescribed by regulation, in accordance with the terms and conditions prescribed by regulation.

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.

1990, c. 83, s. 14; 1991, c. 32, s. 166; 1993, c. 57, s. 6; 1997, c. 85, s. 14; 2004, c. 34, s. 23; 2004, c. 35, s. 41; 2000, c. 49, s. 25; 2007, c. 40, s. 4; 2008, c. 14, s. 3; 2009, c. 48, s. 15; 2010, c. 34, s. 2; 2010, c. 33, s. 23; 2020, c. 26, s. 130.

32. No registration plate may bear any inscription other than those determined by the Société.

The registration plate must be free of any object or matter that could impair its legibility; it must also, if attached to the rear of the vehicle, be sufficiently lighted.

1986, c. 91, s. 32; 1990, c. 19, s. 11.

32.1. Every registration plate number must be made up of Latin alphabet capital letters, Arabic numerals or a combination of both. It must be compatible with the plate numbering system established by the Société and be easy to read.

A registration plate number must not cause confusion with another plate number and, in the case of a personalized number, must not include an expression or a message, including when read in reverse, that

- (1) falsely suggests that the owner of the road vehicle is, or is related to, a public authority;
- (2) conveys a careless attitude with respect to road safety;
- (3) expresses an obscene or scandalous notion;
- (4) promotes the commission of a criminal offence;
- (5) the law reserves for another person or prohibits from being used; or
- (6) is not in conformity with the Charter of the French language (chapter C-11).

In the event of non-compliance with the conditions of this section, the Société may refuse to issue the plate or may invalidate it if the non-compliance is identified after the issuance of the plate.

A government regulation may prescribe rules for the creation of a plate number, in particular to allow the use of special characters; such rules may vary according to the classes of road vehicles.

2018, c. 18, s. 6.

32.2. Every personalized registration plate must, prior to its utilization, be activated in order to be associated, in the Société's register, with the vehicle on which it will be affixed. The time limit and other conditions of activation are prescribed by government regulation.

2018, c. 18, s. 6.

32.3. The holder of a personalized registration plate is required to pay the management fee for the administration of the personalized registration plate system, at the intervals and during the periods prescribed by government regulation.

The management fee is payable even if the holder no longer intends to associate the plate with his vehicle, does not have the authorization to put the vehicle into operation or transfers it to a third person.

If the holder fails to pay the management fee, the Société may invalidate the registration plate.

2018, c. 18, s. 6.

32.4. Where a personalized registration plate is invalidated, the road vehicle owner must apply to the Société for the replacement of the plate and pay the fees exigible prescribed by regulation.

Where the plate is invalidated under the third paragraph of section 32.1, the Société shall, when the plate is replaced, reimburse the fees paid in accordance with section 10.4.

2018, c. 18, s. 6.

32.5. The conditions for the reuse of a personalized number by another person having a registration file or a licence file at the Société are prescribed by government regulation.

2018, c. 18, s. 6.

33. A peace officer may require the driver of a road vehicle to clean the registration plate of the vehicle if the presence of dirt on the plate makes it difficult to read.

The driver must comply with the requirement of the peace officer.

1986, c. 91, s. 33.

34. No plate or sticker that may be confused with a registration plate or validation sticker issued by the Société or by any other competent administrative authority may be attached to a road vehicle or affixed to a plate, except in the case of a plate or sticker required under another law in force in Québec or of a plate attached in compliance with standards and conditions established under paragraph 19 of section 618.

1986, c. 91, s. 34; 1990, c. 19, s. 11; 1990, c. 83, s. 15.

35. The person driving or having the care or control of a road vehicle must have with him the registration certificate of the vehicle or a copy of it, except during the 10 days following registration, and the certificate of insurance provided for in the Automobile Insurance Act (chapter A-25).

If the registration certificate was issued under the International Registration Program (IRP), the person must have with him the original of the certificate, except in the cases provided for by the Program.

If the road vehicle is leased for less than one year or if it has been lent by a road vehicle dealer, the person must also have with him the contract of lease or a copy thereof, or a document evidencing the duration of the loan.

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, as well as on public highways. It also applies on highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 35; 1996, c. 56, s. 6; 1998, c. 40, s. 57; 2002, c. 29, s. 5; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 4; 2015, c. 4, s. 20.

36. The person driving or having the care or control of a road vehicle must remit for examination to a peace officer, at his request, the documents referred to in section 35.

The peace officer must return the documents to their holder as soon as he has examined them.

1986, c. 91, s. 36; 1996, c. 56, s. 7.

37. The person in whose name registration of a road vehicle has been effected by the Société must request the latter to replace any registration certificate, registration plate or sticker which is illegible, damaged or which contains inaccurate information.

1986, c. 91, s. 37; 1990, c. 19, s. 11; 1990, c. 83, s. 16.

38. Upon proof that a registration certificate, a registration plate or a sticker is illegible or damaged or has been destroyed, lost, stolen or that it contains inaccurate information, the Société shall replace it upon payment of the fee fixed by regulation.

1986, c. 91, s. 38; 1990, c. 19, s. 11; 1990, c. 83, s. 17.

39. Every person contemplated in section 10.2 or the owner of a road vehicle regarding which a decision of the Société has been rendered under any of sections 10.2, 188, or 196 to 202 must, at the request of the Société, return that vehicle's registration certificate and plate or the detachable registration plate to the Société on the date of coming into force of the decision or on any later date fixed by the Société. The same applies where the Société acts under section 189 or where the registration plate is invalid or has not been activated in accordance with section 32.2.

Where the owner refuses or fails to observe the requirement of this section, the Société may request a peace officer to confiscate the certificate and the registration plate. The owner of the vehicle must immediately remit his registration certificate and registration plate to the peace officer who requests him to do so and informs him of the reasons therefor.

1986, c. 91, s. 39; 1990, c. 19, s. 11; 1990, c. 83, s. 18; 1998, c. 40, s. 58; 2018, c. 18, s. 9.

39.1. No person may put back into operation any road vehicle in respect of which a decision of the Société rendered under any of sections 188, 194 or 196 to 202.0.1 is in force. The same applies where the Société acts under section 189.

1990, c. 83, s. 19; 1998, c. 40, s. 59; 2003, c. 5, s. 2; 2012, c. 15, s. 2.

CHAPTER V

TRANSFER OF ROAD VEHICLES

40. Where the right of ownership of a road vehicle is transferred between parties neither of whom is a road vehicle dealer, the transferor must remit to the Société the registration certificate and the registration plate issued for the vehicle, after endorsing the certificate, and the new purchaser must apply for a new registration.

1986, c. 91, s. 40; 1990, c. 19, s. 11; 2015, c. 4, s. 21.

41. Where road vehicles are exchanged between parties neither of whom is a road vehicle dealer, each owner must remit to the Société the registration certificate, endorsed, issued for his vehicle and apply for a new registration.

1986, c. 91, s. 41; 1990, c. 19, s. 11; 2015, c. 4, s. 22.

42. Where the right of ownership of a road vehicle is transferred to a road vehicle dealer, the transferor who is not purchasing a new vehicle must remit the registration certificate of the vehicle to the dealer after endorsing it and transmit the registration plate of the vehicle to the Société.

1986, c. 91, s. 42; 1990, c. 19, s. 11; 2015, c. 4, s. 23.

43. Where the right of ownership of a road vehicle is transferred to a road vehicle dealer, the transferor who is purchasing a new vehicle must retain the registration plate, remit the registration certificate to the dealer after endorsing it and apply to the Société for the issue of a certificate for the new vehicle.

1986, c. 91, s. 43; 1990, c. 19, s. 11; 2015, c. 4, s. 24.

44. Sections 40 to 43 do not apply to the transfer of the right of ownership of a road vehicle that is under a contract of lease with a term of one year or more.

1986, c. 91, s. 44.

45. The lessee of a road vehicle leased for a term of one year or more must, at the end of the contract of lease, remit the registration certificate and registration plate of the leased vehicle to the Société.

1986, c. 91, s. 45; 1990, c. 19, s. 11.

46. Subject to section 17, a person who becomes the owner of a road vehicle as a result of a death, a gift, a partition, a winding-up, a bankruptcy, the exercise of a right of repossession, the complete transfer of a business or a sale under judicial authority must remit the registration certificate to the Société and apply for a new registration for the vehicle.

1986, c. 91, s. 46; 1990, c. 19, s. 11; I.N. 2016-01-01 (NCCP).

47. *(Repealed).*

1986, c. 91, s. 47; 1987, c. 94, s. 6; 1990, c. 19, s. 11; 1990, c. 83, s. 20.

CHAPTER VI

PENAL PROVISIONS

48. Every owner of a road vehicle who contravenes any of sections 29, 30 and 31 is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 48; 1990, c. 4, s. 212.

49. Every person who contravenes section 32, the second paragraph of section 33, or either of sections 35 and 37, is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 49; 1990, c. 4, s. 212.

50. Every person who drives a road vehicle the registration plate of which is so damaged as to prevent the identification of the vehicle is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 50; 1990, c. 4, s. 212.

51. Every person who contravenes the first paragraph of section 27, or any of sections 11.1, 28 or 40 to 46 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 51; 1987, c. 94, s. 7; 1990, c. 4, s. 212; 2002, c. 29, s. 6.

52. *(Repealed).*

1986, c. 91, s. 52; 1990, c. 4, s. 212; 2012, c. 15, s. 3.

53. Every person who contravenes the first paragraph of section 36 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 53; 1990, c. 4, s. 212.

54. Every person who drives a road vehicle and every owner who allows his vehicle to be driven carrying a registration plate of a class other than the class corresponding to that vehicle, or which is being used for a purpose other than the purpose indicated in its registration, or carrying a registration plate issued for another road vehicle, is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 54; 1990, c. 4, s. 212; 1990, c. 83, s. 21.

54.1. Every owner of a road vehicle who drives the vehicle or allows it to be driven while it is carrying a registration plate that has not been activated in accordance with section 32.2 is guilty of an offence and is liable to a fine of \$100 to \$200.

2018, c. 18, s. 13.

54.2. Every owner of a road vehicle who drives the vehicle or allows it to be driven while it is carrying an invalid personalized registration plate is guilty of an offence and is liable to a fine of \$200 to \$300.

2018, c. 18, s. 13.

55. Every owner of a road vehicle who contravenes section 7 or section 8 is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 55; 1990, c. 4, s. 212; 1996, c. 56, s. 8.

56. Every person who drives a road vehicle carrying a plate or a sticker described in section 34 is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 56; 1990, c. 4, s. 212; 1990, c. 83, s. 22.

57. Every person who contravenes section 34, or who attaches to a road vehicle a registration plate issued for another road vehicle or affixes to a plate a validation sticker issued for another road vehicle is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 57; 1990, c. 4, s. 212; 1990, c. 83, s. 23.

58. Every owner of a road vehicle who contravenes section 6 or section 39 is guilty of an offence and is liable to a fine of \$300 to \$600.

1986, c. 91, s. 58; 1990, c. 4, s. 212; 1996, c. 56, s. 9.

59. Every person who contravenes the third, fourth or fifth paragraph of section 21, the third or fifth paragraph of section 31.1, or section 39.1, or who knowingly gives false or misleading information in applying for the registration of a road vehicle or in respect of a change referred to in section 28 is guilty of an offence and is liable to a fine of \$300 to \$600.

Every owner of a heavy vehicle who knowingly supplies false or misleading information on applying for registration or in respect of a change referred to in section 28 is guilty of an offence and is liable to a fine of \$500 to \$1,500.

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.

1986, c. 91, s. 59; 1990, c. 4, s. 212; 1990, c. 83, s. 24; 1998, c. 40, s. 60; 2003, c. 5, s. 3; 2007, c. 40, s. 5; 2010, c. 34, s. 3; 2012, c. 15, s. 4.

60. Every person who makes a plate or a sticker described in section 34 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 60; 1990, c. 4, s. 212; 1990, c. 83, s. 25.

TITLE II

LICENCES TO DRIVE ROAD VEHICLES

CHAPTER I

GENERAL PROVISIONS

60.1. The requirements relating to learner's licences, probationary licences, driver's licences and restricted licences are intended to ensure that authorization to drive is granted only to persons possessing the proficiency and attitudes of care necessary for the safety of the public.

1996, c. 56, s. 10.

60.2. The provisions of this Title apply 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 and on land occupied by shopping centres or other land where public traffic is allowed.

2004, c. 2, s. 6; 2006, c. 3, s. 35.

61. The Société shall issue the following licences to drive road vehicles: learner's licences, probationary licences, driver's licences and restricted licences.

The holder of a licence cannot be required to produce his licence except where so required by a peace officer or by the Société for the purposes of highway safety.

1986, c. 91, s. 61; 1990, c. 19, s. 11; 1990, c. 83, s. 26; 1995, c. 6, s. 1.

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

Only the Société may suspend or revoke the recognition of a driving school for non-compliance with the conditions for recognition.

1986, c. 91, s. 62; 1990, c. 19, s. 11; 1996, c. 56, s. 11; 2009, c. 55, s. 1; 2018, c. 7, s. 7.

63. Licences shall contain the information prescribed by regulation and, with the exception of restricted licences, are valid for the period prescribed by regulation.

1986, c. 91, s. 63.

63.1. Licences shall bear the signature of the holder as well as a photograph of the holder that meets the standards prescribed by regulation.

However, the Société may, according to the category of a licence, in the circumstances and on the conditions determined by regulation, issue a licence that does not bear the photograph or signature of the holder.

1995, c. 6, s. 2; 2004, c. 2, s. 7.

63.2. *(Repealed).*

2007, c. 40, s. 7; 2008, c. 14, s. 5; 2018, c. 7, s. 8.

64. The Société may attach conditions to a licence in the cases prescribed and according to the criteria established by regulation.

On the request of a person who holds a licence or is applying for a licence, the Société may limit the right to drive to road vehicles equipped with an alcohol ignition interlock device approved by the Société. The licence issued and any subsequent licence are subject to that condition as long as the person has not established by means of an assessment that the person's relationship with alcohol or drugs does not compromise the safe operation of a road vehicle. The assessment is governed by the provisions of section 76.1.9.

A person who is not subject to mandatory use of an alcohol interlock device approved by the Société under this Code and does not make a request under the second paragraph may purchase any other alcohol interlock device and install such a device on the person's vehicle without notifying the Société; in such a case, the condition set out in the second paragraph is not attached to the person's driver's licence, and section 64.1 does not apply.

1986, c. 91, s. 64; 1990, c. 19, s. 11; 2001, c. 29, s. 1; 2007, c. 40, s. 8.

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.

2007, c. 40, s. 9; 2018, c. 7, s. 9.

CHAPTER II

SPECIAL PROVISIONS RESPECTING LEARNER'S LICENCES, PROBATIONARY LICENCES AND DRIVER'S LICENCES

1990, c. 83, s. 27.

DIVISION I

ISSUE OF LICENCES

65. No person may drive a road vehicle unless he holds a driver's licence of the class appropriate to the driving of that vehicle as determined by regulation, and containing the particulars prescribed by regulation, if any.

1986, c. 91, s. 65; 1996, c. 56, s. 12; 1998, c. 40, s. 61; 1999, c. 66, s. 2; 2003, c. 8, s. 6; 2004, c. 2, s. 8.

65.1. *(Repealed).*

1990, c. 83, s. 28; 1996, c. 56, s. 13.

66. A person applying for a licence to drive a road vehicle, except a licence of a class determined by regulation, must have held a learner's licence for the period fixed by regulation. The period may vary according to the class of licence.

A person applying for a licence other than a moped licence or a farm tractor licence must also have held a probationary licence for the period prescribed by regulation.

1986, c. 91, s. 66; 1990, c. 19, s. 11; 1990, c. 83, s. 29; 1996, c. 56, s. 14; 2007, c. 40, s. 10.

66.1. Persons applying for their first licence to drive a motorcycle, a moped or another passenger vehicle must successfully complete a driving course appropriate for the class of licence requested, given by a driving school recognized in accordance with section 62.

The course must comprise a theoretical part and a practical part. The deadline for the successful completion of each part of the course and the cases in which a person may be exempted from taking the course are determined by government regulation.

In addition, the Government may, by regulation, set the maximum and minimum amounts chargeable for a course to drive a passenger vehicle.

2007, c. 40, s. 11; 2009, c. 55, s. 2; 2018, c. 7, s. 10.

67. To obtain a licence, a person, unless exempted by regulation, must pass the proficiency examinations of the Société, which shall establish the formalities, procedures and content relating to each class of licence and the minimum period of time which must lapse before a person who has failed an examination may again undergo such an examination.

The person must be at least 14 years of age in the case of a licence to drive a moped exclusively and 16 years of age in other cases.

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

1986, c. 91, s. 67; 1990, c. 19, s. 11; 1990, c. 83, s. 30; 2000, c. 31, s. 1; 2018, c. 7, s. 11.

68. A minor applying for a licence must furnish to the Société the written consent of the person having parental authority or, failing such a person, the consent of the person having legal custody of the minor.

The first paragraph does not apply to a minor if he is emancipated or engaged in trade, provided that he proves his status.

1986, c. 91, s. 68; 1990, c. 19, s. 11.

69. To obtain or renew a licence, a person must satisfy the conditions and comply with the formalities established by regulation, and, except in the cases prescribed by regulation, pay the Société the fees fixed by regulation. He must also, to obtain a licence, except in the cases prescribed by regulation, pay the Société the duties fixed by regulation and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25) and the insurance contribution fixed pursuant to sections 151 and 151.2 of that Act.

Notwithstanding the first paragraph, where a person is applying for his learner's licence only for the duration of the practical session of his proficiency examination, he is not required to pay the amounts prescribed in the first paragraph.

1986, c. 91, s. 69; 1987, c. 94, s. 8; 1990, c. 19, s. 11; 1990, c. 83, s. 31; 1993, c. 57, s. 7; 1995, c. 6, s. 3; 2004, c. 34, s. 24.

69.1. The Société may appoint, on the conditions it establishes, persons it shall authorize to collect on its behalf the amounts prescribed in section 93.1 as well as to carry out any operation it indicates, and determine the amount and mode of remuneration of those persons.

1988, c. 68, s. 1; 1990, c. 19, s. 11; 1990, c. 83, s. 32; 2018, c. 7, s. 12.

70. To have the class of his licence changed or to have another class added to it, a person must meet the conditions for obtaining a licence of the class he is applying for.

1986, c. 91, s. 70.

71. *(Repealed).*

1986, c. 91, s. 71; 1990, c. 19, s. 11; 1990, c. 83, s. 33; 1996, c. 56, s. 15.

72. *(Repealed).*

1986, c. 91, s. 72; 1990, c. 19, s. 11; 1990, c. 83, s. 34; 1996, c. 56, s. 15.

73. The Société may require a person applying for a licence or for the renewal of a licence, to have the class of his licence changed or to have another class added to it, or to have a condition appearing on his licence removed, to undergo a medical examination or health assessment by such health professional as the Société may designate by name. The person must, where so required by the Société, submit to it a report of the examination or assessment within the time it indicates, which may in no case exceed 90 days.

In addition, the Société may require that the examination or assessment be carried out in a hospital centre or in a rehabilitation centre it designates by name or that belongs to the class it specifies among the classes established by section 86 of the Act respecting health services and social services (chapter S-4.2).

If the assessment is carried out in an alcohol and drug rehabilitation centre or in a hospital centre offering alcohol and drug rehabilitation services, it must be carried out by a person authorized by that centre according to the rules established by agreement between the Société and the centre and between the Société and the Association des centres de réadaptation en dépendance du Québec.

The Société may also require that a person applying for the removal of a condition appearing on his licence undergo a proficiency examination.

If the medical examination of a person shows that the person has a disorder related to the consumption of alcohol or if a health assessment establishes that the person's relationship with alcohol or drugs compromises the safe operation of a road vehicle corresponding to the class of licence concerned, the person may be authorized to drive such a vehicle under a driver's licence or a probationary licence only if the vehicle is equipped with an alcohol ignition interlock device approved by the Société.

1986, c. 91, s. 73; 1987, c. 94, s. 9; 1990, c. 19, s. 11; 1996, c. 56, s. 16; 2001, c. 29, s. 2; 2004, c. 2, s. 9; 2010, c. 34, s. 4; 2018, c. 19, s. 23; 2020, c. 6, s. 14.

74. *(Repealed).*

1986, c. 91, s. 74; 1988, c. 68, s. 2.

75. A person who has not been authorized to drive a road vehicle for three years or longer must pass the proficiency examinations prescribed by section 67 to obtain a driver's licence.

1986, c. 91, s. 75; 1995, c. 6, s. 4.

76. Subject to section 76.1.1, no licence may be issued to a person whose licence has been cancelled or whose right to obtain a licence has been suspended following a conviction for an offence under the Criminal Code (R.S.C. 1985, c. C-46) listed in section 180 of this Code before a period of one, three or five years has elapsed since the date of the cancellation or suspension, depending on whether, during the 10 years before the cancellation or suspension, the person incurred no cancellation or suspension, one cancellation or suspension or two or more cancellations or suspensions under that section.

If the conviction is followed by an order prohibiting the offender from operating a road vehicle under Part VIII.1 of the Criminal Code on offences relating to conveyances for a longer period than the period applicable under the first paragraph, the period prescribed in the order is the applicable period.

1986, c. 91, s. 76; 1988, c. 68, s. 3; 1996, c. 56, s. 17; 2001, c. 29, s. 3; 2007, c. 40, s. 12; 2018, c. 19, s. 24.

76.1. When the offence for which the cancellation or suspension is incurred is fleeing from a peace officer or failing to stop after an accident, the one-and three-year sanction periods under the first paragraph of section 76 are extended by three and two years respectively.

1996, c. 56, s. 18; 2001, c. 29, s. 4; 2002, c. 29, s. 8; 2007, c. 40, s. 12; 2018, c. 19, s. 25.

76.1.1. As soon as the order of prohibition referred to in the second paragraph of section 76 expires or, unless the court orders otherwise, as soon as the minimum absolute prohibition period under the Criminal Code expires, a person who has incurred a cancellation or suspension for an alcohol- or drug-related offence, for having a high blood alcohol concentration level or for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs may be authorized, under a restricted licence, to drive a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société.

2007, c. 40, s. 12; 2010, c. 34, s. 5; 2018, c. 19, s. 26.

76.1.2. When the offence for which a cancellation or suspension is incurred is an alcohol- or drug-related offence and if, during the 10 years before cancellation or suspension, the person incurred no cancellation or suspension for an alcohol- or drug-related offence, for having a high blood alcohol concentration level or for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, 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.

A person who fails a summary assessment must meet the requirement set out in the first paragraph by means of a comprehensive assessment.

A person who passes a summary assessment must, after paying the Société the related fees, successfully complete an education program accredited by the Minister of Transport that is designed to raise driver awareness about alcohol-and drug-related problems.

2007, c. 40, s. 12; 2018, c. 7, s. 13; 2018, c. 19, s. 27.

76.1.3. A new driver's licence issued to a person referred to in section 76.1.2 who has passed a comprehensive assessment is subject to driving a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société for one year.

2007, c. 40, s. 12; 2010, c. 34, s. 6; 2018, c. 7, s. 14.

76.1.4. When the offence for which the cancellation or suspension is incurred is failing or refusing to comply with a peace officer's demand or having a high blood alcohol concentration level, the one-and three-year sanction periods set out in the first paragraph of section 76 are extended by two years.

If, during the 10 years before the cancellation or suspension, the person incurred no cancellation or suspension for an alcohol- or drug-related offence, for having a high blood alcohol concentration level or for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, 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.

2007, c. 40, s. 12; 2010, c. 34, s. 7; 2018, c. 7, s. 15; 2018, c. 19, s. 28.

76.1.4.1. In order to obtain a new licence, a person is exempted from the comprehensive assessment provided for in section 76.1.4 if, between the date of the offence and that of the conviction, the person establishes by means of a health assessment under section 73 and paragraph 4 of section 109 that the person's relationship with alcohol and drugs does not compromise the safe operation of a road vehicle corresponding to the class of licence concerned. However, the person must undergo an assessment to verify whether the status of the person's relationship with alcohol and drugs has been maintained.

A health assessment that has not been completed by the date of conviction may be continued after that date with a view to obtaining an exemption under the first paragraph.

A person who fails the maintenance assessment provided for in the first paragraph must undergo the comprehensive assessment provided for in section 76.1.4.

2010, c. 34, s. 8; 2018, c. 7, s. 16.

76.1.5. A new licence issued to a person referred to in section 76.1.4 who has passed a comprehensive assessment or a maintenance assessment provided for in section 76.1.4.1 is subject to driving a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société for two years.

2007, c. 40, s. 12; 2010, c. 34, s. 9; 2018, c. 7, s. 17.

76.1.6. When the offence for which a cancellation or suspension is incurred is an alcohol- or drug-related offence, having a high blood alcohol concentration level or failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs 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.

2007, c. 40, s. 12; 2010, c. 34, s. 10; 2018, c. 7, s. 18; 2018, c. 19, s. 29.

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.

2018, c. 7, s. 19.

76.1.6.2. When the application is served on it, the Société shall transmit to the court and to the applicant, 30 days 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.

2018, c. 7, s. 19.

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.

2018, c. 7, s. 19.

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.

2018, c. 7, s. 19.

76.1.7. For the purposes of sections 76.1 to 76.1.6,

(1) "an alcohol- or drug-related offence" means any offence under section 320.14 of the Criminal Code (R.S.C. 1985, c. C-46) other than having a high blood alcohol concentration level;

(2) "having a high blood alcohol concentration level" means any offence under section 320.14 of the Criminal Code for which a court decision states that the offender's blood alcohol concentration level at the time of the offence was equal to or in excess of 160 mg of alcohol in 100 ml of blood;

(3) "failing or refusing to comply with a peace officer's demand" means any offence under section 320.15 of the Criminal Code following an order made under section 320.27 or 320.28 of the Criminal Code;

(4) "failing to stop after an accident" means any offence under section 320.16 of the Criminal Code; and

(5) "fleeing from a peace officer" means any offence under section 320.17 of the Criminal Code.

2007, c. 40, s. 12; 2008, c. 14, s. 7; 2010, c. 34, s. 11; 2018, c. 19, s. 30.

76.1.8. If a person fails the assessment required under section 76.1.2, 76.1.4 or 76.1.4.1 or refuses to undergo an assessment, the Société may, for the period it determines, issue a probationary licence or a driver's licence authorizing the person to drive a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société.

2007, c. 40, s. 12; 2010, c. 34, s. 12.

76.1.9. Alcohol and drug rehabilitation centres and hospital centres offering rehabilitation services for alcoholics and drug addicts are responsible for the assessments referred to in sections 64, 76.1.2, 76.1.4 and 76.1.4.1. The assessments are carried out by persons authorized by those centres according to rules determined by agreement between the Société and those centres and between the Société and the Association des centres de réadaptation en dépendance du Québec.

2007, c. 40, s. 12; 2010, c. 34, s. 13.

76.1.10. When computing the one- and two-year periods set out in sections 76.1.3 and 76.1.5, any time during which the licence was suspended or the person was prohibited from driving a road vehicle under the first paragraph of section 93.1 must be disregarded.

2007, c. 40, s. 12; 2018, c. 7, s. 20.

76.1.11. If the cancelled licence was a learner's licence, the new licence is also a learner's licence and the person must complete any unfinished learning period, after which the person may only obtain a licence authorizing the person to drive a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société for the period referred to in sections 76.1.3, 76.1.5 and 76.1.6.

2007, c. 40, s. 12.

76.1.12. The Société may exempt a person from the requirement under section 76.1.3, 76.1.5 or 76.1.6 to equip the vehicle the person drives with an alcohol ignition interlock device if exceptional medical reasons warrant such a decision. The person is prohibited from operating a vehicle or having the care or control of a

vehicle if there is any alcohol in the person's body. The Société may require the person to provide information and documents concerning the person's relationship with alcohol.

2007, c. 40, s. 12.

76.2. The holder of a restricted licence issued under section 76.1.1 who drives a road vehicle that is not equipped with the alcohol ignition interlock device referred to in that section or who does not comply with the conditions on which the alcohol ignition interlock device is to be used is deemed to drive while disqualified within the meaning of section 106.1.

1996, c. 56, s. 18; 2001, c. 29, s. 5; 2007, c. 40, s. 13.

76.3. No restricted licence may be issued under section 76.1.1 if the licence cancelled is a learner's licence or if the applicant has never held a probationary licence or a driver's licence authorizing the operation of a passenger vehicle other than a moped or a motorcycle.

1996, c. 56, s. 18; 2001, c. 29, s. 6; 2007, c. 40, s. 13.

76.4. Sections 69, 93, 95 to 98 and 102 to 104, adapted as required, apply to the restricted licence referred to in section 76.1.1.

1996, c. 56, s. 18; 2007, c. 40, s. 13.

77. *(Repealed).*

1986, c. 91, s. 77; 2000, c. 64, s. 2.

78. *(Repealed).*

1986, c. 91, s. 78; 1990, c. 19, s. 11; 2019, c. 18, s. 226.

79. *(Repealed).*

1986, c. 91, s. 79; 2007, c. 40, s. 14.

80. *(Repealed).*

1986, c. 91, s. 80; 2000, c. 64, s. 2.

80.1. A person whose licence has been cancelled or whose right to obtain a licence has been suspended pursuant to section 187.1 must, to obtain a licence, comply with the conditions and formalities established by regulation.

No licence may be issued to that person from the date of cancellation of his licence or suspension of his right to obtain a licence until the lapse of

(1) a period of three months if the person, during the two years preceding that cancellation or suspension, incurred no other cancellation or suspension;

(2) a period of six months if the person, during the two years preceding that cancellation or suspension, incurred only one cancellation or suspension;

(3) a period of one year if the person had, during the two years preceding that cancellation or suspension, incurred more than one other cancellation or suspension.

1987, c. 94, s. 10; 1990, c. 83, s. 35.

80.2. *(Repealed).*

1987, c. 94, s. 10; 2000, c. 64, s. 2.

80.3. *(Repealed).*

1987, c. 94, s. 10; 1998, c. 40, s. 62.

80.4. *(Repealed).*

1987, c. 94, s. 10; 2000, c. 64, s. 2.

81. The Société may refuse to issue a licence or to change the class of or add another class to a licence if the applicant

(1) refuses to undergo a medical examination or assessment under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or fails to submit the report of such an examination or assessment to it;

(2) according to a report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, suffers from an illness or deficiency or is in a condition which under the medical or health standards prescribed by regulation is relatively inconsistent with the driving of a road vehicle corresponding to the class of licence applied for;

(3) according to the report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, suffers from an illness or deficiency or is in a condition not covered by the medical or health standards prescribed by regulation but which, in the opinion of a health care professional or such other professional as the Société may designate by name or of a person authorized by an alcohol and drug rehabilitation centre, is incompatible with the driving of a road vehicle corresponding to the class of licence applied for;

(4) refuses to undergo or fails a proficiency examination;

(5) is indebted to the Société in respect of the amounts prescribed in any of sections 21, 31.1, 69 and 93.1 or in respect of the fee exigible for the issue of a certificate of mechanical inspection, an inspection sticker or a photometric inspection certificate.

1986, c. 91, s. 81; 1987, c. 94, s. 11; 1990, c. 19, s. 11; 1990, c. 83, s. 36; 1996, c. 56, s. 19; 2002, c. 29, s. 9; 2004, c. 2, s. 10; 2007, c. 40, s. 15; 2010, c. 34, s. 14.

82. The Société may refuse to remove a condition appearing on a licence if the holder

(1) refuses to undergo a medical examination or health or behaviour assessment under section 73 or fails to submit the report of such an examination or assessment to it;

(2) according to a report of an examination or assessment carried out under section 73, still suffers from the illness or deficiency or is still in the condition which led the Société to attach the condition to his licence;

(3) refuses to undergo a proficiency examination or fails it.

1986, c. 91, s. 82; 1987, c. 94, s. 12; 1990, c. 19, s. 11; 1996, c. 56, s. 20.

83. The Société must refuse to issue a licence or to change the class of or add another class to a licence if the applicant

(1) does not meet the requirements for the issue of a licence of the class applied for;

(2) according to a report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, suffers from an illness or deficiency or is in a condition

which, under the medical or health standards established by regulation, is essentially inconsistent with the driving of a road vehicle corresponding to the class of licence applied for;

(3) is under a prohibition to operate a motor vehicle, or has incurred the cancellation or suspension of his licence or class of that licence or the suspension of his right to obtain a licence or class of licence that is in effect or imposed and not yet in effect, including those incurred under a law of Canada, of another province or territory of Canada or under a law of a State of the United States;

(4) does not comply with the conditions and formalities referred to in sections 76 to 76.1.12, 80.1, 185 and 191.2;

(5) does not meet the requirement set out in the second paragraph of section 67;

(6) refuses to be photographed by the Société or to affix his signature, in the manner indicated by the Société.

1986, c. 91, s. 83; 1988, c. 68, s. 4; 1990, c. 19, s. 11; 1990, c. 83, s. 37; 1995, c. 6, s. 5; 1996, c. 56, s. 21; 2004, c. 2, s. 11; 2007, c. 40, s. 16; 2010, c. 34, s. 15.

83.1. Notwithstanding paragraph 2 of section 83, the Société may issue a licence, change its class or add another class to it if the applicant establishes to the satisfaction of the Société

(1) that he has developed compensatory abilities enabling him to drive a road vehicle corresponding to the class of the licence applied for without constituting a hazard to public safety; or

(2) that he can drive a road vehicle corresponding to the class of the licence applied for by complying with conditions related to his functional capability which enable him to drive the vehicle without constituting a hazard to public safety.

1990, c. 83, s. 38.

84. *(Repealed).*

1986, c. 91, s. 84; 1990, c. 19, s. 11; 1990, c. 4, s. 213; 2003, c. 5, s. 4.

DIVISION II

RIGHTS AND OBLIGATIONS OF NON-RESIDENTS

85. A non-resident may drive a road vehicle for a period of not over six consecutive months without holding a licence issued by the Société if he meets the following requirements:

(1) he holds a valid driver's licence issued by another administrative authority which grants the same right to residents of Québec;

(2) the driver's licence issued by that other administrative authority authorizes him to drive a vehicle of the class of vehicles he drives in Québec;

(3) he respects the conditions attached to the driver's licence he holds;

(4) his right to obtain a licence or a class of licence issued by the Société has not been suspended.

1986, c. 91, s. 85; 1990, c. 19, s. 11; 1990, c. 83, s. 39.

86. A foreign student, *coopérant* or trainee staying in Québec may drive a passenger vehicle during his period of studies or training without holding a licence issued by the Société if he meets the requirements of section 85.

1986, c. 91, s. 86; 1990, c. 19, s. 11.

87. A non-resident whose main occupation is driving a road vehicle and who drives a road vehicle in Québec is exempt from the obligation of obtaining a licence from the Société if he holds a valid driver's licence issued by another administrative authority authorizing him to drive the road vehicle that he is driving in Québec.

1986, c. 91, s. 87; 1987, c. 94, s. 13; 1990, c. 19, s. 11.

88. Notwithstanding sections 85 and 86, a non-resident holding an International Driver's Permit may, while it is valid, drive the road vehicles he is authorized to drive by the licence on the basis of which the International Driver's Permit was issued to him.

1986, c. 91, s. 88.

89. A person holding a valid driver's licence issued by another administrative authority may, during the six months after settling in Québec, drive a passenger vehicle in Québec without obtaining a licence from the Société.

1986, c. 91, s. 89; 1990, c. 19, s. 11; 2010, c. 34, s. 16.

90. A person holding a valid driver's licence issued in Canada by another administrative authority may, if he settles in Québec, exchange that licence, without an examination, for a driver's licence issued by the Société, on payment of the duties and fee prescribed by regulation and the amount fixed under section 151 of the Automobile Insurance Act (chapter A-25).

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.

Notwithstanding the foregoing, the Société may require that the person referred to in the first paragraph or in the second paragraph undergo an examination to obtain a licence authorizing him to drive a commercial vehicle, an emergency vehicle, a bus or a minibus.

1986, c. 91, s. 90; 1987, c. 94, s. 14; 1990, c. 19, s. 11; 2008, c. 14, s. 8; 2019, c. 18, s. 227.

90.1. (*Repealed*).

1990, c. 83, s. 41; 2002, c. 29, s. 10.

91. Any person holding a driver's licence issued outside Canada who settles in Québec may on request, provided the particulars and validity of the holder's title can be verified directly with the administrative authority concerned through the use of information technology, exchange that licence, without undergoing a proficiency examination, for an equivalent driver's licence issued by the Société.

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.

However, the person must pass the proficiency examinations referred to in section 67 to obtain a licence to drive a bus, a minibus, a motorcycle or a commercial vehicle or to operate an emergency vehicle.

1986, c. 91, s. 91; 1987, c. 94, s. 15; 1990, c. 19, s. 11; 1996, c. 56, s. 22; 2002, c. 29, s. 11; 2008, c. 14, s. 9; 2019, c. 18, s. 227.

91.1. Any person holding a valid driver's licence for the operation of a passenger vehicle issued outside Canada who settles in Québec may on request, if the administrative authority concerned has entered into a licence exchange agreement pursuant to section 629, exchange that licence, without undergoing a proficiency examination, for an equivalent driver's licence issued by the Société.

However, the person must pass the proficiency examinations referred to in section 67 to obtain a licence to drive a motorcycle.

The Société may exempt a person from surrendering to the Société the licence issued in his or her country of origin.

2002, c. 29, s. 11.

91.2. A regulation of the Government shall determine the time within which a licence exchange under section 91 or 91.1 must be applied for. The applicant must pay the duties and fees prescribed by regulation and the amount fixed under section 151 of the Automobile Insurance Act (chapter A-25).

2002, c. 29, s. 11.

91.3. A person who has held a driver's licence for at least one year who settles in Québec after living in a country in respect of which sections 90, 91 and 91.1 do not apply and who therefore is not eligible for a licence exchange under those sections is exempted from having to hold a learner's licence before obtaining a driver's licence for the operation of a passenger vehicle, except as regards the operation of a motorcycle.

A regulation of the Government shall determine the time within which a licence must be applied for and the number of times a person may retake the proficiency examinations referred to in section 67 before losing the exemption and shall prescribe any special conditions for obtaining a licence.

2002, c. 29, s. 11.

91.4. A person holding a valid driver's licence or a licence expired for less than three years that was issued outside Canada who once held a driver's licence issued in Québec for the operation of the same categories of road vehicles as the licence applied for is exempted from the proficiency examinations referred to in section 67.

2002, c. 29, s. 11.

92. Upon proof that they are registered at the Ministère des Relations internationales and hold a valid driver's licence issued by their country of origin or the country of their former posting, the following persons, if they are not Canadian citizens and do not carry on any business nor hold any position or employment in Québec apart from their duties with the government or agency they represent, may without an examination and for the duration of their assignment obtain a driver's licence from the Société corresponding to the licence they hold upon payment of the fee fixed by regulation and the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act (chapter A-25):

- (1) any member of a diplomatic mission or consular corps, other than service personnel members;
- (2) the trade representative of a country and his deputy;
- (3) any employee of an international government organization recognized by the Gouvernement du Québec and any member of a representation of a State which is a recognized member of that organization other than service personnel members;
- (4) *(paragraph repealed)*;
- (5) an employee of a non-governmental international organization recognized by the Gouvernement du Québec;

(6) the married or civil union spouse of a person referred to in paragraphs 1 to 3 and 5 and any dependent child 18 years of age or over residing with such a person.

1986, c. 91, s. 92; 1988, c. 41, s. 87; 1988, c. 68, s. 5; 1990, c. 19, s. 11; 1990, c. 83, s. 43; 1994, c. 15, s. 33; 1996, c. 21, s. 70; 2002, c. 6, s. 90.

92.0.1. In the cases provided for in sections 90, 91, 91.1, 91.3 and 92, the licence issued by the Société is a probationary licence if the applicant has held a valid driver's licence for less than two years.

1990, c. 83, s. 44; 1996, c. 56, s. 23; 2002, c. 29, s. 12; 2007, c. 40, s. 17.

92.1. *(Repealed).*

1987, c. 94, s. 16; 2003, c. 5, s. 5.

DIVISION III

CONDITIONS ATTACHED TO LICENCES

93. A licence issued in paper form must be signed by the holder.

All licences must bear the identifying mark of the Société or the signature of a person authorized by the Société.

1986, c. 91, s. 93; 1990, c. 19, s. 11; 1995, c. 6, s. 6.

93.1. The holder of a driver's licence or a restricted licence issued under section 76.1.1 must, at the intervals prescribed by regulation, pay the Société the fees fixed by regulation, the duties fixed by regulation and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25) and the insurance contribution fixed pursuant to section 151 of that Act within the period determined by regulation. If, on the due date, the licence holder has not made the required payments or notified the Société of his intention to pay by pre-authorized debit, he may not, as of the first day following the due date, and without further notice, drive any road vehicle.

The holder of a probationary licence must, before his licence expires, pay the sums referred to in section 69 to obtain his first driver's licence or advise the Société that he does not intend to apply for a driver's licence.

The holder of a driver's licence or a restricted licence issued under section 76.1.1 who, within the period determined by regulation, requests that his licence be cancelled or advises the Société that he does not intend to apply for its renewal is not required to pay the sums referred to in the first paragraph.

A person who has failed to comply with the first or second paragraph and applies to the Société, during the period corresponding to the payment of the sums referred to in the first or second paragraph, for the issue of his first driver's licence, the renewal of his driver's licence or his restricted licence issued under section 76.1.1 or authorization to resume driving road vehicles, must pay those sums and the additional fees prescribed by regulation, in accordance with the terms and conditions prescribed by regulation.

1990, c. 83, s. 45; 1993, c. 57, s. 8; 1995, c. 6, s. 7; 2004, c. 34, s. 25; 2008, c. 14, s. 10; 2007, c. 40, s. 18.

94. No person may hold more than one learner's licence, more than one probationary licence or more than one driver's licence of the same class issued by the Société.

No person may at the same time hold a learner's licence and a probationary licence of the same class issued by the Société.

No person may at the same time hold a learner's licence and a driver's licence of the same class issued by the Société.

No person may at the same time hold a probationary licence and a driver's licence of the same class issued by the Société.

Except in the cases and on the conditions prescribed by regulation,

(1) no person holding a driver's licence issued by the Société may at the same time hold a valid driver's licence issued by another administrative authority in Canada;

(2) no person holding a valid driver's licence issued by another administrative authority in Canada may, when driving a road vehicle in Québec, hold more than one valid driver's licence issued by an administrative authority in Canada;

(3) no person holding a driver's licence issued by the Société may at the same time hold a valid driver's licence issued by an administrative authority in the United States;

(4) no person holding a valid driver's licence issued by another administrative authority in Canada may, when driving a road vehicle in Québec, at the same time hold a valid driver's licence issued by an administrative authority in the United States;

(5) no person holding a valid driver's licence issued by an administrative authority in the United States may, when driving a road vehicle in Québec, at the same time hold a valid driver's licence issued by another administrative authority in the United States.

1986, c. 91, s. 94; 1987, c. 94, s. 17; 1990, c. 19, s. 11; 1990, c. 83, s. 46.

95. The holder of a licence must inform the Société, on making payment of amounts required to be paid under section 93.1, of any change concerning the documents and information which must be provided on obtaining or renewing a licence.

He must also inform the Société of any such changes within 30 days after the change.

1986, c. 91, s. 95; 1990, c. 19, s. 11; 1990, c. 83, s. 47.

95.1. The holder of a licence of a class authorizing the operation of an emergency vehicle whose licence or class of licence has been modified, suspended or cancelled must inform the owner of the emergency vehicle without delay in the manner prescribed by regulation.

2001, c. 29, s. 7; 2002, c. 29, s. 13; 2019, c. 18, s. 228.

96. No person may permit the use of his licence by another person.

No person may use a licence issued to another person.

1986, c. 91, s. 96.

97. The person driving a road vehicle or having the care or control of a road vehicle must carry his licence.

1986, c. 91, s. 97; 1996, c. 56, s. 24; 1998, c. 40, s. 63; 2000, c. 64, s. 3; 2003, c. 8, s. 6; 2004, c. 2, s. 12.

98. The holder of a licence must comply with the conditions attached to his licence.

1986, c. 91, s. 98.

98.1. *(Repealed).*

2001, c. 29, s. 8; 2004, c. 2, s. 13; 2007, c. 40, s. 19; 2010, c. 34, s. 17.

99. The holder of a learner's licence must, when driving a road vehicle other than a moped or a motorcycle, be assisted by a person who has held, for at least two years, a valid driver's licence of the appropriate class for driving that vehicle. The person must be seated beside the holder of the learner's licence, and be in a position to give him assistance and advice.

The person assisting the holder of the learner's licence must carry his driver's licence with him, which must contain, where applicable, the particulars prescribed by regulation.

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.

1986, c. 91, s. 99; 1996, c. 56, s. 25; 2000, c. 64, s. 4; 2018, c. 7, s. 21.

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, which the passenger may provide verbally:

- (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.

1986, c. 91, s. 100; 1996, c. 56, s. 26; 2000, c. 64, s. 5; 2018, c. 7, s. 22.

101. *(Repealed).*

1986, c. 91, s. 101; 1990, c. 19, s. 11; 1996, c. 56, s. 27.

102. Every person referred to in sections 97, 99 and 100 must surrender his licence for inspection at the request of a peace officer.

The peace officer must return the licence to its holder as soon as he has inspected it.

1986, c. 91, s. 102; 2007, c. 40, s. 20.

103. The holder of an illegible or damaged licence or of a licence containing inaccurate information shall request the Société to replace it.

1986, c. 91, s. 103; 1990, c. 19, s. 11; 1990, c. 83, s. 48.

104. Upon proof that a licence is illegible or damaged or has been destroyed, lost or stolen or that it contains false information, the Société shall replace it upon payment of the fee fixed by regulation.

1986, c. 91, s. 104; 1990, c. 19, s. 11; 1990, c. 83, s. 49.

105. No person under a sanction may drive a road vehicle even if he holds a valid driver's licence issued by another administrative authority or an International Driver's Permit.

However, the holder of a restricted licence may, subject to section 195.1, drive a road vehicle to carry on his principal means of livelihood.

1986, c. 91, s. 105; 1990, c. 19, s. 11; 1993, c. 42, s. 1; 1996, c. 56, s. 28.

106. The owner or lessee of a road vehicle or the person having the control of a road vehicle may not allow the vehicle to be driven by a person who is not the holder of a licence of the appropriate class for driving the vehicle or by a person under a sanction, even if the latter is the holder of a valid driver's licence issued by another administrative authority or of an International Driver's Permit.

However, he may allow the latter to drive the vehicle if that person is, subject to section 195.1, the holder of a restricted licence and drives the vehicle to carry on his principal means of livelihood.

1986, c. 91, s. 106; 1993, c. 42, s. 2; 1996, c. 56, s. 29.

106.1. For the purposes of sections 105 and 106, the term "sanction" means the cancellation or suspension of the licence authorizing the driving of a road vehicle or of a class of such a licence and the suspension of the right to obtain such a licence or such a class. It includes the cancellation and suspension pronounced by any administrative authority other than the Société.

1993, c. 42, s. 3.

107. A person whose licence or a class thereof has been suspended or cancelled must, at the request of the Société, return his licence to the Société on the date the suspension or cancellation takes effect or on any later date fixed by the Société.

The Société may request a peace officer to confiscate the licence of any person who refuses or omits to comply with that requirement. The person must immediately remit his licence to the peace officer who requests him to do so and informs him of the reasons therefor.

The Société may also require the surrender of any other licence issued by another administrative authority.

1986, c. 91, s. 107; 1990, c. 19, s. 11; 1990, c. 83, s. 50.

108. The Société shall advise the holder of a licence whose classes or conditions do not correspond to those fixed in his regard that he must have the licence replaced within the time indicated by the Société.

The replacement is, in the cases determined by regulation, subject to the payment of the fees fixed by regulation.

1986, c. 91, s. 108; 1990, c. 19, s. 11; 1995, c. 6, s. 8; 2004, c. 2, s. 14.

109. The Société may require the holder of a licence to undergo an examination or assessment referred to in section 67 or 73 where

(1) he has reached 70 years of age;

(2) his licence authorizes him to drive a commercial vehicle, an emergency vehicle, a bus or a minibus;

(3) he has not undergone an examination for 10 years;

(4) it has reasonable grounds to require that the state of his health or his performance as a driver be evaluated;

(5) he has not been authorized to drive a road vehicle for three years or longer.

1986, c. 91, s. 109; 1990, c. 19, s. 11; 1995, c. 6, s. 9; 1996, c. 56, s. 30; 2019, c. 18, s. 229.

DIVISION IV

DEMERIT POINTS

110. This division applies to every person, except a cyclist or pedestrian, who is convicted of an offence for which demerit points are prescribed, including a person deemed to be convicted of such an offence.

1986, c. 91, s. 110; 1992, c. 61, s. 131; 2018, c. 7, s. 23.

111. The Société shall administer a system of demerit points prescribed by regulation, under which the cancellation of a licence or the suspension of the right to obtain a licence may be incurred.

Demerit points shall be prescribed

(1) for an offence against a provision of this Code;

(2) for an offence the description of which corresponds to an offence against a provision of this Code and which is in violation of

(a) a by-law in force in a municipality;

(b) an Act of Canada other than the Criminal Code (R.S.C. 1985, c. C-46), or a regulation of Canada in the case of an offence committed in a territory under the jurisdiction of the Government of Canada.

The system of demerit points referred to in this section also includes demerit points prescribed by regulation under section 19 of the Act respecting off-highway vehicles (chapter V-1.3) for an offence against a provision of that Act, where provided for by such a regulation. The points must be entered in the person's file and be considered in the same manner as the demerit points prescribed under the second paragraph.

1986, c. 91, s. 111; 1987, c. 94, s. 18; 1990, c. 19, s. 11; 1992, c. 61, s. 132; 2020, c. 26, s. 131.

112. The collector of fines, the clerk of a court, the clerk, secretary or clerk-treasurer of a municipality, the Director of Criminal and Penal Prosecutions or the director of a police department, as the case may be, shall inform the Société of any conviction in respect of which demerit points are prescribed.

The same applies to a person who accepts payment for an offence which, under this Code, entails the entry of demerit points.

1986, c. 91, s. 112; 1990, c. 19, s. 11; 1992, c. 61, s. 133; 2005, c. 34, s. 85; 2021, c. 31, s. 132.

113. Upon being informed of a conviction in accordance with section 112 or from the time it is in possession of such a judgment or proof thereof, the Société shall open a file, which it shall keep up to date, and enter therein the number of demerit points which corresponds to the offence committed.

1986, c. 91, s. 113; 1990, c. 19, s. 11; 1992, c. 61, s. 134.

114. As soon as the total number of demerit points entered in a person's file attains the prescribed number, the Société shall send a notice to the person concerned, at the last address received by the Société, informing him of the number of points entered in his file and reminding him of its powers of cancellation and suspension.

1986, c. 91, s. 114; 1990, c. 19, s. 11.

115. Failure by the Société to give the notice referred to in section 114 does not nullify a notice given subsequently nor does it prevent the Société from subsequently exercising any power or duty under this division, under Chapter III and under Title V.

1986, c. 91, s. 115; 1990, c. 19, s. 11.

116. The number of demerit points entered by the Société in a person's file becomes nil two years from the date of the judgment of conviction.

1986, c. 91, s. 116; 1990, c. 19, s. 11; 1992, c. 61, s. 135.

117. Whenever the Société renders a decision under section 185 or 191.2, it shall remove, in the file of the person concerned, a number of points equal to the number that justified the decision; the points most recently entered that are in excess of that number remain in the file, unless the excess number of points is equal to or higher than the number of points entailing the application of one of those sections, in which case it is brought down to the number that is one less than the number entailing a sanction.

1986, c. 91, s. 117; 1990, c. 19, s. 11; 1990, c. 83, s. 51; 2007, c. 40, s. 21.

117.1. A decision to cancel a licence or suspend the right to obtain a licence applies even if the number of demerit points entailing a cancellation or suspension is different from the number applicable at the time of the decision.

2007, c. 40, s. 22.

117.2. A decision to cancel a probationary licence applies to any licence to drive a road vehicle held by the person at the time the decision comes into force even if the probationary licence is expired and the number of demerit points for the cancellation is different from the number applicable at the time of the decision.

2007, c. 40, s. 22.

CHAPTER III

RESTRICTED LICENCE AUTHORIZING THE DRIVING OF A ROAD VEHICLE TO CARRY ON A PRINCIPAL MEANS OF LIVELIHOOD

1996, c. 56, s. 31.

118. A restricted licence may be issued by the Société to a person whose driver's licence has been cancelled under section 185 or whose probationary licence has been cancelled under section 191.2, by order of a judge of the Court of Québec, if the person proves to the judge that he must drive a road vehicle to carry on his principal means of livelihood.

1986, c. 91, s. 118; 1988, c. 21, s. 66; 1990, c. 19, s. 11; 1990, c. 83, s. 52; 2007, c. 40, s. 23.

119. The order directing that a restricted licence be issued falls within the jurisdiction of a judge in chambers and must be applied for to the court of the domicile or establishment of the applicant and served on the Société at least ten days before the date fixed for its presentation.

The clerk and the clerk's staff must assist the person in the drafting of the application if he so requests.

1986, c. 91, s. 119; 1987, c. 94, s. 20; 1988, c. 21, s. 75; 1990, c. 19, s. 11; I.N. 2016-01-01 (NCCP).

120. Where an application is served on it pursuant to section 119, the Société shall transmit to the court, before the date fixed for the presentation of the application, any information held by it in respect of the applicant regarding the application of section 121.

1986, c. 91, s. 120; 1990, c. 19, s. 11; I.N. 2016-01-01 (NCCP).

121. No order directing that a restricted licence be issued may be given nor any restricted licence issued if

(1) within the two years preceding the cancellation giving rise to the application for a restricted licence, the applicant's driver's licence was cancelled or his right to obtain a licence was suspended following a conviction for an offence under any of the provisions of the Criminal Code (R.S.C. 1985, c. C-46) referred to in section 180 or following the accumulation of demerit points, unless a pardon was obtained;

(2) at the time of application, the applicant's licence or his right to obtain a licence is under a suspension which is in effect or is imposed but has yet to take effect;

(3) the sanction giving rise to an application for a restricted licence is not a driver's licence cancellation imposed pursuant to section 185 or a cancellation of the probationary licence imposed pursuant to section 191.2;

(4) *(paragraph repealed)*;

(5) a restricted licence would authorize the driving of a road vehicle that the applicant's licence did not authorize him to drive;

(6) the reason invoked to obtain a restricted licence is related to the business of remunerated passenger transportation by automobile referred to in section 3 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) and if, at the time the application is presented, the Société has cancelled the authorization it had granted the applicant or the applicant's registration as a driver with an operator of an authorized transportation system has been struck off following a finding of guilt for an offence referred to in section 11 of that Act;

(7) the licence cancelled is a learner's licence.

For the purposes of subparagraph 1 of the first paragraph, the two-year period before the cancellation or suspension includes the day on which the sanction is imposed.

1986, c. 91, s. 121; 1990, c. 83, s. 53; 2001, c. 15, s. 129; 2007, c. 40, s. 24; I.N. 2016-01-01 (NCCP); 2019, c. 18, s. 230.

122. A restricted licence is valid from the date of its issue to the date of the end of the period which follows the cancellation giving rise to the issue of the restricted licence and during which its holder is not entitled to obtain a new driver's licence or probationary licence.

1986, c. 91, s. 122; 1990, c. 83, s. 54; 2007, c. 40, s. 25.

123. A decision rendered pursuant to sections 118 to 121 is final and without appeal.

1986, c. 91, s. 123.

124. If, when an order directing that a restricted licence be issued is received by the Société, section 121 is applicable to the person referred to in the order, or if, between the date fixed for presenting his application and the date of issue of the restricted licence, the person's right to obtain a licence is under a suspension which is in effect or imposed but has yet to take effect, the Société must so inform the judge who made the order. The judge may then revise his order after giving the applicant the opportunity of presenting his views.

1986, c. 91, s. 124; 1990, c. 19, s. 11; 1990, c. 83, s. 55.

125. The holder of a restricted licence who drives a road vehicle otherwise than to carry on his principal means of livelihood is presumed to be driving while his licence is cancelled or suspended within the meaning of section 105.

1986, c. 91, s. 125; 1990, c. 83, s. 56.

126. Sections 69, 93, 95 to 98 and 102 to 104 apply, adapted as required, to a restricted licence.

1986, c. 91, s. 126; 2007, c. 40, s. 26.

CHAPTER IV

Repealed, 1996, c. 56, s. 32.

1996, c. 56, s. 32.

127. *(Repealed).*

1986, c. 91, s. 127; 1990, c. 83, s. 57; 1990, c. 85, s. 122; 1996, c. 2, s. 214; 1996, c. 56, s. 32.

128. *(Repealed).*

1986, c. 91, s. 128; 1987, c. 94, s. 21; 1990, c. 83, s. 58; 1990, c. 85, s. 122; 1996, c. 2, s. 214; 1996, c. 56, s. 32.

129. *(Repealed).*

1986, c. 91, s. 129; 1990, c. 83, s. 59; 1996, c. 56, s. 32.

130. *(Repealed).*

1986, c. 91, s. 130; 1990, c. 19, s. 11; 1996, c. 56, s. 32.

131. *(Repealed).*

1986, c. 91, s. 131; 1996, c. 56, s. 32.

132. *(Repealed).*

1986, c. 91, s. 132; 1996, c. 56, s. 32.

133. *(Repealed).*

1986, c. 91, s. 133; 1996, c. 56, s. 32.

134. *(Repealed).*

1986, c. 91, s. 134; 1990, c. 19, s. 11; 1996, c. 56, s. 32.

135. *(Repealed).*

1986, c. 91, s. 135; 1990, c. 19, s. 11; 1996, c. 56, s. 32.

136. *(Repealed).*

1986, c. 91, s. 136; 1996, c. 56, s. 32.

CHAPTER V

PENAL PROVISIONS

137. Every person who contravenes section 97 or section 103 is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 137; 1990, c. 4, s. 212; 1996, c. 56, s. 33.

137.1. Every person who assists the holder of a learner's licence and who contravenes section 99 or a regulatory provision determining the holder's assistance conditions made under the fifth paragraph of that section is guilty of an offence and is liable to a fine of \$30 to \$60.

1996, c. 56, s. 34; 2018, c. 7, s. 24.

138. Every person who contravenes the first paragraph of section 93 or section 95 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 138; 1990, c. 4, s. 212.

139. Every person who contravenes the first paragraph of section 102 or fails to comply with a condition attached to the person's licence under section 98, other than the operation of a road vehicle mandatorily equipped with an alcohol ignition interlock device or the conditions for its use, is liable to a fine of \$100 to \$200.

The holder of a licence to drive a road vehicle mandatorily equipped with an alcohol ignition interlock device who fails to comply with that requirement or with the conditions for the use of the device is liable to a fine of \$1,500 to \$3,000.

1986, c. 91, s. 139; 1990, c. 4, s. 212; 2010, c. 34, s. 18.

140. Every person who contravenes section 96 is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 140; 1987, c. 94, s. 22; 1988, c. 68, s. 6; 1990, c. 4, s. 212; 1995, c. 6, s. 10; 1996, c. 56, s. 35.

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.

1996, c. 56, s. 36; 2018, c. 7, s. 25.

141. Every person who contravenes any of sections 65, 95.1, 107 or drives a road vehicle in violation of the first paragraph of section 93.1 is guilty of an offence and is liable to a fine of \$300 to \$600.

Despite the first paragraph, a person who, after a period of licence cancellation or suspension of the right to obtain a licence for an alcohol- or drug-related offence under section 180, operates a road vehicle without holding a licence is liable to a fine of \$1,500 to \$3,000.

1986, c. 91, s. 141; 1990, c. 4, s. 212; 1990, c. 83, s. 60; 1995, c. 6, s. 11; 1996, c. 56, s. 37; 2001, c. 29, s. 9; 2003, c. 5, s. 6; 2010, c. 34, s. 19; 2018, c. 19, s. 32.

142. Every person who knowingly gives false or misleading information when applying for a licence or when notifying any change referred to in section 95 is guilty of an offence and is liable to a fine of \$300 to \$600.

1986, c. 91, s. 142; 1990, c. 4, s. 212; 1990, c. 83, s. 61.

143. Every person who contravenes the first paragraph of section 105 is guilty of an offence and is liable to a fine of \$300 to \$600 if his licence or right to obtain a licence is cancelled or suspended for a cause other than those referred to in section 180, 185, 191.2, 202.4, 202.4.1 or 202.5.

1986, c. 91, s. 143; 1990, c. 4, s. 212; 1996, c. 56, s. 38; 2010, c. 34, s. 20; 2018, c. 19, s. 33.

143.1. Every person who contravenes the first paragraph of section 105 is guilty of an offence and is liable to a fine of \$600 to \$2,000, if his licence or right to obtain a licence is cancelled or suspended on any of the grounds set out in sections 185 and 191.2 and subparagraph 2 of the first paragraph of section 202.4.

1996, c. 56, s. 39; 2010, c. 34, s. 21.

144. Every person who contravenes the first paragraph of section 105 is guilty of an offence and is liable to a fine of \$1,500 to \$3,000, if his licence or right to obtain a licence is cancelled or suspended under section 180, subparagraph 1 of the first paragraph of section 202.4, subparagraph 1 of the first paragraph of section 202.4.1 or section 202.5.

1986, c. 91, s. 144; 1990, c. 4, s. 212; 1996, c. 56, s. 40; 2010, c. 34, s. 22; 2018, c. 19, s. 35.

144.1. Every owner or lessee of a road vehicle or person having the control of a road vehicle who, in contravention of section 106, allows the vehicle to be driven by a person who is not the holder of a licence of the appropriate class for driving that vehicle is guilty of an offence and is liable to a fine of \$300 to \$600.

Every operator of a heavy vehicle who contravenes the first paragraph is guilty of an offence and is liable to a fine of \$700 to \$2,100.

2000, c. 64, s. 6.

145. Every person who contravenes section 106 is guilty of an offence and is liable to a fine of \$300 to \$600 if the driver of the vehicle is liable to the fine prescribed by section 143, \$600 to \$2,000 if the driver of the vehicle is liable to the fine prescribed by section 143.1, and \$1,500 to \$3,000 if the driver of the vehicle is liable to the fine prescribed by section 144.

Every operator of a heavy vehicle whose driver is liable to a fine under the first paragraph is also guilty of an offence and is liable to a fine of \$700 to \$2,100.

1986, c. 91, s. 145; 1990, c. 4, s. 212; 1996, c. 56, s. 41; 1998, c. 40, s. 64.

146. Every person who uses as a document authorizing the driving of road vehicles a document that may be confused with a licence issued by the Société or by another competent administrative authority is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 146; 1990, c. 19, s. 11; 1990, c. 4, s. 212.

146.1. Every person who contravenes section 94 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1987, c. 94, s. 23; 1990, c. 4, s. 212.

146.2. *(Repealed).*

1990, c. 83, s. 62; 1996, c. 56, s. 42.

147. *(Repealed).*

1986, c. 91, s. 147; 1990, c. 4, s. 212; 1996, c. 56, s. 42.

148. *(Repealed).*

1986, c. 91, s. 148; 1990, c. 4, s. 212; 1996, c. 56, s. 42.

149. *(Repealed).*

1986, c. 91, s. 149; 1990, c. 4, s. 212; 1996, c. 56, s. 42.

150. *(Repealed).*

1986, c. 91, s. 150; 1990, c. 19, s. 11; 1990, c. 4, s. 212; 1996, c. 56, s. 42.

TITLE III

SPECIAL OBLIGATIONS OF ROAD VEHICLE DEALERS AND RECYCLERS

2015, c. 4, s. 25.

CHAPTER I

GENERAL PROVISIONS

150.1. For the purposes of this Title, “recycler” has the meaning assigned by section 260.26 of the Consumer Protection Act (chapter P-40.1).

2015, c. 4, s. 26.

151. *(Repealed).*

1986, c. 91, s. 151; 1990, c. 19, s. 11; 1996, c. 56, s. 43; 2015, c. 4, s. 27.

152. *(Repealed).*

1986, c. 91, s. 152; 1990, c. 19, s. 11; 1996, c. 56, s. 44; 2015, c. 4, s. 27.

153. *(Repealed).*

1986, c. 91, s. 153; 1990, c. 19, s. 11; 1990, c. 83, s. 63; 1996, c. 56, s. 45; 2015, c. 4, s. 27.

154. *(Repealed).*

1986, c. 91, s. 154; 1990, c. 19, s. 11; 2015, c. 4, s. 27.

155. Every recycler must keep a register the form and period of retention of which are prescribed by regulation and in which the following information is entered:

(1) the identification number of every road vehicle he receives, a description of its major components and the identification thereof by means of the identification number of the vehicle or a number referring thereto;

(2) the description and identification, by means of the identification number of the road vehicle from which it has been removed, of every detached major automobile component he receives;

(3) the date of acquisition of every road vehicle or major component as well as the name and address of the person from whom it was received;

(4) the date of sale of every road vehicle and major component sold and the name and address of the purchaser.

For the purposes of this section, “major component” means a major component determined by regulation.

1986, c. 91, s. 155; 1990, c. 83, s. 64; 1996, c. 56, s. 46.

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.

1986, c. 91, s. 156; 1990, c. 19, s. 11; 2015, c. 4, s. 28; 2018, c. 7, s. 26.

157. *(Repealed).*

1986, c. 91, s. 157; 2015, c. 4, s. 29.

158. *(Repealed).*

1986, c. 91, s. 158; 1987, c. 94, s. 24; 1990, c. 19, s. 11; 1996, c. 56, s. 47.

159. *(Repealed).*

1986, c. 91, s. 159; 1987, c. 94, s. 25; 1996, c. 56, s. 48; 2015, c. 4, s. 29.

160. *(Repealed).*

1986, c. 91, s. 160; 2015, c. 4, s. 29.

160.1. *(Repealed).*

1990, c. 83, s. 65; 2015, c. 4, s. 29.

161. *(Repealed).*

1986, c. 91, s. 161; 1987, c. 94, s. 26; 1996, c. 56, s. 49; 2015, c. 4, s. 29.

161.1. Every road vehicle dealer holding a permit issued under the Consumer Protection Act (chapter P-40.1) and authorized by the Société to effect the registration of road vehicles must comply with the

conditions established by the Société regarding transactions related to registration and the use of temporary registration.

1987, c. 94, s. 27; 1990, c. 19, s. 11; 2015, c. 4, s. 30.

162. *(Repealed).*

1986, c. 91, s. 162; 1987, c. 94, s. 28; 1990, c. 19, s. 11; 1996, c. 56, s. 50; 2015, c. 4, s. 31.

163. *(Repealed).*

1986, c. 91, s. 163; 1990, c. 19, s. 11; 1990, c. 83, s. 66; 2015, c. 4, s. 31.

CHAPTER II

PENAL PROVISIONS

164. *(Repealed).*

1986, c. 91, s. 164; 1990, c. 4, s. 212; 2015, c. 4, s. 31.

164.1. *(Repealed).*

1990, c. 83, s. 67; 2015, c. 4, s. 31.

165. A recycler who fails to keep the register required by section 155 or who fails to enter the information required under that section is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 165; 1990, c. 4, s. 212; 1996, c. 56, s. 51; 2018, c. 7, s. 27.

166. A road vehicle dealer who contravenes section 161.1 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 166; 1987, c. 94, s. 29; 1990, c. 4, s. 212; 1996, c. 56, s. 52; 2015, c. 4, s. 32.

TITLE IV

OBLIGATIONS IN CASE OF ACCIDENT

CHAPTER I

GENERAL PROVISIONS

166.1. This Title applies to accidents occurring on any road or land.

1990, c. 83, s. 68.

167. For the purposes of this Title, an accident is an event during which injury or damage is caused by a moving road vehicle.

1986, c. 91, s. 167.

168. The driver of a road vehicle involved in an accident must remain at or immediately return to the scene of the accident and render the necessary assistance to any person who has sustained injury or damage.

1986, c. 91, s. 168.

169. If a person has sustained bodily injury during an accident, the driver of a road vehicle involved in the accident must call for a peace officer.

1986, c. 91, s. 169.

170. The driver of a road vehicle involved in an accident must give to the peace officer called to the scene of the accident or to the person having sustained injury or damage, his name and address, the number of his licence, the name and address of the owner entered on the registration certificate of the vehicle, the certificate of insurance or of financial responsibility provided for in the Automobile Insurance Act (chapter A-25), and the number appearing on the registration plate of the vehicle.

1986, c. 91, s. 170.

171. The driver of a road vehicle who is involved in an accident involving an animal weighing over 25 kg, an unattended road vehicle or any other inanimate object must, if the owner of the damaged property or a person representing him cannot be found at the scene of the accident or nearby, communicate immediately with the nearest police station to report the accident and furnish the information provided for in section 170.

1986, c. 91, s. 171.

172. The owner of a road vehicle that has been totally destroyed as the result of an accident must, without delay, notify the Société that his vehicle has been destroyed.

1986, c. 91, s. 172; 1990, c. 19, s. 11.

173. Every peace officer who is called to the scene of an accident must inform the Société of the accident within eight days by means of a report the form, content and mode of transmission of which are determined by regulation.

1986, c. 91, s. 173; 1987, c. 94, s. 30; 1990, c. 19, s. 11.

174. Where an accident is not brought to the attention of a peace officer, the obligation to inform the Société of the accident is incumbent on the insurer who is notified of it.

1986, c. 91, s. 174; 1990, c. 19, s. 11.

175. Every coroner who has conducted an investigation or an inquest into an accident must send a copy of his report to the Société.

1986, c. 91, s. 175; 1990, c. 19, s. 11.

176. Except in the cases provided for by regulation, a peace officer or an insurer is not required to make a report to the Société in respect of an accident that caused property damage only and did not give rise to a failure to stop at the scene of an accident.

1986, c. 91, s. 176; 1987, c. 94, s. 31; 1990, c. 19, s. 11; 1996, c. 56, s. 53.

CHAPTER II

PENAL PROVISIONS

177. Every person who contravenes section 172 or 174 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 177; 1990, c. 4, s. 212.

178. Every person who contravenes section 170 or 171 is guilty of an offence and is liable to a fine of \$200 to \$300.

1986, c. 91, s. 178; 1990, c. 4, s. 212.

179. Every person who contravenes section 168 or 169 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 179; 1990, c. 4, s. 212.

TITLE V

SANCTIONS

2010, c. 34, s. 23.

CHAPTER I

CANCELLATION OF LICENCES

DIVISION I

CRIMINAL OFFENCES

180. A conviction for an offence under any of the following provisions of the Criminal Code (R.S.C. 1985, c. C-46) committed with a road vehicle or an off-highway vehicle entails by operation of law the cancellation of any licence to drive a road vehicle or the suspension of the right to obtain such a licence:

- (1) sections 220, 221 and 236 (criminal negligence causing death or bodily harm, or manslaughter);
- (2) section 320.13 (dangerous operation);
- (3) section 320.14 (operation while impaired by alcohol or a drug);
- (4) section 320.15 (failure or refusal to comply with a peace officer's demand made under section 320.27 or 320.28 of the Criminal Code);
- (5) section 320.16 (failure to stop after an accident); and
- (6) section 320.17 (flight from a peace officer).

The convicting judge must order the confiscation of the licence referred to in the first paragraph so that it may be returned to the Société.

1986, c. 91, s. 180; 1988, c. 68, s. 7; 1990, c. 19, s. 11; 1990, c. 83, s. 69; 1996, c. 60, s. 73; 1996, c. 56, s. 54; 1999, c. 66, s. 3; 2000, c. 64, s. 7; 2004, c. 2, s. 15; 2008, c. 14, s. 11; 2007, c. 40, s. 27; 2008, c. 14, s. 11; 2018, c. 19, s. 36.

181. Every conviction for an offence referred to in section 180 entails a separate and distinct licence cancellation or suspension of the right to obtain a licence.

Notwithstanding the first paragraph, a conviction for more than one offence under section 320.14 or 320.15 of the Criminal Code (R.S.C. 1985, c. C-46) shall entail only one licence cancellation or only one suspension of the right to obtain a licence where the offences are related to the same event.

1986, c. 91, s. 181; 1988, c. 68, s. 8; 2008, c. 14, s. 12; 2018, c. 19, s. 37.

182. The cancellation of a licence or the suspension of the right to obtain a licence provided for in section 181 shall be maintained even if the person convicted of an indictable offence is granted a conditional or absolute discharge.

1986, c. 91, s. 182; 2010, c. 34, s. 24.

183. *(Repealed).*

1986, c. 91, s. 183; 1990, c. 19, s. 11; 2001, c. 15, s. 130; 2019, c. 18, s. 231.

184. *(Repealed).*

1986, c. 91, s. 184; 2001, c. 15, s. 131; 2019, c. 18, s. 231.

DIVISION II

DEMERIT POINTS

185. When the total number of demerit points entered in a person's record is equal to or greater than the number prescribed by regulation under paragraph 9 of section 619, the Société cancels the person's driver's licence or suspends the person's right to obtain a licence.

The number of demerit points prescribed by regulation varies depending on whether the person is

- (1) under 23 years of age;
- (2) 23 or 24 years of age; or
- (3) 25 years of age or over.

If the number of demerit points entered in the person's record is equal to or greater than the number prescribed by regulation but less than twice that number, no licence may be issued to the person

(1) before three or six months have elapsed, depending on whether the person incurred no three-month cancellation or suspension or one three-month cancellation or suspension under section 191.2 or this section during the two years before the cancellation or suspension under the first paragraph; or

(2) before twelve months have elapsed if the person incurred one six- or twelve-month cancellation or suspension or more than one cancellation or suspension under section 191.2 or this section during the two years before the cancellation or suspension under the first paragraph.

If the number of demerit points entered in the person's record is equal to or greater than twice the number prescribed by regulation but less than three times that number, no licence may be issued to the person before six or twelve months have elapsed, depending on whether the person incurred no cancellation or suspension or one or more cancellations or suspensions under section 191.2 or this section during the two years before the cancellation or suspension under the first paragraph.

If the number of demerit points entered in the person's record is equal to or greater than three times the number prescribed by regulation, no licence may be issued to the person before twelve months have elapsed.

For the purposes of this section, the two-year period before the cancellation or suspension includes the day the sanction is imposed.

When a person holds a driver's licence and a learner's licence, the cancellation under this section applies to both licences.

1986, c. 91, s. 185; 1990, c. 19, s. 11; 1990, c. 83, s. 70; 2007, c. 40, s. 28.

DIVISION III

OTHER CANCELLATIONS

1988, c. 68, s. 9; 1990, c. 83, s. 71.

186. *(Repealed).*

1986, c. 91, s. 186; 1990, c. 19, s. 11; 1990, c. 83, s. 72.

187. *(Repealed).*

1986, c. 91, s. 187; 1988, c. 68, s. 10.

187.1. From the time the Société considers, within the meaning of section 112, that a person is convicted of an offence under section 94, it must cancel that person's licences. In addition, if at any time after the date of the offence the person ceases to be the holder of a licence, the Société must suspend his right to obtain a licence.

1987, c. 94, s. 32; 1990, c. 19, s. 11; 1990, c. 83, s. 73.

187.2. *(Repealed).*

1987, c. 94, s. 32; 1990, c. 19, s. 11; 1990, c. 83, s. 74; 1998, c. 40, s. 65.

187.3. The Société may revoke a restricted licence authorizing the operation of a road vehicle only if it is equipped with an alcohol ignition interlock device if the holder does not comply with the conditions of use established by the Société.

2001, c. 29, s. 10.

CHAPTER II

PROHIBITION ON PUTTING A ROAD VEHICLE BACK INTO OPERATION AND SUSPENSION OF LICENCES

1990, c. 83, s. 75.

DIVISION I

PROHIBITION ON PUTTING A ROAD VEHICLE BACK INTO OPERATION, SUSPENSION OF LEARNER'S LICENCES, PROBATIONARY LICENCES AND DRIVER'S LICENCES

1990, c. 83, s. 76.

188. The Société may prohibit a road vehicle from being put back into operation in cases where

(1) false or inaccurate information was supplied when registration was applied for or in respect of a change referred to in section 28;

(2) the owner neglects or refuses to submit the vehicle to a mechanical or photometric inspection or to produce the certificate of mechanical inspection or the photometric inspection certificate issued to him;

(3) the owner neglects or refuses to furnish to the Société any information requested by the latter pursuant to this Code or a declaration or attestation requested by the Société pursuant to section 96 of the Automobile Insurance Act (chapter A-25);

(4) the owner is indebted to the Société with respect to the sums referred to in any of sections 21, 31.1, 69, 93.1 and 209.20 in relation to a cheque without sufficient funds or returned by a financial institution for any other reason or with respect to the fees exigible under paragraphs 4.1, 5 and 10 of section 624;

(4.1) the owner of the road vehicle has not complied, within 10 days, with the request of the Société or a peace officer to furnish a weighing certificate to establish the vehicle's net mass;

(5) the owner has failed to submit his vehicle to mechanical inspection after having been notified to do so by the Société;

(6) the transferor neglects or omits, upon the transfer of a road vehicle, to pay the sales tax as calculated under the Act respecting the Québec sales tax (chapter T-0.1);

(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.

1986, c. 91, s. 188; 1987, c. 94, s. 33; 1990, c. 19, s. 11; 1990, c. 83, s. 77; 1996, c. 56, s. 55; 1998, c. 40, s. 66; 2004, c. 2, s. 16; 2008, c. 14, s. 13.

189. The Société must prohibit a road vehicle from being put back into operation in the following cases:

(1) the Commission des transports du Québec, pursuant to section 35 or 40 of the Transport Act (chapter T-12) or the third paragraph of section 118 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), orders the Société to withdraw a person's right to maintain a road vehicle in operation or the Société, in a case provided for in the first paragraph of the latter section, withdraws a person's right to maintain a qualified automobile in operation;

(1.1) the Commission des transports du Québec, in accordance with the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3), prohibits the heavy vehicles subject to the administrative measure it has taken from being put into operation;

(2) the owner of the vehicle does not have a liability insurance contract as required under the Automobile Insurance Act (chapter A-25);

(3) *(subparagraph repealed)*;

(4) *(subparagraph repealed)*;

(5) *(subparagraph repealed)*.

The Société must also prohibit an off-highway vehicle from being put back into operation upon receiving the notice referred to in section 127 of the Act respecting off-highway vehicles (chapter V-1.3).

1986, c. 91, s. 189; 1987, c. 94, s. 34; 1990, c. 19, s. 11; 1990, c. 83, s. 78; 1991, c. 55, s. 9; 1996, c. 60, s. 74; 1998, c. 40, s. 67; 2001, c. 15, s. 132; 2002, c. 29, s. 14; 2005, c. 39, s. 52; 2016, c. 22, s. 43; 2018, c. 7, s. 28; 2019, c. 18, s. 232; 2020, c. 26, s. 132.

190. The Société may suspend a learner's licence and probationary licence or a driver's licence or a class of any or several such licences where

(1) the licence holder refuses to undergo a medical examination or assessment under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or fails to submit the report of such an examination or assessment to it;

(2) according to a report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, the licence holder suffers from an illness or deficiency or is in a condition which, under the medical or health standards established by regulation, is relatively inconsistent

with the driving of a road vehicle corresponding to one of the licences or one of the classes of licence he holds;

(3) according to a report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, the licence holder suffers from an illness or deficiency or is in a condition not covered by the health and behaviour standards prescribed by regulation but which, in the opinion of a health care professional or such other professional as the Société may designate by name or of a person authorized by an alcohol and drug rehabilitation centre, is incompatible with the driving of a road vehicle corresponding to the class of licence applied for;

(4) the licence holder refuses to undergo a proficiency examination or fails it;

(5) the licence holder gave false or inaccurate information when obtaining or renewing his licence or the class applied for or when notifying a change referred to in section 95;

(6) the licence holder neglects or refuses to provide the Société with information it requires of him pursuant to this Code;

(7) he is indebted to the Société with respect to the sums referred to in any of sections 21, 31.1, 69, 93.1 and 209.20 in relation to a cheque without sufficient funds or returned by a financial institution for any other reason or with respect to the fees exigible under paragraphs 4.1 and 5 of section 624;

(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 licence holder or with respect to a licence.

1986, c. 91, s. 190; 1987, c. 94, s. 35; 1990, c. 19, s. 11; 1990, c. 83, s. 79; 1996, c. 56, s. 56; 2002, c. 29, s. 15; 2008, c. 14, s. 14; 2007, c. 40, s. 29; 2010, c. 34, s. 25.

191. The Société must suspend a learner's licence and probationary licence or a driver's licence or a class of any or several such licences where, according to a report of an examination or assessment carried out under section 64, 73, 76.1.2, 76.1.4 or 76.1.4.1 or a report referred to in section 603, the licence holder suffers from an illness or deficiency or is in a condition which, under the medical or health standards established by regulation, is essentially inconsistent with the driving of a road vehicle corresponding to one of those licences or one of the classes of licence that he holds.

1986, c. 91, s. 191; 1990, c. 19, s. 11; 1990, c. 83, s. 80; 1996, c. 56, s. 57; 2007, c. 40, s. 30; 2010, c. 34, s. 26.

191.1. Notwithstanding section 191, the Société may decide not to suspend a licence or a class thereof or may lift such a suspension if the licence holder shows to the satisfaction of the Société

(1) that he has developed compensatory abilities enabling him to drive a road vehicle corresponding to the licence or the class of licence concerned without constituting a hazard to public safety; or

(2) that he can drive a road vehicle corresponding to the licence or the class of the licence concerned by complying with conditions related to his functional capability which enable him to drive the said vehicle without constituting a hazard to public safety.

1990, c. 83, s. 81.

191.2. If the number of demerit points entered in the file of a person who holds a learner's licence, probationary licence, moped licence or farm tractor licence is equal to or greater than the number prescribed by regulation under paragraph 9.3 of section 619, the Société cancels the licence, or suspends the person's right to obtain a licence the person does not hold, if the person

(1) is the holder of a learner's licence without being or having been the holder of a driver's licence;

(2) is the holder of a probationary licence;

- (3) has been the holder of a moped licence or farm tractor licence for less than five years; or
- (4) is the holder of a restricted licence issued following the cancellation of a probationary licence.

If the person has held a moped or farm tractor licence only, the person may not claim, for the purposes of subparagraph 1 of the first paragraph, to have been the holder of a driver's licence.

The suspension provided for in the first paragraph also applies to a person who has never been the holder of a driver's licence or who has held a moped or farm tractor licence only for less than five years.

If a person is the holder of a learner's licence or probationary licence, the person may not invoke, to elude the application of the first paragraph, the fact of having been the holder of a moped or farm tractor licence for five or more years.

If the number of demerit points entered in the person's record is equal to or greater than the number prescribed by regulation but less than twice that number, no licence may be issued to the person

(1) before three or six months have elapsed, depending on whether the person incurred no three-month cancellation or suspension or one three-month cancellation or suspension under this section during the two years before the cancellation or suspension under the first paragraph; or

(2) before 12 months have elapsed if the person incurred one six- or 12-month cancellation or suspension or more than one cancellation or suspension under this section during the two years before the cancellation or suspension under the first paragraph.

If the number of demerit points entered in the person's record is equal to or greater than twice the number prescribed by regulation but less than three times that number, no licence may be issued to the person before six or 12 months have elapsed, depending on whether the person incurred no cancellation or suspension or one or more cancellations or suspensions under this section during the two years before the cancellation or suspension under the first paragraph.

If the total number of demerit points entered in the person's record is equal to or greater than three times the number prescribed by regulation, no licence may be issued to the person before 12 months have elapsed.

For the purposes of this section, the two-year period before the cancellation or suspension includes the day the sanction is imposed.

1990, c. 83, s. 81; 1996, c. 56, s. 58; 2007, c. 40, s. 31; 2010, c. 34, s. 102.

192. *(Repealed).*

1986, c. 91, s. 192; 1987, c. 94, s. 36; 1990, c. 19, s. 11; 1990, c. 83, s. 82; 1996, c. 56, s. 59.

193. *(Repealed).*

1986, c. 91, s. 193; 1987, c. 94, s. 37; 1990, c. 83, s. 83; 1996, c. 56, s. 59.

194. Where the Société receives the notice provided for in article 364 of the Code of Penal Procedure (chapter C-25.1) in respect of a person, it shall

(1) suspend the person's learner's licence, probationary licence or driver's licence or, if the person is not a licence holder, suspend the person's right to obtain any such licence;

(2) prohibit any road vehicle registered in the person's name from being put into operation or put back into operation;

(3) prohibit any road vehicle registered in the person's name from being discarded;

(4) refuse to register any road vehicle in the person's name unless the transferor or lessor obtained, on the day of the transfer or leasing of the vehicle or in the 10 preceding days, confirmation from the Société, pursuant to section 611.1, that there were no grounds under this Code to prevent the transfer or leasing of the vehicle;

(5) refuse, on the transfer of the right of ownership of a road vehicle registered in the name of the person in respect of whom the notice was sent, to effect a new registration in the name of the transferee or his or her successors unless the transferee obtained, on the day of the transfer or in the 10 preceding days, confirmation from the Société, pursuant to section 611.1, that there were no grounds under this Code to prevent the transfer of the vehicle.

The measures provided for in subparagraphs 3, 4 and 5 of the first paragraph take effect on receipt by the Société of the notice provided for in article 364 of that Code.

The Société shall put an end to the application of the measures provided for in the first paragraph on the working day following receipt of the notice provided for in article 365 of that Code.

1986, c. 91, s. 194; 1987, c. 94, s. 38; 1990, c. 19, s. 11; 1990, c. 4, s. 214; 1990, c. 83, s. 84; 2003, c. 5, s. 7; I.N. 2016-01-01 (NCCP).

194.1. No person shall transfer, acquire or lease a road vehicle where measures provided for in subparagraphs 3, 4 and 5 of the first paragraph of section 194 are taken with regard to another contracting party.

2003, c. 5, s. 8.

194.2. Nothing in section 194.1 shall be construed as prohibiting a road vehicle from being registered in the name of a person or from being put into operation following a transfer of ownership resulting from a judgment, from the application of sections 209.17 to 209.22.3 or from the exercise of a reservation of ownership, a right of redemption, a hypothec or any other charge or other right encumbering the vehicle.

2003, c. 5, s. 8.

194.3. Where the owner of a road vehicle who, in accordance with subparagraph 2 of the first paragraph of section 194, is prohibited from putting into operation or putting back into operation any road vehicle registered in that owner's name requests and is entitled to reimbursement of the duties, the additional duties, the insurance contribution, the contribution of motorists to public transit and the contribution of off-highway vehicle owners that were paid by him or her, the amount of reimbursement shall be applied to the payment of any fines or costs due by the owner according to the order in which notices were received by the Société pursuant to article 364 of the Code of Penal Procedure (chapter C-25.1).

2003, c. 5, s. 8; 2004, c. 2, s. 17; 2004, c. 35, s. 42; 2010, c. 33, s. 24.

195. Where the term of validity of a licence expires before the end of a period of suspension affecting that licence, the right to obtain a licence is then suspended for the unexpired portion of the period of suspension.

1986, c. 91, s. 195; 1990, c. 83, s. 85.

195.1. The Société must suspend a restricted licence issued to a person under section 76.1.1 or 118 if, after the date on which it was issued, the person's right to obtain a licence is under a suspension which is in effect or imposed but has yet to take effect. Such suspension shall remain in effect for as long as the suspension of the right to obtain a licence has not been lifted.

1990, c. 83, s. 86; 1996, c. 56, s. 60; 2007, c. 40, s. 32.

195.2. The Société may suspend for a period of three months or revoke a probationary licence or a driver's licence authorizing the operation of a road vehicle only if it is equipped with an alcohol ignition interlock device if the holder does not comply with the conditions of use established by the Société.

The same applies with respect to the licence of a person referred to in section 76.1.12 if the person drives or has the care or control of a vehicle without complying with the conditions set out in those sections.

2001, c. 29, s. 11; 2002, c. 29, s. 16; 2007, c. 40, s. 33.

196. Where the Société is informed that damage amounting to over \$500 has been caused in an accident and it is not shown to its satisfaction that the owner of a road vehicle involved in the accident held, at the time of the accident, a liability insurance contract as required under the Automobile Insurance Act (chapter A-25) for that vehicle, except where liability insurance is not required under the said Act, the Société shall suspend the learner's licence and probationary licence or the driver's licence of the owner and of the driver of the vehicle or, if they are not holders of a learner's licence, probationary licence or driver's licence, their right to obtain such a licence. In addition, it shall prohibit the putting back into operation of any road vehicle registered in the name of either person.

A suspension under the first paragraph must not be imposed or must be cancelled or the prohibition from putting a road vehicle back into operation must not be imposed or must be cancelled where it is shown to the satisfaction of the Société that at the time of the accident, the uninsured vehicle was legally parked, in the possession of a third person who had acquired it by theft or taken it without permission, or in the possession of a third person for storage, repair or transportation or that only the uninsured vehicle or the movable effects it contained sustained damage in the accident.

With respect to the driver and to the owner, a suspension under the first paragraph must not be imposed or must be cancelled or the prohibition from putting a road vehicle back into operation must not be imposed or must be cancelled where it is shown to the satisfaction of the Société that at the time of the accident, the driver was the owner of a road vehicle covered by a contract of liability insurance as required under the Automobile Insurance Act.

1986, c. 91, s. 196; 1990, c. 19, s. 11; 1990, c. 83, s. 87.

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.

Where the creditor who is party to the agreement contemplated in the first paragraph notifies the Société that payment by the debtor has been interrupted, the Société must reinstate the suspension and prohibition it had lifted following the agreement.

1986, c. 91, s. 197; 1990, c. 19, s. 11; 1990, c. 83, s. 88; 2008, c. 14, s. 15.

198. *(Repealed).*

1986, c. 91, s. 198; 1990, c. 19, s. 11; 2008, c. 14, s. 16.

199. *(Repealed).*

1986, c. 91, s. 199; 1999, c. 40, s. 55; 2008, c. 14, s. 16.

200. Upon receiving a notice to that effect from the creditor concerned, the Société shall suspend the learner's licence and probationary licence or the driver's licence or the right to obtain such licences and shall prohibit the putting back into operation of the road vehicle registered in the name of a debtor who has not, within the time prescribed for execution, satisfied a final judgment handed down in Canada

(1) in the amount of not less than \$100 for bodily injury or of more than \$200 for third party property damage resulting from an accident that occurred between 1 October 1961 and 28 February 1978;

(2) in the amount of more than \$250 for third party property damage resulting from an accident that occurred between 1 March 1978 and 17 December 1986;

(3) in the amount of more than \$500 for third party property damage resulting from an accident occurring from 18 December 1986.

1986, c. 91, s. 200; 1987, c. 94, s. 39; 1990, c. 19, s. 11; 1990, c. 83, s. 89.

201. The Société shall lift the suspension imposed on any person referred to in section 200 and the prohibition from putting back into operation a road vehicle registered in his name in the following cases:

(1) for accidents having occurred between 1 October 1961 and 28 February 1978, where the person has satisfied the judgment up to an amount of \$35,000 in addition to interest and costs, after deducting up to \$200 for third party property damage;

(2) for accidents having occurred on or after 1 March 1978, where the person has satisfied the judgment up to the amount prescribed in section 87 of the Automobile Insurance Act (chapter A-25);

(3) for accidents referred to in subparagraphs 1 and 2, where the person has reached an agreement with his creditor.

In the case referred to in subparagraph 3, the Société, on receiving notice from the creditor that payment by the debtor has been interrupted, shall reinstate the suspension it had lifted following the agreement.

1986, c. 91, s. 201; 1990, c. 19, s. 11; 1990, c. 83, s. 90; 2008, c. 14, s. 17.

202. Where the Société has effected a payment in satisfaction of a judgment, it shall lift the suspension imposed upon any person referred to in section 200 and the prohibition from putting back into operation the road vehicle registered in such a person's name in the following cases:

(1) if the person has reimbursed the Société for the total amount paid, with interest;

(2) if the person has reached an agreement with the Société for effecting payment in regular instalments.

In the case referred to in subparagraph 2, the Société shall reinstate the suspension and prohibition that it had lifted following the agreement if the person interrupts payment.

1986, c. 91, s. 202; 1990, c. 19, s. 11; 1990, c. 83, s. 91.

202.0.1. If a person is convicted of an alcohol- or drug-related offence committed with a road vehicle and, during the 10 years before that conviction, was convicted at least twice of an alcohol- or drug-related offence or at least once of an offence relating to a high blood alcohol concentration level, for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, for failing to stop after an accident or for fleeing from a peace officer, the Société must

(1) prohibit any road vehicle registered in the name of the person from being put or put back into operation; and

(2) refuse to register any road vehicle in the person's name except if, on the day the vehicle was transferred or leased or in the 10 preceding days, the transferor or lessor had obtained confirmation from the Société, pursuant to section 611.1, that there were no grounds under this Code to prevent the transfer or leasing of the vehicle.

The Société must take the same measures if it receives a notice of conviction for an offence relating to a high blood alcohol concentration level, for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, for failing to stop after an accident or for fleeing from a peace officer with respect to a person who was convicted at least once, during the 10 years before that conviction, of one of those offences or of an alcohol- or drug-related offence.

The prohibition on putting or putting back into operation a road vehicle registered in the name of a person described in the first paragraph and the refusal to register a road vehicle in the person's name do not apply

(1) if the vehicle must be driven by a third party on the person's behalf as part of the person's business operations; or

(2) if the vehicle is equipped with an alcohol ignition interlock device approved by the Société, and the person has been issued a licence to drive a vehicle mandatorily equipped with such a device.

The measures prescribed in the first paragraph take effect as soon as the Société receives the notice of conviction from the clerk of a court of justice, and are lifted when the person obtains a driver's licence that is not restricted to the operation of a road vehicle mandatorily equipped with an alcohol ignition interlock device approved by the Société.

2010, c. 34, s. 27; 2018, c. 19, s. 38.

202.0.2. No person who is subject to the measures prescribed in section 202.0.1 may acquire or lease a road vehicle.

2010, c. 34, s. 27.

202.0.3. For the purposes of section 202.0.1, the definitions in section 76.1.7 apply.

2010, c. 34, s. 27; 2018, c. 19, s. 39.

DIVISION I.1

SUSPENSION OF LICENCES BY A PEACE OFFICER

1996, c. 56, s. 61; 2008, c. 14, s. 18.

202.1. The suspension of a learner's licence, probationary licence, driver's licence or restricted licence under this division is intended to safeguard the licence holder and the public.

1996, c. 56, s. 61.

202.1.1. This division is applicable

(1) 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; and

(2) to persons driving or having the care or control of a road vehicle or an off-highway vehicle.

2007, c. 40, s. 34.

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.

2008, c. 14, s. 19.

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 without delay to the physical coordination tests provided for in the Criminal Code (R.S.C. 1985, c. C-46).

2008, c. 14, s. 19.

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 or 202.4.1.

2008, c. 14, s. 19; 2018, c. 19, s. 40.

202.1.5. (*Repealed*).

2008, c. 14, s. 19; 2018, c. 19, s. 41.

202.2. The following persons may not drive or have the care or control of a road vehicle if any alcohol is present in their bodies:

(1) the holder of a learner's licence or probationary licence who has never held a driver's licence other than a licence authorizing the driving only of a moped or authorizing the driving only of a farm tractor;

(2) the holder of a moped or farm tractor licence only who has held that licence for less than five years and is 22 years of age or older;

(3) the holder of a restricted licence issued under section 118 following the cancellation of a probationary licence, and the holder of a licence issued under the fourth paragraph of section 73 or under any of sections 76.1.1, 76.1.3, 76.1.5, 76.1.6, 76.1.8, 76.1.11 and 76.1.12;

(4) the holder of a driver's licence who is 21 years of age or younger.

The prohibition set out in the first paragraph also applies to a person who, without ever having held a driver's licence other than a licence authorizing the driving only of a moped or authorizing the driving only of a farm tractor, drives or has the care or control of a road vehicle.

1996, c. 56, s. 61; 2001, c. 29, s. 12; 2002, c. 29, s. 17; 2007, c. 40, s. 35; 2010, c. 34, s. 28.

Not in force

202.2.1. As regards any person other than a person subject to section 202.2, operating or having the care or control of a heavy vehicle, emergency vehicle, taxi or automobile considered to be a taxi with alcohol present in the person's body is prohibited.

That prohibition does not apply with regard to

(1) an unmarked emergency vehicle;

(2) a combination of road vehicles having a net mass in excess of 3,000 kg made up of a passenger vehicle drawing a travel trailer or a tent trailer;

(3) a motor home; or

(4) a heavy vehicle having a net mass of 3,000 kg or less on which it is not mandatory to affix an indication of danger plate in compliance with a regulation made pursuant to section 622.

Neither does the prohibition apply to persons who use an emergency vehicle to intervene while not on duty, or to volunteer firefighters.

2002, c. 29, s. 18; 2019, c. 18, s. 233.

202.2.1.1. In addition to persons who are subject to section 202.2, no person may drive or have the care or control of a bus, minibus, taxi or automobile considered to be a taxi if there is any alcohol in the person's body.

2010, c. 34, s. 29; 2019, c. 18, s. 234.

202.2.1.2. As for heavy vehicles other than those referred to in section 202.2.1.1, no person may drive or have the care or control of such a heavy vehicle with a blood alcohol concentration level equal to or in excess of 50 mg of alcohol in 100 ml of blood.

The prohibition does not apply to

(1) a combination of road vehicles, consisting of a passenger vehicle drawing a camping trailer or tent-trailer, having a total combined gross vehicle weight rating of 4,500 kg or more;

(2) a motor home; or

(3) a heavy vehicle having a gross vehicle weight rating of 4,500 kg or more not requiring the display of safety marks under a regulation made under section 622.

2010, c. 34, s. 29, s. 106.

202.3. A peace officer who reasonably suspects the presence of alcohol in the body of a person subject to the prohibition set out in section 202.2, 202.2.1.1 or 202.2.1.2 may order that person to provide forthwith such sample of breath as in the opinion of the peace officer is necessary to enable a proper analysis of the breath to be made by means of a screening device approved by the Minister of Public Security and that is designed to ascertain the presence of alcohol in the blood of a person. The device must be maintained and used in accordance with the standards prescribed by regulation by persons who have received the training prescribed by regulation.

For the purpose of enabling the sample to be taken, the peace officer may, by demand made to the person, require the person to accompany him.

1996, c. 56, s. 61; 2010, c. 34, s. 30.

202.3.1. The Government shall, by regulation, determine maintenance standards for screening devices and equipment and conditions for their use as well as the training that peace officers must undergo.

2018, c. 19, s. 43.

202.4. On behalf of the Société, a peace officer shall immediately suspend,

(1) for 90 days, the licence of any person driving or having the care or control of a road vehicle whose blood alcohol concentration level is shown, by a an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code (R. S. C., 1985, c. C-46), to be equal to or in excess of 80 mg of alcohol in 100 ml of blood;

(2) for 90 days, the licence of any person driving or having the care or control of a road vehicle who is subject to the prohibition under section 202.2 and in whose body the presence of alcohol is revealed by a screening test administered in accordance with section 202.3 or whose blood alcohol concentration level is shown, by an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code, to be less than 80 mg of alcohol in 100 ml of blood;

(3) for 24 hours, the licence of any person who is subject to the prohibition under section 202.2.1.1 and drives or has the care or control of a road vehicle to which the prohibition is applicable

(a) if a screening test conducted in accordance with section 202.3 or in accordance with the Criminal Code reveals the presence of any alcohol in the person's body; or

(b) if the person's blood alcohol concentration level is shown, by an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code, to be less than 80 mg of alcohol in 100 ml of blood;

(4) for 24 hours, the licence of any person not described in subparagraph 1 who is subject to the prohibition under section 202.2.1.2 and drives or has the care or control of a road vehicle to which the prohibition is applicable

(a) if, during a screening test conducted in accordance with section 202.3 or in accordance with the Criminal Code, the screening device shows a blood alcohol concentration level equal to or in excess of 50 mg of alcohol in 100 ml of blood; or

(b) if the person's blood alcohol concentration level is shown, following an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code, to be equal to or in excess of 50 mg of alcohol in 100 ml of blood.

The suspension applies to any licence authorizing the operation of a road vehicle or to the right to obtain such a licence.

Not in force

The suspension imposed on a person who is subject to the prohibition under section 202.2.1 applies only with respect to vehicles to which that prohibition is applicable, provided the person is not also in contravention of subparagraph 1 of the first paragraph of this section.

The suspension imposed on a person who is subject to the prohibition under section 202.2.1.1 or 202.2.1.2 applies only with respect to vehicles to which that prohibition is applicable.

1996, c. 56, s. 61; 2001, c. 29, s. 13; 2002, c. 29, s. 20; 2004, c. 2, s. 18; 2007, c. 40, s. 36; 2010, c. 34, s. 31; 2018, c. 19, s. 44.

202.4.1. On behalf of the Société, a peace officer shall immediately suspend, for 90 days, the licence of any person driving or having the care or control of a road vehicle

(1) if, according to the evaluation conducted by an evaluating officer in accordance with paragraph a of subsection 2 of section 320.28 of the Criminal Code (R.S.C. 1985, c. C-46), the person is impaired by cannabis or any other drug or by a combination of cannabis or any other drug and alcohol; or

Not in force

(2) if the analysis by means of drug screening equipment in accordance with section 202.3 or the Criminal Code demonstrates that cannabis or any other drug is present in the person's body.

The suspension applies to any licence authorizing the operation of a road vehicle and to the right to obtain such a licence.

2018, c. 19, s. 45.

202.5. On behalf of the Société, a peace officer may also immediately suspend, for 90 days, the licence of any person who fails or refuses to comply with an order given to the person by a peace officer under section 202.3 of this Code or a peace officer's demand under section 320.27 or 320.28 of the Criminal Code (R.S.C. 1985, c. C-46).

The suspension under the first paragraph applies to any licence authorizing the operation of a road vehicle and to the right to obtain such a licence.

1996, c. 56, s. 61; 2007, c. 40, s. 37; 2018, c. 19, s. 46; 2019, c. 21, s. 25.

Not in force

202.5.1. If a peace officer has reasonable grounds to suspect that a person who is driving a road vehicle or who has the care or control of 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.

2018, c. 7, s. 29.

202.6. A peace officer who suspends a licence under section 202.1.4, 202.4, 202.4.1, 202.5 or 202.5.1 may, without the owner's permission or, in the case of a heavy vehicle, without the operator's permission, take possession of and impound the road vehicle at the owner's or operator's expense if the vehicle is occupying a part of the road in an illegal or potentially dangerous manner.

1996, c. 56, s. 61; 2007, c. 40, s. 38; 2010, c. 34, s. 32; 2018, c. 7, s. 30; 2018, c. 19, s. 47.

202.6.1. On suspending a licence or the right to obtain a licence, the peace officer shall draw up a report in the form and tenor determined by the Société.

A copy of the report must be left with the person whose licence or right to obtain a licence has been suspended and sent to the Société where it so requires. A refusal to receive the report does not prevent the suspension from taking effect.

2001, c. 29, s. 15; 2002, c. 29, s. 21.

202.6.2. A person whose licence or right to obtain a licence has been suspended for 90 days may apply for a review of the decision by the Société.

2001, c. 29, s. 15; 2002, c. 29, s. 22.

202.6.3. A review is applied for by filing the duly completed form provided by the Société at an office of the Société and paying the fees determined by regulation.

The Société shall proceed on the record, unless a meeting is requested.

2001, c. 29, s. 15.

202.6.4. The application for review must be signed by the person concerned and filed together with the report of the peace officer and a copy of a certificate of a qualified technician or of a document sent to the

person stating the findings of an evaluating officer for the purposes of the Criminal Code (R.S.C. 1985, c. C-46).

2001, c. 29, s. 15; 2002, c. 29, s. 23; 2018, c. 19, s. 48.

202.6.5. In exercising its jurisdiction, the Société shall only consider

- (1) any relevant written representations and any other relevant information;
- (2) the report and any other relevant document drawn up by the peace officer;
- (3) a copy of a certificate of a qualified technician or, if applicable, of a document stating the findings of an evaluating officer for the purposes of the Criminal Code (R.S.C. 1985, c. C-46); and
- (4) where a meeting is held with the person concerned, any relevant representations made and other information supplied at the meeting.

2001, c. 29, s. 15; 2002, c. 29, s. 24; 2018, c. 19, s. 49.

202.6.6. The Société shall lift the suspension of the licence or of the right to obtain a licence if the person concerned establishes by a preponderance of evidence,

- (1) in the case of a prohibition under section 202.2, that no alcohol was present in the person's body;
- (2) that the person had not, at the time of driving or having the control or care of a road vehicle, consumed alcohol in such a quantity that the concentration of alcohol in the person's blood was equal to or exceeded 80 milligrammes of alcohol in 100 millilitres of blood;
 - (2.1) that the person was driving or had the care or control of the road vehicle without being impaired by cannabis or any other drug, whether combined with alcohol or not;
- (3) that the person had a reasonable excuse for not complying with a demand made on the person by a peace officer under section 202.3 of this Code or under section 320.27 or 320.28 of the Criminal Code (R.S.C. 1985, c. C-46); or
- (4) that the person was not driving or did not have the care or control of a road vehicle in the circumstances described in this section.

Where a suspension is lifted, the Société shall reimburse the review fees paid to the Société.

2001, c. 29, s. 15; 2002, c. 29, s. 25; 2018, c. 7, s. 31; 2018, c. 19, s. 50.

202.6.7. The report and any other relevant document drawn up by the peace officer may stand in lieu of the peace officer's statement if the peace officer attests in the report that he or she personally ascertained the facts recorded in the report. The same applies to a copy of the report certified by an authorized person.

A copy of a certificate of a qualified technician or of a document stating the findings of an evaluating officer for the purposes of the Criminal Code (R.S.C. 1985, c. C-46) is evidence of its contents without proof of the signature or official character of the person appearing to have signed the certificate or that the copy is a true copy.

2001, c. 29, s. 15; 2002, c. 29, s. 26; 2018, c. 19, s. 51.

202.6.8. Where a meeting is requested, it must be held by the Société within 10 days after the application for review is duly filed.

2001, c. 29, s. 15.

202.6.9. The Société shall render its decision within 10 days after the application for review is duly filed or, if a meeting is held, within 10 days after the meeting is held.

For the purposes of this section, an application is not duly filed unless the fees payable at the time of the filing have been paid.

2001, c. 29, s. 15.

202.6.10. An application for review filed with the Société does not lift the suspension of the licence or of the right to obtain a licence.

2001, c. 29, s. 15; 2002, c. 29, s. 27.

202.6.11. A person may, within 10 days after a review decision is rendered by the Société, contest the decision before the Administrative Tribunal of Québec.

The provisions of section 107 of the Act respecting administrative justice (chapter J-3) allowing a member of the Tribunal to suspend the execution of a decision are not applicable in that case.

2001, c. 29, s. 15.

202.6.12. Where the Administrative Tribunal of Québec lifts the suspension of the licence or of the right to obtain a licence, the Société shall reimburse the review fees paid to the Société.

2002, c. 29, s. 28.

202.7. The peace officer must advise the Société of every suspension imposed under this division within the time and in the manner determined by the Société.

1996, c. 56, s. 61.

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.

2008, c. 14, s. 21.

202.8. Every person who contravenes section 202.2 or who, without reasonable excuse, fails to comply with a demand made to him by a peace officer under section 202.3 is guilty of an offence and is liable to a fine of \$300 to \$600.

1996, c. 56, s. 61.

DIVISION II

Repealed, 1996, c. 56, s. 62.

1996, c. 56, s. 62.

203. *(Repealed).*

1986, c. 91, s. 203; 1990, c. 19, s. 11; 1990, c. 83, s. 92; 1996, c. 56, s. 62.

204. *(Repealed).*

1986, c. 91, s. 204; 1987, c. 94, s. 40; 1990, c. 19, s. 11; 1990, c. 83, s. 93; 1996, c. 56, s. 62.

205. *(Repealed).*

1986, c. 91, s. 205; 1990, c. 19, s. 11; 1996, c. 56, s. 62.

206. *(Repealed).*

1986, c. 91, s. 206; 1996, c. 56, s. 62.

DIVISION III

(Repealed)

2015, c. 4, s. 34.

207. *(Repealed).*

1986, c. 91, s. 207; 1990, c. 19, s. 11; 1990, c. 83, s. 94; 1996, c. 56, s. 63; 2000, c. 56, s. 218; 2015, c. 4, s. 34.

208. *(Repealed).*

1986, c. 91, s. 208; 1987, c. 94, s. 41; 1990, c. 19, s. 11; 1990, c. 83, s. 95; 1996, c. 56, s. 64.

209. *(Repealed).*

1986, c. 91, s. 209; 2015, c. 4, s. 34.

CHAPTER III

DRIVING WITHOUT A LICENCE OR WHILE DISQUALIFIED

1996, c. 56, s. 65.

DIVISION I

GENERAL PROVISIONS

1996, c. 56, s. 65.

209.1. A peace officer who has reasonable cause to believe that a person is driving a road vehicle without being the holder of a licence prescribed by section 65 may, at the owner's expense and on behalf of the Société, immediately seize the vehicle and impound it for a period of 30 days.

The holder of a probationary licence or a driver's licence authorizing the operation of a road vehicle mandatorily equipped with an alcohol ignition interlock device who drives a road vehicle that is not equipped with such a device or who does not comply with the conditions for the use of the device established by the Société is also subject to this section.

The same applies to a person referred to in section 76.1.12 if the person drives or has the care or control of a road vehicle without complying with the conditions specified in that section.

1996, c. 56, s. 65; 2010, c. 34, s. 33.

209.2. A peace officer who believes on reasonable grounds that the driver of a road vehicle is under a sanction within the meaning of section 106.1 that relates to the driving of a vehicle of the particular class being driven may, at the owner's expense and on behalf of the Société, immediately seize and impound the vehicle for a period of 30 days if the sanction was imposed under section 180 or 185, any of paragraphs 1 to 4 of section 190 or any of sections 191 and 191.2, subparagraph 1 of the first paragraph of section 194 or any of sections 195.2, 202.1.4, 202.4, 202.4.1, 202.5, 328.1, 422.1, 434.2 and 443.3.

1996, c. 56, s. 65; 2002, c. 29, s. 30; 2002, c. 62, s. 2; 2003, c. 5, s. 9; 2007, c. 40, s. 39; 2010, c. 34, s. 34; 2008, c. 14, s. 22; 2018, c. 7, s. 32; 2018, c. 19, s. 54; 2019, c. 18, s. 235.

209.2.1. On behalf of the Société, a peace officer shall immediately seize and impound a road vehicle for 30 days at the owner's expense if the person driving or having the care or control of the vehicle

(1) has a blood alcohol concentration level that is shown, by an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code (R.S.C. 1985, c. C-46), to be equal to or in excess of 160 mg of alcohol in 100 ml of blood and, during the 10 years before the seizure, the person's licence was not cancelled for an alcohol- or drug-related offence, for having a high blood alcohol concentration level, for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, for fleeing from a peace officer or for failing to stop after an accident; or

(2) fails or refuses, without a reasonable excuse, to comply with a peace officer's demand under section 320.27 or 320.28 of the Criminal Code and, during the 10 years before the seizure, the person's licence was not cancelled for any of the offences referred to in subparagraph 1;

(3) *(subparagraph replaced)*.

The peace officer retains the road vehicle from the time the person is ordered to accompany the peace officer for the analysis of a sample of the person's breath to be made by means of an approved instrument until the time the analysis is completed.

This section applies 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 and on land occupied by shopping centres or other land where public traffic is allowed.

2007, c. 40, s. 40; 2010, c. 34, s. 35; 2018, c. 19, s. 55.

209.2.1.1. On behalf of the Société, a peace officer shall immediately seize and impound a road vehicle for 90 days at the owner's expense if the person driving or having the care or control of the vehicle

(1) has a blood alcohol concentration level that is shown, by an analysis of a sample of the person's breath made by means of an approved instrument in accordance with the Criminal Code (R.S.C. 1985, c. C-46), to be equal to or in excess of 80 mg of alcohol in 100 ml of blood and, during the 10 years before the seizure, the person's licence was cancelled for an alcohol- or drug-related offence, for having a high blood alcohol concentration level, for failing or refusing to comply with a peace officer's demand in connection with alcohol or drugs, for fleeing from a peace officer or for failing to stop after an accident;

(2) fails or refuses, without a reasonable excuse, to comply with a peace officer's demand under section 320.27 or 320.28 of the Criminal Code and, during the 10 years before the seizure, the person's licence was cancelled for any of the offences referred to in subparagraph 1; or

(3) is impaired by cannabis or any other drug or by a combination of cannabis or any other drug and alcohol according to the evaluation conducted by an evaluating officer in accordance with paragraph a of subsection 2 of section 320.28 of the Criminal Code and, during the 10 years before the seizure, the person's licence was cancelled for any of the offences referred to in subparagraph 1.

The second and third paragraphs of section 209.2.1 apply to a seizure under this section.

2010, c. 34, s. 36; 2018, c. 19, s. 56.

209.2.1.2. Any seizure of a road vehicle under this Code is for 90 days if a measure provided for in section 202.0.1 was imposed, at any time during the 10 years before the seizure, on the person driving or having the care or control of the road vehicle.

2010, c. 34, s. 36.

209.2.1.3. For the purposes of sections 209.2.1 and 209.2.1.1, the cancellation of a licence also includes the suspension of the right to obtain one under section 180, and the definitions in section 76.1.7 apply.

2010, c. 34, s. 36; 2018, c. 19, s. 57.

209.3. After the road vehicle has been impounded, the peace officer shall prepare a minute of the seizure in the form and tenor determined by the Société.

A copy of the minute of the seizure must be provided to the driver of the vehicle, to the owner if he is present, to the custodian of the impounded vehicle and to the Société where it so requests.

1996, c. 56, s. 65.

209.4. The driver, if he is not the owner of the road vehicle, shall advise the owner of the vehicle of the seizure, without delay, and provide him with a copy of the minute of the seizure.

1996, c. 56, s. 65.

209.5. The peace officer shall advise the Société of every seizure effected under this chapter within the time and in the manner determined by the Société.

The Société shall advise the owner of the seizure in the manner set out in the fourth paragraph of section 550.

1996, c. 56, s. 65; 1999, c. 66, s. 4.

209.6. The owner or driver of a road vehicle seized may recover any personal property present in the vehicle except a radar warning device or personal property attached to or incorporated into the vehicle or used in connection with the operation of the vehicle.

1996, c. 56, s. 65.

209.7. The shipper, owner or operator of a heavy vehicle or owner of the merchandise transported in a road vehicle that is seized may recover the merchandise as well as any trailer, semi-trailer, detachable axle or single-axle towing dolly forming part of a combination of road vehicles that is seized.

1996, c. 56, s. 65; 1998, c. 40, s. 68.

209.8. The owner of a road vehicle seized may not transfer the ownership of the vehicle before the Société has authorized the recovery of the vehicle by its owner pursuant to section 209.15.

1996, c. 56, s. 65.

209.9. The custodian is entitled to retain the road vehicle until all towing and impounding charges have been paid.

Towing charges and daily impounding charges are fixed by regulation.

From the year 2003, 20% of the towing charges shall be indexed annually, according to the rate of variation of the average diesel fuel price computed according to the weekly data of the Régie de l'énergie du Québec for the preceding calendar year in relation to the previous year. That indexation applies in respect of towing carried out elsewhere than on the public roads specified in a regulation made under section 12.1.1 of the Act respecting the Ministère des Transports (chapter M-28).

If there are more than two decimals in an annual average or the rate computed under the third paragraph or the indexed amount of charges, only the first two decimals shall be retained and the second shall be increased by one unit if the third is equal to or greater than 5.

The Société shall publish the amount of the adjusted charges resulting from the indexation in the *Gazette officielle du Québec*. The adjusted charges come into force on 1 March of the year of publication.

1996, c. 56, s. 65; 2002, c. 29, s. 31.

209.10. The person to whom custody of the impounded road vehicle has been entrusted shall act with care and prudence. He may surrender possession of the vehicle only if the conditions set out in section 209.15 are satisfied or after the expiry of the period provided for in section 209.17 but, in the latter case, only with the permission of the Société.

1996, c. 56, s. 65; 1999, c. 66, s. 5.

DIVISION II

RELEASE FROM SEIZURE

1996, c. 56, s. 65.

209.11. The owner of a road vehicle seized may, on the authorization of a judge of the Court of Québec acting in chambers in civil matters, recover his vehicle on the conditions set out in section 209.15,

(1) if, being the driver of the vehicle, the owner was unaware that he was disqualified; or

(2) if, not being the driver of the vehicle, the owner

(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, even though he had made a reasonable attempt to verify the information;

(b) had not consented to the driver being in possession of the vehicle seized; or

(c) could not reasonably have foreseen, in the case of a seizure under section 209.2.1 or 209.2.1.1, that the driver would commit the offence that gave rise to the seizure;

(d) *(subparagraph replaced)*.

The application for release must be served on the Société with a copy of the minute of the seizure at least two clear days before its presentation to the judge. The application is heard and decided by preference. Saturday and Sunday are not counted in calculating the time for the service.

1996, c. 56, s. 65; 2008, c. 14, s. 23; 2007, c. 40, s. 42; 2010, c. 34, s. 37; I.N. 2016-01-01 (NCCP).

209.11.1. When a road vehicle is seized on two or more grounds, the owner may recover the vehicle by proving that all the conditions for recovering the vehicle applicable to the situation are met. A judge with exclusive jurisdiction over any of the grounds for the seizure may rule on the merits of all of them.

A judge of the Court of Québec has exclusive jurisdiction over an application for release from seizure under sections 422.5 and 434.6.

2010, c. 34, s. 38.

209.12. Where an application is served on it, the Société may plead, before the date fixed for the presentation of the application, any ground of law or fact to oppose the conclusions sought in the application in whole or in part.

1996, c. 56, s. 65; I.N. 2016-01-01 (NCCP); 2018, c. 7, s. 33.

209.13. The minute prepared by the peace officer may stand in lieu of his testimony if the peace officer attests that he himself ascertained the facts set forth therein. The same applies to the copy of the minute certified true by an authorized person.

1996, c. 56, s. 65.

209.14. Sections 209.11, 209.12 and 209.13 must not be interpreted as preventing the Société from authorizing the recovery of a vehicle by its owner, on payment of the towing and impounding costs incurred by the custodian, provided the owner proves to the Société that the conditions set out in section 209.11 are met.

If a vehicle driven by its owner is seized under section 209.2.1 or 209.2.1.1, recovery of the vehicle may only be authorized if the owner proves to the Société that he did not commit the offence that gave rise to the seizure and pays the costs referred to in the first paragraph.

If the vehicle is seized on two or more grounds none of which is under the exclusive jurisdiction of a judge of the Court of Québec, recovery of the vehicle may only be authorized if the owner proves to the Société that all the conditions for recovering the vehicle that are applicable to the situation are met.

The refusal by the Société to authorize recovery of the vehicle under the second paragraph may be contested before the Administrative Tribunal of Québec, according to the terms set out in sections 202.6.11 and 202.6.12.

The rules set out in sections 202.6.3 to 202.6.5 and 202.6.7 to 202.6.10 apply, with the necessary modifications, to an application for the recovery of a vehicle made under this section.

1996, c. 56, s. 65; 2007, c. 40, s. 43; 2010, c. 34, s. 39.

209.15. At the end of the period of seizure, the owner may not recover his road vehicle except on payment of the towing and impounding costs incurred by the custodian and on presentation of the authorization furnished by the Société or a person it designates.

1996, c. 56, s. 65.

209.16. *(Repealed).*

1996, c. 56, s. 65; 1999, c. 66, s. 6.

DIVISION III

DISPOSAL OF THE ROAD VEHICLE BY THE SOCIÉTÉ

209.17. If within 10 days after the end of a period of seizure, the road vehicle is not claimed, the Société shall dispose of it in accordance with the rules set out in this division. The disposal costs shall be borne by the owner.

1996, c. 56, s. 65; 1999, c. 66, s. 7; 2010, c. 34, s. 40.

209.18. 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.

The vehicle may be sold only after prior notice of at least 10 days has been sent to the owner of the vehicle and to each person holding a right in the vehicle published in the register of personal and movable real rights, and after prior notice of at least ten days has been published in a newspaper circulated in the locality where the owner of the vehicle resides or, in the case of a legal person, in the locality where the legal person's establishment is situated. Prior notice given under this section must specify, in particular, the year, make, model and registration number of the vehicle, the name of its owner, the owner's right to claim the vehicle at

any time prior to the sale on payment to the custodian of the vehicle of the towing and impounding charges and on payment of the charges that may be imposed by the Société pursuant to subparagraph 13.1 of the first paragraph of section 624.

1996, c. 56, s. 65; 1999, c. 66, s. 7; 2010, c. 34, s. 41; 2018, c. 7, s. 34.

209.19. Where the value of the road vehicle is equal to or less than \$3,000, the Société may classify the vehicle as discarded and sell it or dispose of it by any other means, in particular by giving it to the custodian in payment of the latter's claim for the cost of towing and impounding the vehicle.

The vehicle may be disposed of only after prior notice of at least five days has been sent to the owner of the vehicle and to every holder of a right in the vehicle published in the register of personal and movable real rights. Prior notice given under this section must specify, in particular, the year, make, model and registration number of the vehicle, the name of its owner, the owner's right to claim the vehicle at any time prior to the sale on payment to the custodian of the vehicle of the towing and impounding charges and on payment of the charges that may be imposed by the Société.

1996, c. 56, s. 65; 1999, c. 66, s. 7; 2010, c. 34, s. 42.

209.20. For the purposes of sections 209.18 and 209.19, the value of a road vehicle is the average wholesale price indicated, for a vehicle of the make, model and equipment concerned, in the current edition of the road vehicle value guide recognized by the Société and of which the Société gives notice in the *Gazette officielle du Québec*.

Where the model year of the vehicle is earlier than the years covered in the current edition, the price used is the price appearing in the current edition for the year closest to the model year of the vehicle; the value of the vehicle is that price less 2% for each complete month between the model year of the vehicle and that closest year appearing in the current edition.

However, the cost of the repairs to be made to the vehicle, if any, must be deducted from the wholesale price referred to in the first paragraph or from the amount obtained pursuant to the second paragraph.

Where the make or model of the vehicle is not covered in the guide, the Société shall assess the value of the vehicle or have it assessed.

1996, c. 56, s. 65; 1999, c. 66, s. 7; 2002, c. 29, s. 32.

209.21. Every disposal of a vehicle by the Société pursuant to the rules of this division entails the extinction of all reserves of ownership, rights of redemption, hypothecs and other rights or charges encumbering the vehicle.

The Société shall forward a notice of any disposal of a vehicle to the registrar who shall, in each case, cancel the relevant entries.

1996, c. 56, s. 65; 1997, c. 80, s. 54; 1999, c. 66, s. 7.

209.22. When a road vehicle is sold, the Société shall allocate the proceeds to payment of the costs of the sale, to payment of the claim of the custodian for the cost of towing and impounding, and then to payment of the charges imposed by the Société, if any, pursuant to subparagraph 13.1 of the first paragraph of section 624. The remaining proceeds shall be allocated, in order, to payment of the following claims on the vehicle:

- (1) the claim of the lessor or holder of a reserve of ownership;
- (2) prior claims;
- (3) hypothecary claims;

(4) the fines and costs due by the person who was the owner of the vehicle at the time of the seizure, according to the order in which notices were received by the Société pursuant to article 364 of the Code of Penal Procedure (chapter C-25.1).

Any remaining proceeds shall be remitted to the owner of the vehicle at the time of the seizure.

1996, c. 56, s. 65; 1999, c. 66, s. 7; 2003, c. 5, s. 10.

209.22.1. Even where the proceeds of the sale prove insufficient, the Société is bound to pay the costs of the sale and the claim of the custodian.

1999, c. 66, s. 7.

209.22.2. *(Repealed).*

1999, c. 66, s. 7; 2010, c. 34, s. 43.

209.22.3. A custodian who acquires a road vehicle in payment of a claim shall, when the vehicle is purchased to be put back into operation, provide the purchaser with a certificate of mechanical inspection issued pursuant to Title IX.

1999, c. 66, s. 7.

DIVISION IV

INDEMNIFICATION BY THE SOCIÉTÉ

1996, c. 56, s. 65.

209.23. The Société shall be liable for any damage resulting from any wrongful seizure.

1996, c. 56, s. 65.

DIVISION V

PENAL PROVISIONS

1996, c. 56, s. 65.

209.24. Every person who contravenes section 209.10 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1996, c. 56, s. 65.

209.25. Every person who requires the payment of charges greater than those established by a regulatory provision under paragraph 50 of section 621 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1996, c. 56, s. 65.

209.26. Every person who drives a road vehicle that has been impounded under section 209.1, 209.2 or 209.2.1 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1996, c. 56, s. 65; 2007, c. 40, s. 44.

TITLE VI

RULES RESPECTING VEHICLES AND THEIR EQUIPMENT

CHAPTER I

GENERAL PROVISIONS

210. Road vehicles and bicycles must be provided with an identification number affixed by the manufacturer, who must communicate to the Société the components of the numbers affixed to road vehicles. However, trailers and semi-trailers whose net mass does not exceed 900 kg and detachable axles are not required to be provided with such a number.

The Société may also affix an identification number to a road vehicle on payment of the fee and on the conditions established by regulation.

1986, c. 91, s. 210; 1990, c. 19, s. 11; 1996, c. 56, s. 66; 2010, c. 34, s. 44.

210.1. Where a vehicle is not provided with an identification number, its owner must request the Société or one of its mandataries to affix an identification number to the vehicle in accordance with the second paragraph of section 210.

1990, c. 83, s. 96.

211. Except with prior approval from the Société, no person may alter, make illegible, erase, replace or remove the identification number of a road vehicle or bicycle.

1986, c. 91, s. 211; 1990, c. 19, s. 11.

211.1. No person may sell, lease or place at the disposal of a person for valuable consideration, or offer in any way to sell, lease or place at the disposal of a person for valuable consideration, a new road vehicle of a category subject to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16), unless the vehicle bears a national safety mark within the meaning of that Act or the compliance label prescribed by that Act.

The same prohibition applies with respect to a new power-assisted bicycle, unless the bicycle bears the label prescribed by that Act.

1996, c. 56, s. 67; 2002, c. 29, s. 33.



See chapter C-24.2, r. 37.01, s. 29.

212. In addition to the equipment prescribed in this Title, road vehicles and bicycles must be equipped with any other accessory and equipment required to be installed by the manufacturer under an Act or a regulation in force in Québec.

1986, c. 91, s. 212.

212.1. The Société may require the removal, repair or modification of any equipment on a road vehicle that has not been installed by the manufacturer of the road vehicle if the equipment presents a risk for road users.

1998, c. 40, s. 69.

213. All equipment prescribed in this Code must be kept in good working order at all times.

This section applies, in addition to public highways, to highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune, to private roads open to public vehicular traffic as well as land occupied by shopping centres and other land where public traffic is allowed.

1986, c. 91, s. 213; 1998, c. 40, s. 70; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 24.

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 (S.C. 1993, c. 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.

1986, c. 91, s. 214; 1987, c. 94, s. 42; 1990, c. 19, s. 11; 1996, c. 56, s. 144; 2018, c. 7, s. 35.

214.0.1. This Title does not apply to a self-propelled aerial basket.

2004, c. 2, s. 19.

214.0.2. The Government may prescribe by regulation any special rules that low-speed vehicles must meet to be driven on public highways.

2016, c. 8, s. 52.

CHAPTER II

PROVISIONS RESPECTING VEHICLE LIGHTING DEVICES AND WARNING LIGHTS

214.1. *(Repealed).*

1990, c. 83, s. 97; 1996, c. 56, s. 68; 1998, c. 40, s. 71; 2002, c. 29, s. 34.

215. Every motor vehicle, other than a motorcycle or a moped, must carry at least

- (1) two single or double white headlights, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (2) two amber or white parking lights, on the front, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (3) two red parking lights, at the rear, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (3.1) two red reflectors at the rear, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (4) two red stop lights, at the rear, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (5) two amber or white turn-signal lights, on the front, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (6) two red or amber turn-signal lights, at the rear, at the same height, one on each side of the vertical centreline and as far apart as practicable;
- (7) one amber side marker lamp and one amber side reflector on each side, as far forward as practicable;
- (8) one red side marker lamp and one red side reflector on each side, as far to the rear as practicable;
- (9) a white back-up light at the rear;
- (10) a white light illuminating the rear registration plate.

In the case of a combination of road vehicles, the lights prescribed in subparagraphs 3, 3.1, 4, 6 and 10 of the first paragraph must be mounted at the rear of the last vehicle.

The lights referred to in subparagraph 2 of the first paragraph are not required on any vehicle exceeding 2.03 metres in width.

1986, c. 91, s. 215; 1990, c. 83, s. 98.

215.1. Any motor vehicle measuring 9.1 metres or more in length must carry an amber side marker lamp and an amber side reflector on each side, midway between the front and rear side marker lamps.

1990, c. 83, s. 99.

216. In addition to the lights prescribed in section 215, every motor vehicle, other than a passenger vehicle, measuring at any point more than 2.03 metres in width must carry,

- (1) on the front, two amber clearance lights, at the same height and not more than 150 mm from the upper right and left extremities of the vehicle;
- (2) at the rear, two red clearance lights, not more than 150 mm from the upper right and left extremities of the vehicle;
- (3) *(subparagraph repealed)*;
- (4) on the front, three amber identification lights, grouped in a horizontal row at the centre above the windshield, and spaced not less than 150 mm nor more than 300 mm apart;

(5) at the rear, three red identification lights, grouped in a horizontal row at the centre and spaced not less than 150 mm nor more than 300 mm apart.

Where the identification lights prescribed in subparagraph 5 of the first paragraph are mounted at the very top of the vehicle, the clearance lights prescribed in subparagraph 2 of the first paragraph need not be mounted at the prescribed height.

1986, c. 91, s. 216; 1990, c. 83, s. 100; 1998, c. 40, s. 72; 2019, c. 18, s. 236.

216.1. Subparagraph 8 of the first paragraph of section 215 and subparagraphs 2 and 5 of the first paragraph of section 216 do not apply to a motor vehicle designed to pull a semi-trailer and having no load space.

1990, c. 83, s. 101.

217. *(Repealed).*

1986, c. 91, s. 217; 1990, c. 83, s. 102.

218. *(Repealed).*

1986, c. 91, s. 218; 1998, c. 40, s. 73.

219. The three red identification lights and the two red reflectors of a motor vehicle or of a combination of road vehicles whose only superstructure is the driver's cab must be grouped in a horizontal row at the rear of the platform or between the two trail-lights required for all vehicles.

1986, c. 91, s. 219; 1990, c. 83, s. 103.

220. In addition to the lights and reflectors prescribed in sections 215 and 216, every trailer or semi-trailer must carry one red side marker lamp on each side and as far to the rear as practicable.

It must also carry

(1) if it measures 1.8 metres or more in length, one amber side marker lamp on each side and as far forward as practicable;

(2) if it measures 9.1 metres or more in length, one amber side marker lamp and one amber side reflector midway between the front and rear side marker lamps.

1986, c. 91, s. 220; 1990, c. 83, s. 104.

220.1. The lights and reflectors prescribed by this chapter may be combined on the condition that they meet the requirements of this chapter.

However, a clearance light may not be combined with an identification light, nor a rear clearance light with a rear marker lamp.

1990, c. 83, s. 105.

220.2. A trailer, semi-trailer or truck tractor may be equipped with reflective material in accordance with the Motor Vehicle Safety Act (S.C. 1993, c. 16) instead of the reflectors prescribed by this chapter.

1996, c. 56, s. 69; 1998, c. 40, s. 74; 2018, c. 7, s. 36.

220.3. Except for trailers designed exclusively for dwelling or office purposes, trailers and semi-trailers measuring 2.05 m or more in width and having a gross vehicle weight rating of more than 4,536 kg must be equipped with reflective material in accordance with the Motor Vehicle Safety Act (S.C. 1993, c. 16).

1998, c. 40, s. 75; 2004, c. 2, s. 20; 2008, c. 14, s. 25; 2018, c. 7, s. 37.

221. In addition to the lights prescribed in section 215, every passenger vehicle, other than a motorcycle or a moped, and every other vehicle of the same configuration manufactured from 1 January 1987 must be equipped with a red stop light at the rear, on the vertical centreline, at the same height as or higher than the stop lights prescribed in paragraph 4 of section 215.

1986, c. 91, s. 221.

222. The fog lights that may be mounted on a road vehicle must conform to the standards established by regulation and must be on the front of the vehicle and at the same height, which must not be higher than that of the white headlights.

1986, c. 91, s. 222.

223. All back-up lights on a road vehicle must remain extinguished when the vehicle is moving forward.

1986, c. 91, s. 223; 1990, c. 83, s. 106.

224. The Minister of Transport may authorize, on conditions established by regulation, the installation and use of white lights at the rear of certain classes or sub-classes of road vehicles.

1986, c. 91, s. 224.

225. A road vehicle over 2 metres in width, operated on a public highway, must carry portable lamps, reflectors or flares, the standards of use of which are prescribed by regulation.

1986, c. 91, s. 225; 1990, c. 83, s. 107; 1996, c. 56, s. 70; I.N. 2021-10-31.

226. Emergency vehicles may carry flashing or rotating red lights. In addition, they may carry alternately flashing white headlights and flashing or rotating white lights.

Police vehicles may carry blue flashing or rotating lights.

1986, c. 91, s. 226; 1987, c. 94, s. 43; 2018, c. 7, s. 38.

226.1. Only emergency vehicles designed to serve as a command and coordination post may be equipped with a green rotating light which may be used solely within the safety perimeter established by the person in charge of the emergency operation.

1998, c. 40, s. 76.

226.2. Only a firefighter who has obtained authorization from the Société may use a flashing green light on a road vehicle other than an emergency vehicle when responding to an emergency call from a fire safety service. The conditions under which the authorization referred to in this paragraph may be obtained and the technical standards the light must meet and method for its installation are prescribed by government regulation.

Where required by circumstances and when the light is activated, the firefighter is authorized to travel on the shoulder and stop the vehicle in any place. The firefighter must act in a manner that does not endanger human life and safety.

2018, c. 7, ss. 39 and 186.

227. 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 or an enterprise acting for it, 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.

For the purposes of this section, “service vehicle” is a motor vehicle equipped to refuel, repair or tow road vehicles and an “equipment vehicle” is a motor vehicle used for the transportation of permanently attached equipment and provided with a load space.

1986, c. 91, s. 227; 2018, c. 7, s. 40.

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

2018, c. 7, s. 41.

228. Where the conditions of issue of a special permit require that a road vehicle be equipped with a rotating or flashing amber light, the light may be permanently attached to the vehicle but it must not be operated when the special permit is no longer required.

1986, c. 91, s. 228; 1987, c. 94, s. 44; 2008, c. 14, s. 28.

228.1. No vehicle that carries a sign or signal or similar device in lieu thereof required to obtain a special permit shall be used otherwise than in connection with the special permit, unless the sign, signal or device has been removed or covered.

1996, c. 56, s. 71.

229. Every bus or minibus used for the transportation of school children within the meaning of a regulation under the Transport Act (chapter T-12) must be equipped with two signs bearing the inscription “Écoliers”, one on the front of the vehicle, the other at the rear. It must also be equipped with flashing lights, on the front and at the rear of the vehicle and with a compulsory stop signal consisting of a retractable stop sign or a retractable arm with a stop sign.

The lights, the signs and the compulsory stop signal prescribed in the first paragraph must conform to the regulations under the Transport Act.

The signs must be removed or covered when the vehicle is not being used to provide the transportation referred to in section 454 of 461.

1986, c. 91, s. 229; 1993, c. 42, s. 4.

230. Every motorcycle or moped must carry at least

- (1) one white headlight;
- (2) one red taillight;
- (3) two white or amber turn-signal lights on the front and two red or amber turn-signal lights at the rear;
- (4) one red stop light at the rear;
- (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.

1986, c. 91, s. 230; 2018, c. 7, s. 42.

231. When a motorcycle is equipped with a sidecar, the sidecar must carry a red taillight, which must be as near as practicable to the right extremity of the sidecar.

1986, c. 91, s. 231.

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 or white reflector attached to the spokes and visible on both sides of the bicycle, a red or white 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.

1986, c. 91, s. 232; 2010, c. 34, s. 45; 2018, c. 7, s. 43.

233. At night, every bicycle must also carry, a white headlight or light and one red taillight, both of which may be flashing.

1986, c. 91, s. 233; 2018, c. 7, s. 44.

233.1. No bicycle dealer shall sell, offer for sale, rent or offer for rent a bicycle unless the bicycle complies with the requirements of the first paragraph of section 232.

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.

1996, c. 56, s. 72; 2018, c. 7, s. 45.

233.2. No dealer shall sell, offer for sale, rent or offer for rent a non-motorized scooter unless it carries at least

- (1) one white reflector or white reflective material at the front;
- (2) one red reflector or red reflective material at the rear;
- (3) one red reflector or red reflective material on each side, as far to the rear as practicable.

2002, c. 29, s. 35.

234. Every road vehicle, other than a vehicle specifically mentioned in this chapter, must carry two white headlights and two red taillights.

1986, c. 91, s. 234.

235. The white headlights prescribed in this chapter must be firmly attached to the vehicle and be so adjusted as to produce, under normal atmospheric conditions and on a level road, sufficient light to enable the driver of the vehicle to discern a person or an object within a distance of 150 metres.

In the case of a moped, the light must enable the driver to discern a person or an object within a distance of 90 metres and in the case of a bicycle, at a distance of 10 metres.

1986, c. 91, s. 235.

236. Where two white headlights are mounted on a vehicle, they must be at the same height, one on each side of the vertical centreline and as far apart as practicable.

1986, c. 91, s. 236.

237. The headlights, lights and reflectors prescribed in this chapter must be visible at a distance of not less than 150 metres and conform to the standards established by regulation.

They must be kept free of any obstructing matter that reduces their effectiveness.

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.

1986, c. 91, s. 237; 2018, c. 7, s. 46.

238. A peace officer may require the driver of a road vehicle to clean the headlights, lights and reflectors of the vehicle where their effectiveness is reduced by dirt or other obstructing matter.

The driver must comply with the requirement of the peace officer.

1986, c. 91, s. 238.

239. No road vehicle, except a vehicle contemplated in sections 226 to 227.1, may carry alternately flashing white headlights or flashing or rotating lights of whatever colour.

No road vehicle contemplated in any of sections 226, 226.2, 227 and 227.1 may carry flashing or rotating lights of another colour than the colour authorized for that vehicle in accordance with the section which applies to such a vehicle.

1986, c. 91, s. 239; 1987, c. 94, s. 46; 1990, c. 83, s. 108; 2018, c. 7, s. 47.

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.

2018, c. 7, s. 48.

239.1.1. The driver of a road vehicle who uses a flashing green light installed on the vehicle must have with him the certificate of authorization allowing the driver to do so.

2018, c. 7, s. 48.

239.2. A driver referred to in section 239.1 or 239.1.1 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.

2018, c. 7, s. 48.

240. A peace officer is authorized to require the removal, at the expense of the owner, of a flashing or rotating light carried by a road vehicle in contravention of this Code.

The peace officer shall give a receipt to the person in possession of the vehicle and remit the light to the Société.

1986, c. 91, s. 240; 1990, c. 19, s. 11.

240.1. Every towing vehicle must carry the necessary equipment for operating the lights on the road vehicle being towed. Detachable equipment may be used to replace the lights.

1990, c. 83, s. 109; 1998, c. 40, s. 77.

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.

2002, c. 29, s. 36; 2004, c. 2, s. 21; 2018, c. 7, s. 49.

240.3. Every self-propelled farm machine must carry two white headlights and two red taillights.

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.

2002, c. 29, s. 36; 2004, c. 2, s. 22; 2018, c. 7, s. 50.

CHAPTER III

PROVISIONS RESPECTING BRAKES AND BRAKE SYSTEMS

241. For the purposes of this chapter, the term “motor vehicle” does not include a motorcycle or moped.

1986, c. 91, s. 241.

242. Subject to sections 243 to 247, every road vehicle must be equipped with at least one braking system sufficiently powerful to stop the vehicle quickly in case of emergency and hold the vehicle stationary.

1986, c. 91, s. 242.

243. Every motor vehicle or combination of road vehicles must be equipped with at least one service brake system allowing sufficient braking force to be applied on each weight-bearing wheel to stop the vehicle quickly in case of emergency and with a parking brake system to hold the vehicle stationary.

1986, c. 91, s. 243.

244. Every trailer or semi-trailer that is part of a combination of road vehicles and that has a mass, once loaded, of 1,300 kg or more or that has a mass, once loaded, of over half the net mass of the motor vehicle by which it is towed must be equipped with an independent braking system allowing application of a braking force on each weight-bearing wheel.

The towing vehicle must carry the necessary equipment for operating the braking system of any trailer or semi-trailer referred to in the first paragraph being towed.

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.

1986, c. 91, s. 244; 1990, c. 83, s. 110; 1996, c. 56, s. 73; 2004, c. 2, s. 23; 2018, c. 7, s. 51.

245. Every trailer or semi-trailer operated without an independent brake system that can stop the vehicle if the trailer or semi-trailer becomes separated from the towing vehicle must be equipped with a chain, a cable or any other sufficiently solid safety device installed so that the trailer or semi-trailer and the towing vehicle would remain attached were the coupling device to break.

The towing vehicle must carry the necessary equipment for attaching the chain, cable or safety device of the trailer or semi-trailer.

1986, c. 91, s. 245; 1990, c. 83, s. 111; 2010, c. 34, s. 46.

246. Every motorcycle or moped must be equipped with at least one brake system acting on the front and rear wheels.

The brake system must be sufficiently powerful to stop the vehicle quickly in case of emergency and to hold it stationary.

1986, c. 91, s. 246; 2010, c. 34, s. 47.

247. Every bicycle and non-motorized scooter must be equipped with at least one brake system acting on the rear wheel. The system must be sufficiently powerful to quickly block the rotation of the wheel on a paved, dry and level roadway.

1986, c. 91, s. 247; 2002, c. 29, s. 37.

248. No person may drive a road vehicle having a brake system that has been modified or altered in such a way as to reduce its effectiveness.

1986, c. 91, s. 248.

249. A peace officer who has reasonable grounds to believe that the brake system of a road vehicle or bicycle is defective or out of order may require that the vehicle be taken to the nearest practicable place and retained at the expense of the owner until the problem is corrected.

1986, c. 91, s. 249.

CHAPTER IV

PROVISIONS RESPECTING VARIOUS OTHER EQUIPMENT

250. No person may either effect or cause the removal, alteration or putting out of service of a seat belt with which the seats of a road vehicle are equipped under the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16).

1986, c. 91, s. 250; 1996, c. 56, s. 144.

250.1. No person may, in the carrying on of a business, sell, offer for sale, rent or offer for rent a protective helmet for motorcyclists, moped operators or their passengers unless it meets the standards established by regulation.

1996, c. 56, s. 74.

250.2. No person may install in a road vehicle or, for the purposes of such installations, sell, lease or place at the disposal of a person for valuable consideration, an air bag module, a seat belt with a pretensioner, or an air bag and seat belt electronic control module unless the equipment is new equipment originating from the manufacturer of the road vehicle and intended for such a vehicle. However, the equipment may be reinstalled in the same vehicle after being removed for the sole purpose of vehicle repairs or maintenance, provided it is in good working order.

No person may repair a module after the air bag has deployed or a seat belt with a pretensioner that has been activated. No person other than a person authorized by the manufacturer of the vehicle concerned may reprogram or repair an air bag or seat belt electronic control module.

The same prohibitions apply to offering to perform any of the acts referred to in the first or second paragraph.

The Société may, on the conditions it determines, exempt a person from the prohibitions of this section, except the prohibition to repair an air bag module and the prohibition to repair a seat belt.

2002, c. 29, s. 38; 2010, c. 34, s. 48.

250.3. No person may remove or cause to be removed an air bag module installed in a road vehicle, or render it inoperative except by means of a device installed by the manufacturer of the vehicle before its sale to the first user. The prohibition does not apply if the air bag module must be removed or rendered inoperative for the purpose of adapting a road vehicle for a handicapped person.

The Société may, on the conditions it determines and for reasons of safety, exempt a person from the prohibition.

2002, c. 29, s. 38; 2002, c. 62, s. 3; 2010, c. 34, s. 49.

250.4. No person may install, sell, lease or place at the disposal of a person for valuable consideration, a device the purpose of which is to simulate the presence or proper functioning of air bags or seat belts with pretensioners.

2002, c. 29, s. 38.

251. No person may

(1) install a radar warning device, have a radar warning device installed or in any way place a radar warning device in a road vehicle;

(2) place any object or have any object placed on a road vehicle, or apply any material or have any material applied to a road vehicle, that is capable of interfering in any way with the operation of a photo radar device or a red light camera system or with the recording of registration plate information by the camera of such a radar device or camera system.

1986, c. 91, s. 251; 1988, c. 68, s. 11; 2007, c. 40, s. 45; 2012, c. 15, s. 5.

252. No person may sell or lease to, or place at the disposal of any person, in exchange for consideration, or in any way offer to sell or lease to, or to place at the disposal of any person, in exchange for consideration, a radar warning device.

Any contravention of this section entails, upon conviction, the confiscation of the radar warning device in favour of the Société.

1986, c. 91, s. 252; 1988, c. 68, s. 12; 1990, c. 19, s. 11.

253. *(Repealed).*

1986, c. 91, s. 253; 2007, c. 40, s. 47.

254. Every motor vehicle must be equipped with a horn.

1986, c. 91, s. 254.

255. Only emergency vehicles may be equipped with a siren or a device producing a similar sound or a traffic-light changing device.

The first paragraph does not apply to an anti-theft device installed and used in a road vehicle in accordance with the standards established by regulation.

1986, c. 91, s. 255.

256. No person may sound the horn of a road vehicle, except in case of necessity.

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

1986, c. 91, s. 256; 1990, c. 83, s. 112.

257. A peace officer is authorized to require the removal, at the expense of the owner of a road vehicle, of a siren or any other device producing a similar sound installed on a vehicle in contravention of this Code. The peace officer shall give a receipt to the person in possession of the vehicle and remit the device to the Société.

1986, c. 91, s. 257; 1990, c. 19, s. 11.

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 and an audible warning device which must activate automatically when the dump body is not completely lowered.

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

2018, c. 7, s. 52.



The application of this section with respect to a combination of road vehicles having a total combined gross vehicle weight rating of 4,500 kg or more and consisting of a tractor, equipped with pneumatic tires or rubber caterpillar tracks, designed to draw farm equipment and that draws a trailer with a dump body, is hereby suspended. (See M.O. 2021-15, 2021-06-16, (2021) 153 G.O. 2, 2235)

258. Every motor vehicle, except a vehicle that does not use fuel as its source of energy, must be equipped with an exhaust system that conforms to the standards established by regulation.

1986, c. 91, s. 258; 2018, c. 7, s. 53.

259. No person may sell or offer for sale, for use on a public highway, an exhaust system that does not conform to the standards prescribed by regulation.

1986, c. 91, s. 259.

260. No person may perform or cause the performance of any operation on a motor vehicle to cancel or reduce the effectiveness of the exhaust system of the vehicle.

1986, c. 91, s. 260.

261. Every motor vehicle equipped with a windshield, other than a motorcycle or moped, must be equipped with a front windshield wiper and, if fitted as original equipment by the manufacturer, a front windshield washer.

1986, c. 91, s. 261.

262. Every motor vehicle, other than a motorcycle or moped, must be equipped with at least two rear-view mirrors, one solidly attached to the interior of the vehicle at the centre of the upper part of the windshield, and the other, to the exterior of the vehicle on the left side.

When the interior rear-view mirror cannot be used, another rear-view mirror must be attached to the exterior of the vehicle on the right side.

Where the motor vehicle draws a trailer or a semi-trailer, rear-view mirrors must be attached so as to enable the driver to have a clear view to the back of the combination of vehicles:

(1) one rear-view mirror attached to the exterior of the motor vehicle on the left side if the existing rear-view mirror cannot be used; and

(2) another rear-view mirror attached to the exterior of the motor vehicle on the right side if the existing interior or exterior rear-view mirror on the right side cannot be used.

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.

1986, c. 91, s. 262; 1987, c. 94, s. 47; 2008, c. 14, s. 30.

263. Every motorcycle or moped must be equipped with two rear-view mirrors, one solidly attached to each side of the vehicle.

1986, c. 91, s. 263.

264. The windows, windshield and safety partitions of a motor vehicle must be made of transparent glass so manufactured or treated as to substantially reduce friability and the likelihood of shattering.

1986, c. 91, s. 264.

265. The windshield and the other windows of a motor vehicle must conform to the standards prescribed by regulation to ensure good visibility for the driver.

They must be free of any material that might reduce visibility for the driver.

1986, c. 91, s. 265.

266. No person may coat the windshield or the front side windows of a road vehicle or cause them to be coated with a substance having the effect of reducing or preventing good visibility from inside or outside the vehicle.

1986, c. 91, s. 266; 1996, c. 56, s. 75.

267. A peace officer may require the driver of a vehicle to clean or clear the windshield and windows where obstructing matter reduces visibility for the driver.

The driver must comply with the requirement of the peace officer.

1986, c. 91, s. 267.

268. Every motor vehicle, other than a motorcycle with a piston displacement not in excess of 125 cc or a moped, must be equipped with an odometer and a speedometer.

1986, c. 91, s. 268.

269. Where a road vehicle is equipped with bumpers as original equipment by the manufacturer, they must be solidly attached to the part of the vehicle designed for that purpose.

1986, c. 91, s. 269.

270. Every road vehicle must be fitted with tires that conform to the standards prescribed by regulation.

1986, c. 91, s. 270.

271. No person may sell or offer for sale, for use on a public highway, a tire that does not conform to the standards prescribed by regulation.

1986, c. 91, s. 271.

272. With the exception of farm machines not equipped with mudguards as original equipment by the manufacturer, every motor vehicle or combination of road vehicles if not fitted with permanent mudguards or if fitted with permanent mudguards that are narrower than the tread of the tires or the bottom edge of the rear portion of which is 350 mm or more from the ground when the vehicle is not loaded, must be equipped with detachable mudguards of resistant material and at least as wide as the tread of the tires.

1986, c. 91, s. 272; 1996, c. 56, s. 76; 2002, c. 29, s. 39; 2004, c. 2, s. 24.

272.1. A tractor truck is not required to be fitted with detachable mudguards if it is drawing a trailer or semi-trailer providing adequate protection against material being thrown towards the rear.

1998, c. 40, s. 78.

273. The lower end of the detachable mudguards must not be more than 350 mm from the ground, measured when the vehicle is not loaded.

1986, c. 91, s. 273.

274. Every road vehicle built to be driven at a speed of less than 40 km/h as well as every animal-drawn vehicle must carry a warning sign in accordance with the standards prescribed by regulation.

1986, c. 91, s. 274; 1987, c. 94, s. 48.

Not in force

274.1. The owner of a road vehicle used for the transportation of handicapped persons must comply with the standards, conditions and procedures prescribed for the operation, custody, maintenance, salubrity and safety of such a vehicle.

He must also comply with the standards prescribed for the installation and use of safety equipment and accessories in respect of such a vehicle.

1987, c. 94, s. 49.

274.2. No person may sell, lease or place at the disposal of a person or offer in any way to sell, lease or place at the disposal of a person, for valuable consideration, an electric motor to transform a bicycle into a power-assisted bicycle, unless the motor

(1) meets the standards prescribed by a regulation made pursuant to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) concerning the electric motor of a power-assisted bicycle where the motor is installed in accordance with the manufacturer's standards for installation on a bicycle;

(2) has an enabling mechanism to turn the electric motor on and off that is separate from the accelerator controller and fitted in such a manner that it is operable by the driver, or a mechanism that prevents the motor from being engaged before the bicycle attains a speed of 3 km/h; and

(3) bears a label that indicates its continuous power output rating and the maximum number of revolutions per minute, as measured at the shaft of the motor.

2002, c. 29, s. 40.

274.3. No person may sell, lease or place at the disposal of a person or offer in any way to sell, lease or place at the disposal of a person, equipment or a part, device or apparatus designed to increase the power or maximum speed of a moped to a level greater than that originally provided by the manufacturer.

2008, c. 14, s. 31.

CHAPTER V

PENAL PROVISIONS

275. The owner of a road vehicle that does not meet the requirements of any of sections 269 and 272 to 274 is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 275; 1990, c. 4, s. 212; 2018, c. 7, s. 54.

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.

2018, c. 7, s. 55.

276. The owner of a bicycle that does not meet the requirements of any of sections 212, 232 and 233, the second paragraph of section 235 or of either of sections 237 and 247 is guilty of an offence and is liable to a fine of \$80 to \$100.

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.

1986, c. 91, s. 276; 1990, c. 4, s. 212; 2018, c. 7, s. 56.

276.1. The owner of a non-motorized scooter that does not meet the requirements of section 247 is guilty of an offence and is liable to a fine of \$80 to \$100.

2002, c. 29, s. 41; 2018, c. 7, s. 57.

277. Every person who contravenes the second paragraph of section 238 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 277; 1990, c. 4, s. 212; 1990, c. 83, s. 113.

278. The owner of a road vehicle who contravenes section 213 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 278; 1990, c. 4, s. 212.

279. *(Repealed).*

1986, c. 91, s. 279; 1990, c. 4, s. 212; 1990, c. 83, s. 114.

280. The owner of a road vehicle that does not meet the requirements of section 236 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 280; 1990, c. 4, s. 212; 1990, c. 83, s. 115.

281. Every person who installs or uses a white headlight in contravention of section 224 or who contravenes section 256 is guilty of an offence and is liable to a fine of \$100 to \$200.

Every person who uses a green rotating light in contravention of section 226.1 is guilty of an offence and is liable to a fine of \$175 to \$525.

1986, c. 91, s. 281; 1990, c. 4, s. 212; 1990, c. 83, s. 116; 1998, c. 40, s. 79.

281.1. Every person who drives a road vehicle whose headlights, lights or reflectors do not comply with the requirements of the second paragraph of section 237 or whose windshield and windows are not clear of all substances which might hinder the driver's ability to see is guilty of an offence and is liable to a fine of \$100 to \$200.

1990, c. 83, s. 116; 2018, c. 7, s. 58.

281.2. Every person who drives a road vehicle whose windshield or front side windows are coated with a material that does not meet the standards prescribed under section 265 is guilty of an offence and is liable to a fine of \$100 to \$200.

1996, c. 56, s. 77.

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.

2018, c. 7, s. 59.

282. The owner of a vehicle that does not meet the requirements of any of sections 210.1, 212, 215 to 223, 225, 230, 231, 234 and 235, the first or third paragraph of section 237, any of sections 240.1, 240.3, 242, 243, 246, 254, 261 to 264, the first paragraph of section 265 or of section 268 is guilty of an offence and is liable to a fine of \$100 to \$200.

The owner of a low-speed vehicle that does not meet the requirements of a regulatory provision made under section 214.0.2 is guilty of an offence and liable to a fine of \$100 to \$200.

1986, c. 91, s. 282; 1990, c. 4, s. 212; 1990, c. 83, s. 117; 2002, c. 29, s. 42; 2016, c. 8, s. 53; 2018, c. 7, s. 60.

282.1. The driver or owner of a farm machine or a combination of farm vehicles, or the driver of a road vehicle escorting them, who contravenes a regulatory provision the violation of which constitutes an offence under paragraph 20.5 of section 621 is guilty of an offence and is liable to a fine of \$60 to \$180, \$120 to \$360 or \$240 to \$720, according to the seriousness of the offence, as specified by regulation.

2004, c. 2, s. 25.

283. The holder of a special permit who contravenes section 228 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 283; 1990, c. 4, s. 212.

283.0.1. Every person who contravenes section 228.1 is guilty of an offence and is liable to a fine of \$100 to \$200.

1996, c. 56, s. 78.

283.1. Every person who contravenes any of sections 214, 248, 250.1, 259, 260 and 266, the second paragraph of section 267 or section 271 is guilty of an offence and is liable to a fine of \$200 to \$300.

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.

1990, c. 83, s. 118; 2000, c. 64, s. 8; 2018, c. 7, s. 61.

283.2. Every person who uses a flashing green light or drives or stops a road vehicle in contravention of section 226.2 is guilty of an offence and is liable to a fine of \$200 to \$300.

In the case of non-compliance with a regulatory provision made under the first paragraph of section 226.2, the firefighter is guilty of an offence and is liable to a fine of \$200 to \$300.

2018, c. 7, s. 62.

284. Every person who contravenes any of sections 233.1, 233.2, 250 or 274.2 is guilty of an offence and is liable to a fine of \$200 to \$300.

Every owner of a heavy vehicle who contravenes section 250 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

Every person who contravenes section 251 is guilty of an offence and is liable to a fine of \$500 to \$1,000.

1986, c. 91, s. 284; 1990, c. 4, s. 212; 1990, c. 83, s. 119; 1996, c. 56, s. 79; 1998, c. 40, s. 80; 2002, c. 29, s. 43; 2007, c. 40, s. 48.

285. The owner of a road vehicle that does not meet the requirements of any of sections 239, 244, 245, 255 and 270 is guilty of an offence and is liable to a fine of \$200 to \$300.

Every owner or operator of a heavy vehicle that does not comply with section 244 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1986, c. 91, s. 285; 1990, c. 4, s. 212; 1990, c. 83, s. 120; 1998, c. 40, s. 81.

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.

2018, c. 7, s. 63.

286. Every person who contravenes any of sections 210, 211 and 211.1 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

However, in the case of a bicycle, the fine is of \$80 to \$100.

Every owner of a heavy vehicle who contravenes section 211 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1986, c. 91, s. 286; 1990, c. 4, s. 212; 1990, c. 83, s. 121; 1996, c. 56, s. 80; 1998, c. 40, s. 82; 2018, c. 7, s. 64.

287. The owner of a vehicle that does not meet the requirements of section 229 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 287; 1990, c. 4, s. 212.

287.1. Every natural person who contravenes section 252 or 274.3 is guilty of an offence and is liable to a fine of \$500 to \$1,000.

Every legal person who contravenes section 252 or 274.3 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1990, c. 83, s. 122; 2007, c. 40, s. 49; 2008, c. 14, s. 32.

287.1.1. *(Repealed).*

2008, c. 14, s. 33; 2018, c. 7, s. 186.



This section has never been in force.

287.2. Every person who contravenes section 250.2 or 250.4 is guilty of an offence and is liable to a fine of \$3,000 to \$9,000.

Every person who contravenes section 250.3 is guilty of an offence and is liable to a fine of \$300 to \$600.

2002, c. 29, s. 44.

TITLE VII

ROAD AND TRAFFIC SIGNS AND SIGNALS

CHAPTER I

GENERAL PROVISIONS

288. For the purposes of this Title, a “limited access highway” is a public highway that may be entered or left only at the specially provided entrances or exits.

In addition, for the purposes of this Title, a scooter other than a motorized scooter and an adult’s tricycle shall be considered as bicycles.

1986, c. 91, s. 288; 1990, c. 83, s. 123; 2001, c. 21, s. 2.

289. The meaning of a road or traffic sign message, whatever the medium, is the meaning assigned to the sign by the Minister in an order published to that effect in the *Gazette officielle du Québec*.

The manufacturing and installation standards for road signs or signals to be erected on a public highway or on a road vehicle are determined by the Minister and set out in a traffic control manual. Those standards are not subject to the Regulations Act (chapter R-18.1).

Every person responsible for the management or maintenance of public highways must comply with standards set out in the manual where a requirement to do so is indicated therein.

The Minister may remove, at the expense of the person responsible for the management of the road, any sign or signal that does not conform to the Minister’s manual.

1986, c. 91, s. 289; 1990, c. 83, s. 124; 1998, c. 40, s. 83; 2008, c. 14, s. 34; 2018, c. 7, s. 65.

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

2018, c. 7, s. 66.

290. *(Repealed).*

1986, c. 91, s. 290; 2000, c. 64, s. 9.

291. The person responsible for the maintenance of a public highway may, by means of proper signs or signals, restrict or prohibit the use of the highway by all or certain heavy vehicles, in particular, heavy vehicles having dimensions or a number of axles that exceed the maximum limits authorized. Where that person is responsible for the maintenance of a bridge or viaduct, the person may also restrict or prohibit the use of the bridge or viaduct by heavy vehicles having a mass that exceeds the maximum limits authorized on the infrastructure.

In the case of a municipality, that power is exercised by by-law or, where the law so authorizes, by ordinance, the coming into force of which is subject to the approval of the Minister of Transport under section 627, except in an emergency; in the absence of approval, the Minister may remove the unauthorized sign or signal.

No person may drive a vehicle referred to in the first paragraph on a public highway on which traffic is restricted or prohibited unless the vehicle is used under a special permit expressly giving the vehicle access to that highway.

1986, c. 91, s. 291; 1995, c. 25, s. 1; 1998, c. 40, s. 84; 1999, c. 66, s. 8.

291.1. A restriction or prohibition under section 291 may, by means of proper signs or signals, be partially removed for vehicles that must travel to a particular place in order to collect or deliver property, provide services, carry out work, be repaired or return to their base, and that cannot do so without entering a zone to which access is prohibited.

1998, c. 40, s. 84.

292. The driver of a heavy vehicle must verify the condition of the vehicle's brakes where the proper sign or signal requires a mandatory stop at a brake verification area.

1986, c. 91, s. 292; 1995, c. 25, s. 2; 1996, c. 2, s. 212; 1996, c. 56, s. 81; 1998, c. 40, s. 84.

292.0.1. The person responsible for the maintenance of a public highway may, by means of proper signs or signals, designate a slow vehicle lane. Where such a lane has been designated, the driver of a slow vehicle must use that lane.

1998, c. 40, s. 84.

292.1. The person responsible for the maintenance of a public highway may, by means of appropriate signs or signals, prohibit access to the highway to road vehicles whose mass, load included, exceeds that prescribed by regulation, if the vehicle is not equipped with a braking system prescribed by regulation.

In the case of a municipality, that power is exercised by by-law or, where the law so authorizes, by ordinance, the coming into force of which is subject to the approval of the Minister of Transport under section 627, except in an emergency; in the absence of approval, the Minister may remove the unauthorized sign or signal.

No person may drive a vehicle referred to in the first paragraph on a public highway on which traffic is restricted or prohibited unless the vehicle is used to maintain the highway or to install or maintain public utilities on the highway.

1993, c. 42, s. 5; 1998, c. 40, s. 85.

293. The person responsible for the maintenance of a public highway may, by means of appropriate signs or signals during exceptional events or sports events or competitions, restrict or prohibit all or some vehicular traffic on that highway for the time he indicates.

No person may drive a road vehicle in contravention of this section during the period traffic is restricted or prohibited.

1986, c. 91, s. 293; 1990, c. 83, s. 125; 2018, c. 7, s. 67.

293.1. The person responsible for the maintenance of a public highway may, by means of proper signs or signals and for reasons of safety, restrict or prohibit the operation on the highway of all road vehicles or certain road vehicles including the vehicles to which the Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43) applies.

In the case of a municipality, that power is exercised by by-law or, where the law so authorizes, by ordinance, the coming into force of which is subject to the approval of the Minister of Transport under section 627, except in an emergency; in the absence of approval, the Minister may remove the unauthorized sign or signal.

No person may drive a vehicle referred to in the first paragraph on a public highway on which traffic is prohibited or restricted unless the vehicle is used to maintain the highway or to install or maintain public utilities on the highway.

1990, c. 83, s. 126; 1998, c. 40, s. 86.

293.2. The person responsible for the maintenance of a public highway may, by means of proper signs or signals and for safety reasons, restrict or prohibit the operation of low-speed vehicles on the highway. In the case of a municipality, this power is exercised by by-law.

No person may drive a road vehicle referred to in the first paragraph on a public highway on which traffic is restricted or prohibited.

2016, c. 8, s. 54.

294. The person responsible for the maintenance of a public highway must erect the proper signs or signals at every intersection.

1986, c. 91, s. 294.

294.1. The person responsible for the maintenance of a public highway must erect proper signs or signals to mark every place where a photo radar device or red light camera system is used to monitor compliance with highway safety rules.

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.

2012, c. 15, s. 6.

295. The person responsible for the maintenance of a public highway may, by means of the proper signs or signals,

- (1) indicate traffic stops;
- (2) prohibit U-turns at such locations as may be determined by him;
- (3) lay out pedestrian crosswalks or bicycle crossings;
- (4) reserve traffic lanes for certain manoeuvres or for the exclusive use of bicycles, certain classes of road vehicles or road vehicles carrying the number of passengers indicated by proper signs;
 - (4.1) regulate bicycle traffic in a cycle lane;

(4.2) prohibit, limit or otherwise regulate bicycle traffic in lanes used by road vehicles or in places used by pedestrians;

(5) indicate level crossings where the driver of a road vehicle referred to in section 413 is exempt from the requirements of that section;

(6) prohibit horse riding or restrict it to part of the public highway;

(7) prohibit, restrict or otherwise regulate the stopping or parking of road vehicles;

(8) reserve parking spaces for handicapped persons;

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

1986, c. 91, s. 295; 1987, c. 94, s. 51; 1990, c. 83, s. 127; 1995, c. 65, s. 100; 2018, c. 7, s. 68.

296. The person responsible for the maintenance of a limited access highway may, by means of the proper signs or signals, regulate or prohibit the driving of certain classes of road vehicles on that highway.

1986, c. 91, s. 296; 1990, c. 83, s. 128.

297. The Minister of Transport may, by means of the proper signs, designate a public highway as an autoroute.

1986, c. 91, s. 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.

2018, c. 7, s. 69.

298. Every municipality to which subparagraph 4 of the first paragraph of section 328 applies must erect a sign or signal on every public highway under its maintenance that leads to a built-up area to indicate that the speed limit is set at 50 km/h.

1986, c. 91, s. 298.

299. Every municipality that establishes, by by-law, a speed limit other than the rate of speed provided for in section 328 shall indicate that rate of speed by means of signs or signals. If the municipality fails to do so, section 328 applies.

No person may travel at a rate of speed exceeding the limit indicated on any signs erected under this section.

1986, c. 91, s. 299; 1990, c. 83, s. 130.

300. In the cases described in section 329, the decision of the Minister of Transport prevails over any provision of a by-law passed by a municipality.

The municipality shall, on a notice from the Minister and within the time he indicates, remove the signs or signals erected by it. If it fails to do so within the allotted time, the Minister may remove the signs or signals at the expense of the municipality.

1986, c. 91, s. 300.

301. No person, except the person responsible for the maintenance of a public highway, may erect signs or signals or cause signs or signals to be erected on that highway or use a traffic sign on a road vehicle other than a police car.

1986, c. 91, s. 301; 2008, c. 14, s. 35.

302. The person responsible for the maintenance of the public highway may remove any sign or signal erected in contravention of section 301.

1986, c. 91, s. 302.

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.

1986, c. 91, s. 303; 1990, c. 83, s. 131; 2001, c. 21, s. 3; 2008, c. 14, s. 36.

303.1. During construction or maintenance work, the person responsible for the maintenance of a public highway may, for the duration of the work, erect signs or signals in conformity with the standards laid down by the Minister of Transport to indicate a rate of speed other than the prescribed rate of speed to be respected.

The decision to change a rate of speed must be entered in a register kept by the person responsible for the maintenance of the public highway with an indication of the location where the rate of speed is prescribed and the duration of the work. The installation of signs or signals is proof of that decision.

2001, c. 21, s. 4; 2004, c. 2, s. 26.

303.2. No person may travel at a rate of speed exceeding the limit indicated on the signs or signals erected under section 303.1.

2001, c. 21, s. 4.

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.

2018, c. 7, s. 70.

304. No person may, except with the authorization of the person responsible for the maintenance of a public highway, erect any signal, sign, indication or device on that highway.

1986, c. 91, s. 304.

305. The person responsible for the maintenance of the public highway may, at the expense of the contravener, remove any object erected in contravention of section 304.

1986, c. 91, s. 305.

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.

The Minister of Transport may, by regulation, provide for exceptions to the prohibition under the first paragraph.

1986, c. 91, s. 306; 2008, c. 14, s. 37.

307. The person responsible for the maintenance of a public highway may, if he believes on reasonable grounds that a signal, sign, indication or device is erected or displayed on private property in contravention of section 306, issue a notice to the owner requiring him to remove any such object within 48 hours.

If the contravener fails to comply with the notice, the person responsible for the maintenance of the highway may enter upon the property and remove any such object at the owner's expense.

1986, c. 91, s. 307.

308. Every sign or signal erected on a private road open to general vehicular traffic or on land occupied by shopping centres and other land where public traffic is allowed must conform to the specifications prescribed in respect of public highways by the Minister of Transport.

1986, c. 91, s. 308; 2008, c. 14, s. 38.

309. The Minister of Transport or an authorized representative of the municipality within whose territory a road contemplated in section 308 is situated may, if he believes on reasonable grounds that an offence against the said section is being committed, issue a notice to the contravener requiring him to remove any contravening sign or signal within 48 hours.

If the contravener fails to comply with the notice, the Minister or the authorized representative of the municipality may remove the sign or signal at the contravener's expense.

1986, c. 91, s. 309.

310. Every person must comply with every road or traffic sign or signal erected under this Code.

1986, c. 91, s. 310; 2008, c. 14, s. 39.

311. Where traffic is directed by a peace officer, a school crossing guard or a flag person in charge of directing traffic around or about work sites, every person shall obey his orders or signals even if contrary to existing traffic signs or signals.

1986, c. 91, s. 311; 2018, c. 7, s. 71.

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.

2012, c. 15, s. 7.

312. No person may drive on private property to avoid compliance with a traffic sign or signal.

1986, c. 91, s. 312.

312.1. No person may modify or remove all or part of a photo radar device or a red light camera system without the authorization of the Minister of Transport.

2007, c. 40, s. 50; 2012, c. 15, s. 8.

312.2. No person may damage a photo radar device or a red light camera system, or interfere in any way with the operation of such a device or system or the recording of the information described in the second paragraph of section 332 or the second paragraph of section 359.3 by the camera of such a device or system.

2007, c. 40, s. 50; 2012, c. 15, s. 9.

312.3. The person responsible for the maintenance of a public highway may send the owner of a tree or any other property situated on land contiguous to the right of way of that highway a written notice requiring the owner to carry out remedial work within the prescribed time if the tree or other property could interfere

(a) in any way with the operation of a fixed photo radar device or a red light camera system; or

(b) with the recording, by the camera of a device or system referred to in subparagraph *a*, of the information described in the second paragraph of section 332 or the second paragraph of section 359.3.

If the owner fails to do the work, the person responsible for the maintenance of the public highway may do the work or have it done.

2012, c. 15, s. 10.

CHAPTER II

PENAL PROVISIONS

313. Every person, other than the driver of a road vehicle, who contravenes either of sections 310 and 311 is guilty of an offence and is liable to a fine of \$15 to \$30. However, in the case of a cyclist, the fine is of \$80 to \$100.

A cyclist who contravenes section 312 is guilty of an offence and is liable to a fine of \$80 to \$100.

1986, c. 91, s. 313; 1990, c. 4, s. 212; 2018, c. 7, ss. 173 and 72.

314. The driver of a road vehicle who contravenes the second paragraph of section 293 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 314; 1990, c. 4, s. 212; 1990, c. 83, s. 132.

314.1. Every driver of a road vehicle who contravenes any of sections 310, 311.1 and 312 is guilty of an offence and is liable to a fine of \$100 to \$200.

However, where the traffic of heavy vehicles in transit is regulated by a sign or signal, every driver of a heavy vehicle who contravenes section 310 is guilty of an offence and is liable to a fine of \$175 to \$525.

1990, c. 83, s. 133; 1995, c. 25, s. 3; 1998, c. 40, s. 88; 2018, c. 7, s. 73.

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.

2018, c. 7, s. 74.

315. Every person who contravenes the second paragraph of section 293.2 or either of sections 304 and 308 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 315; 1990, c. 4, s. 212; 2016, c. 8, s. 55.

315.1. Every driver of a vehicle who contravenes section 292 or the third paragraph of section 293.1 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1995, c. 25, s. 4; 1998, c. 40, s. 89.

315.2. Every driver of a heavy vehicle who contravenes the third paragraph of section 291 is guilty of an offence and is liable to a fine of \$175 to \$525.

In the case of a contravention of a sign or signal limiting the authorized load on a bridge or viaduct, the owner or operator of the vehicle is liable to a fine of \$600 plus

- (a) \$100 per excess 1,000 kg up to 5,000 kg in excess ;
- (b) \$150 per excess 1,000 kg between 5,000 kg and 10,000 kg in excess ;
- (c) \$200 per excess 1,000 kg over 10,000 kg in excess.

1998, c. 40, s. 89; 1999, c. 66, s. 9.

315.3. Every driver of a road vehicle who contravenes section 292.0.1 by failing to drive in a mandatory designated lane is guilty of an offence and is liable to a fine of \$90 to \$270.

1998, c. 40, s. 89.

315.4. Every person who contravenes section 312.1 or 312.2 is guilty of an offence and is liable to a fine of \$1,000 to \$2,000.

In the case of a person who has already been convicted under this section, the fines prescribed in the first paragraph are doubled.

On the request of the prosecutor, the court may impose an additional fine, determined on the basis of the damage caused.

2007, c. 40, s. 51.

316. Every person who contravenes either of sections 301 and 306 is guilty of an offence and is liable to a fine of \$300 to \$600.

1986, c. 91, s. 316; 1990, c. 4, s. 212.

316.1. Every driver of a passenger vehicle who contravenes the third paragraph of section 293.1 is guilty of an offence and is liable to a fine of \$300 to \$600.

1990, c. 83, s. 134; 1998, c. 40, s. 90.

317. Every person who contravenes section 303 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

However, the fine shall be of \$100 to \$200 in cases where signs or signals which do not meet the standards laid down by the Minister of Transport are erected.

1986, c. 91, s. 317; 1990, c. 4, s. 212; 1990, c. 83, s. 135.

318. Every person who contravenes the third paragraph of section 292.1 is guilty of an offence and is liable to a fine of \$600 to \$6,000.

1986, c. 91, s. 318; 1990, c. 4, s. 212; 1993, c. 42, s. 6; 1995, c. 25, s. 5.

TITLE VIII

RULES OF THE ROAD

CHAPTER I

INTERPRETATION

319. For the purposes of this Title, unless the context indicates otherwise, the term “limited access highway” is a public highway that may be entered or left only at specially provided entrances or exits.

In addition, for the purposes of this Title, a scooter other than a motorized scooter and an adult’s tricycle shall be considered as bicycles.

1986, c. 91, s. 319; 1990, c. 83, s. 136; 2001, c. 21, s. 5.

CHAPTER II

GENERAL PROVISIONS RESPECTING VEHICULAR TRAFFIC

DIVISION I

DRIVING RULES

§ 1. — *Lanes*

320. On a two-way roadway, the driver of a road vehicle must use the right-hand lane of the roadway.

To pass another vehicle or where the lane is obstructed or closed to traffic, the driver may use the other lane but he must then yield the right of way to the vehicle moving in the opposite direction.

This section applies, in addition to public highways, to highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 320; 1998, c. 40, s. 91; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

321. On a two-way roadway with two lanes or over, the driver of a road vehicle must use the right-hand lane of the roadway.

To pass another vehicle, to turn left or where the right-hand lane is obstructed or closed to traffic, the driver may use another lane in the direction his vehicle is moving.

Where all the lanes in the direction in which the vehicle is moving are obstructed or closed to traffic, the driver may use the nearest lane in the opposite direction that is not obstructed or closed to traffic, but he must then yield the right of way to any vehicle moving in the opposite direction.

1986, c. 91, s. 321.

322. On a two-way roadway divided into three traffic lanes, where the centre lane is reserved for making left turns from either direction, the driver of a road vehicle must use the right-hand lane. He may use the centre lane only for making left turns.

1986, c. 91, s. 322; 2018, c. 7, s. 75.

323. On a two-way roadway divided into five traffic lanes, where the centre lane is reserved for making left turns from either direction, the driver of a road vehicle must use either of the two right-hand lanes. He may use the centre lane only for making left turns.

1986, c. 91, s. 323; 2018, c. 7, s. 76.

324. On a one-way roadway with two lanes, the driver of a road vehicle shall use the right-hand lane.

On a one-way roadway with three lanes or over, the driver must use one of the right-hand lanes.

To pass another vehicle, to turn left, to enter an exit ramps on a limited access highway or where the lane he is using is obstructed or closed to traffic, the driver may use the lane closest to the left-hand side.

The driver of a road vehicle used for snow removal or road maintenance may also use the left-hand lane when performing his duties.

1986, c. 91, s. 324; 1987, c. 94, s. 52, s. 53.

325. Notwithstanding section 324, where the speed limit is less than 80 km/h the driver of a road vehicle may use any of the lanes. In such a case, road vehicles moving faster in one lane than in another are not considered to be passing.

The driver of a road vehicle proceeding at less than the normal speed of traffic or the driver of a low-speed vehicle must drive in the right-hand lane closest to the edge of the roadway, unless he is about to turn left, to park or to stop on the left-hand side and has signalled his intention.

1986, c. 91, s. 325; 1990, c. 83, s. 137; 2016, c. 8, s. 56.

326. On a public highway where the roadways are separated by a median strip or any other raised physical device, the driver of a road vehicle shall not cross the separation except at the places laid out for that purpose and not before he has ascertained that he can do so in safety.

1986, c. 91, s. 326; 2018, c. 7, s. 77.

326.1. The driver of a road vehicle shall not cross any of the following roadway markings:

- (1) a solid single line;
- (2) a solid double line;
- (3) a double line consisting of a broken line and a solid line, the latter being adjacent to the lane in which the road vehicle is moving;
- (4) crosshatch markings.

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.

1990, c. 83, s. 138; 2018, c. 7, s. 78.

§ 2. — *Speed limits and distance between vehicles*

327. Any rate of speed or any action that can endanger human life and safety or property is prohibited.

In addition to public highways, this section applies 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, as well as on land occupied by shopping centres and other land where public traffic is allowed.

1986, c. 91, s. 327; 1990, c. 83, s. 139; 1998, c. 40, s. 92; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

328. Except on roads where the opposite is indicated by signs or signals and without restricting the scope of section 327, no person may drive a road vehicle at a speed

- (1) of less than 60 km/h or more than 100 km/h on autoroutes, unless

(a) an illuminated, variable message signal shows the minimum or maximum rate of speed authorized on a certain part of the autoroute, according to the circumstances and the time of day, such as weather conditions or rush-hour; or

(b) a special permit authorizing the use of an oversized vehicle requires that the vehicle be driven at a lower speed;

- (2) in excess of 90 km/h on public highways surfaced with concrete, asphalt or a similar material;
- (3) in excess of 70 km/h on gravel highways;
- (4) in excess of 50 km/h in a built-up area, except on autoroutes;

(5) in excess of the maximum rate of speed authorized, according to the circumstances and the time of day, such as periods of school activity, as specified by the illuminated or non-illuminated, variable or non-variable message sign or signal that applies to that portion of the public highway.

On access roads leading to a built-up area, subparagraph 4 of the first paragraph applies when the driver reaches the sign or signal indicating the 50 km/h speed limit.

Subparagraphs 2, 3 and 4 of the first paragraph apply on highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune. The Minister, on the recommendation of the Minister of Natural Resources and Wildlife, may by order change the speed limit on all or any part of such highways.

1986, c. 91, s. 328; 1996, c. 2, s. 213; 1996, c. 56, s. 82; 1998, c. 40, s. 93; 1990, c. 83, s. 140; 2000, c. 64, s. 10; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 40; 2004, c. 2, s. 27; 2010, c. 34, s. 50.

328.1. On behalf of the Société, a peace officer shall immediately suspend, for a period of seven days, the licence issued under section 61 of any person who

(1) drives a road vehicle at a speed of 40 km/h or more over the posted speed limit in a zone where the maximum authorized speed limit is 60 km/h or less;

(2) drives a road vehicle at a speed of 50 km/h or more over the posted speed limit in a zone where the maximum authorized speed limit is over 60 km/h but not over 90 km/h; or

(3) drives a road vehicle at a speed of 60 km/h or more over the speed limit in a zone where the maximum authorized speed limit is 100 km/h or more.

If the person does not hold a licence or holds a licence issued by another administrative authority, the peace officer shall immediately suspend, on behalf of the Société and for a period of seven days, the person's right to obtain a learner's licence, a probationary licence or a driver's licence.

The suspension period is increased to 30 days in the case of a person who was convicted of a speeding offence under this section during the 10 years before the suspension. The suspension period is increased to 60 days in the case of a person who was convicted of more than one speeding offence under subparagraph 1 of the first paragraph during the 10 years before the suspension.

Sections 195, 202.6.1 and 202.7 apply to a licence suspension under this section.

2007, c. 40, s. 52; 2008, c. 14, s. 41; 2010, c. 34, s. 51; 2014, c. 12, s. 44.

328.2. In the case of a person who was convicted of one or more speeding offences under subparagraph 1 of the first paragraph of section 328.1 during the 10 years before the suspension and who commits another offence under that subparagraph, the peace officer may, on behalf of the Société and at the owner's expense, seize the road vehicle immediately and impound it for 30 days.

Sections 209.3 to 209.10 apply to the seizure, with the necessary modifications.

2007, c. 40, s. 52; 2010, c. 34, s. 52.

328.3. The owner of a seized road vehicle may recover the vehicle with the authorization of a judge of the Court of Québec acting in chambers in civil matters if, not being the driver of the vehicle, the owner could not reasonably foresee that the driver would commit a speeding offence under subparagraph 1 of the first paragraph of section 328.1, or if the owner did not consent to the driver being in possession of the seized vehicle.

The second paragraph of section 209.11 and sections 209.11.1 and 209.12 to 209.15 apply to the seizure, with the necessary modifications.

2007, c. 40, s. 52; 2010, c. 34, s. 53.

328.4. The owner of a seized road vehicle may recover the vehicle if the owner obtains the lifting of the licence suspension by the Société after establishing by a preponderance of evidence that the owner was not driving at the speed described in subparagraph 1 of the first paragraph of section 328.1.

The first paragraph of section 202.6.3, sections 202.6.4 and 202.6.5, the second paragraph of section 202.6.6, sections 202.6.7 and 202.6.9 to 202.6.12 and section 209.11.1 apply to the seizure, with the necessary modifications.

2007, c. 40, s. 52; 2010, c. 34, s. 54.

328.5. The driver of a road vehicle, other than a driver referred to in section 328.4, whose licence or right to obtain one is suspended for a period of 30 or 60 days in accordance with the third paragraph of section 328.1 may obtain the lifting of the suspension by the Société after establishing by a preponderance of evidence that the driver was not driving at the speed described in subparagraph 1, 2 or 3 of the first paragraph of section 328.1, as applicable.

The first paragraph of section 202.6.3, sections 202.6.4 and 202.6.5, the last paragraph of section 202.6.6 and sections 202.6.7 and 202.6.9 to 202.6.12 apply, with the necessary modifications, to a licence suspension under this section.

2008, c. 14, s. 42; 2010, c. 34, s. 55; 2014, c. 12, s. 45.

329. The Minister of Transport may change the speed limits provided for in subparagraphs 1 to 4 of the first paragraph of section 328 for all road vehicles or for certain categories thereof and establish the variable speed limits referred to in subparagraphs 1 and 5 of the first paragraph of that section.

The installation of traffic signs is proof of the decision of the Minister. The date of the decision and approximate location of the installation of such signs must be entered in a register kept by the Minister.

No person may drive at a speed in excess of the limits indicated on the traffic signs erected under this section or the second paragraph of section 628.

In school zones, from Monday to Friday and from September to June, the speed limit shall not exceed 50 km/h between the hours of 7:00 a.m. and 5:00 p.m.

Any speed limit posted on an illuminated variable or non-variable message sign must be registered by the person responsible for the maintenance of the public highway and recorded electronically.

1986, c. 91, s. 329; 1990, c. 83, s. 141; 1996, c. 56, s. 83; 2000, c. 64, s. 11; 2010, c. 34, s. 56; 2017, c. 13, s. 77.

330. The driver of a road vehicle must reduce the speed of his vehicle when visibility conditions become inadequate because of darkness, fog, rain or other precipitation or when the roadway is slippery or not completely cleared.

1986, c. 91, s. 330.

331. No person may drive a road vehicle at a low speed that may impede or obstruct normal traffic, except where necessary.

In case of necessity, the driver must use the flashing emergency lights of his vehicle.

1986, c. 91, s. 331.

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*.

1986, c. 91, s. 332; 2007, c. 40, s. 53; 2018, c. 7, s. 79.

333. No person may drive a road vehicle containing a radar warning device or on which is placed any object or to which is applied any material capable of interfering in any way with the operation of a radar device, or with the recording of registration plate information by the camera of a photo radar device or of a red light camera system.

1986, c. 91, s. 333; 2007, c. 40, s. 54; 2012, c. 15, s. 11.

334. Every peace officer who has reasonable grounds to believe that a road vehicle contains a radar warning device, may stop the vehicle and inspect it. He may confiscate the radar warning device found in the vehicle, at the expense of the owner of the vehicle.

When confiscating such a radar warning device, the peace officer shall give a receipt to the person in possession of the vehicle and remit the device to the Société.

1986, c. 91, s. 334; 1990, c. 19, s. 11.

334.1. A peace officer is authorized to remove or require the removal, at the expense of the owner of the road vehicle, of any object or material capable of interfering in any way with the operation of a radar device, or with the recording of registration plate information by the camera of a photo radar device or of a red light camera system.

The peace officer shall issue a receipt for a seized object to the person in possession of the vehicle and remit the object to the Société.

2007, c. 40, s. 56; 2012, c. 15, s. 11.

335. The driver of a road vehicle shall not follow another road vehicle or a bicycle more closely than is prudent and reasonable, taking account of speed, traffic density, atmospheric conditions and the condition of the roadway.

1986, c. 91, s. 335; 2018, c. 7, s. 80.

336. On a public highway where the maximum speed allowed is 70 km/h or more, the drivers of road vehicles moving in convoy shall leave sufficient space between them to allow vehicles passing them to occupy the intervening spaces in safety.

1986, c. 91, s. 336; 1990, c. 83, s. 142.

337. *(Repealed).*

1986, c. 91, s. 337; 1987, c. 94, s. 55; 1990, c. 83, s. 143.

§ 3. — *Passing*

338. The driver of a road vehicle may cross any lane marked off by a broken line to pass or to change lanes.

1986, c. 91, s. 338.

339. On a two-way roadway, the driver of a road vehicle passing another vehicle must return to the right lane as soon as possible, after signalling his intention and ascertaining that he may do so without risk to the vehicle being passed.

1986, c. 91, s. 339.

340. The driver of a road vehicle being passed or about to be passed must not increase the speed of his vehicle while it is being passed.

1986, c. 91, s. 340.

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 or passing a 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.

1986, c. 91, s. 341; 2016, c. 22, s. 44; 2018, c. 7, s. 81.

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.

2018, c. 7, s. 82.

342. In no case may the driver of a road vehicle successively pass two or more vehicles in a zigzag pattern on a one-way roadway having two or more traffic lanes.

1986, c. 91, s. 342.

343. *(Repealed).*

1986, c. 91, s. 343; 1990, c. 83, s. 144.

344. The driver of a road vehicle may cross a marking described in section 326.1 providing that he can do so in safety, to pass a farm machine, a road vehicle carrying a slow-moving vehicle sign, a horse-drawn vehicle, a cyclist or a pedestrian or to return to the right of the roadway after passing.

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

1986, c. 91, s. 344; 1990, c. 83, s. 145; 2000, c. 31, s. 2; 2002, c. 29, s. 45; 2004, c. 2, s. 28; 2018, c. 7, s. 83.

345. No driver may, to pass, use the lane reserved for traffic moving in the opposite direction

(1) when approaching the crest or at the crest of a grade or on a curve where he cannot see, at a sufficient distance, vehicles approaching from the opposite direction;

(2) in or upon, or when approaching an intersection, a level crossing, a tunnel or a pedestrian crosswalk identified as such.

1986, c. 91, s. 345.

346. No driver of a road vehicle may pass another vehicle to the right, except where the vehicle being passed is turning left, is about to turn left, is moving toward an exit ramp on a limited access highway or is a snow removal or road maintenance vehicle doing work on the left-hand lane of a one-way roadway with two lanes or over.

1986, c. 91, s. 346; 1987, c. 94, s. 56.

347. In no case may a driver passing another vehicle drive off the roadway.

1986, c. 91, s. 347.

348. No driver is allowed to pass

(1) where the driver of a vehicle behind him has already signalled his intention to pass or has already begun to pass;

(2) where the visibility is insufficient to allow entry onto the other part of the roadway in safety;

(3) on a two-way roadway, where the other part of the roadway is not clear of traffic for a sufficient distance to allow him to pass and return to the right of the roadway in safety.

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.

1986, c. 91, s. 348; 2018, c. 7, s. 84.

§ 4. — *Turns*

349. The driver of a road vehicle or a cyclist who is turning at an intersection must yield the right of way to pedestrians and cyclists crossing the roadway he is about to enter.

1986, c. 91, s. 349; 2018, c. 7, s. 173.

350. The driver of a road vehicle or a cyclist who is about to make a left turn must yield the right of way to any vehicle moving in the opposite direction, and is so close that it constitutes a hazard.

1986, c. 91, s. 350; 2018, c. 7, s. 173.

351. The driver of a road vehicle who is about to turn right at an intersection must, after signalling his intention and ascertaining that he can do so in safety, move to the extreme right of the roadway or into the space reserved for that purpose by an appropriate sign, make a sharp turn and not encroach on the left or the centre of the road he is entering.

1986, c. 91, s. 351.

352. On a two-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway must, after signalling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the right-hand part of the other roadway.

1986, c. 91, s. 352.

353. On a two-way roadway with two lanes or over, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway with two lanes or over must, after signalling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the other roadway to the right of and as close as possible to the centre line.

1986, c. 91, s. 353.

354. On a two-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a one-way roadway must, after signalling his intention and ascertaining that he can do so in safety, approach the centre line of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the left-hand part of the other roadway.

1986, c. 91, s. 354.

355. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a one-way roadway must, after signalling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway to the near side of the roadway he is about to enter and turn left as soon as the way is clear so as to enter the left-hand part of the other roadway.

1986, c. 91, s. 355.

356. On a one-way roadway with two lanes or over, the driver of a road vehicle who is about to turn left at an intersection must, after signalling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway or into the space reserved for that purpose identified by an appropriate sign.

1986, c. 91, s. 356.

357. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway must, after signalling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear, so as to enter the right-hand part of the other roadway.

1986, c. 91, s. 357.

358. On a one-way roadway, the driver of a road vehicle who is about to turn left at the intersection of a two-way roadway with two or more traffic lanes must, after signalling his intention and ascertaining that he can do so in safety, move to the extreme left of the roadway on which he is driving, proceed in a straight line to the near side of the roadway he is about to enter and turn left as soon as the way is clear, so as to enter the other roadway to the right of and as close as possible to the centre line.

1986, c. 91, s. 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.

2018, c. 7, s. 85.

§ 5. — *Traffic control devices*

359. Unless otherwise directed by a sign or signal, when facing a red light, the driver of a road vehicle or a cyclist must stop his vehicle before the pedestrian crosswalk or stop-line or, if none, before the near side of the roadway he is about to cross, and may proceed only when a signal shows he may do so.

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

Despite the first paragraph and unless otherwise directed by a sign or signal, a cyclist facing a pedestrian light at a red light may proceed. However, the cyclist must stop before a pedestrian crosswalk or stop-line or, if none, before the near side of the roadway he is about to cross and make sure that he may proceed in safety. The cyclist must then ride at a safe, reasonable speed and give pedestrians the priority. In such a case, section 444, except the first paragraph, applies to the cyclist with the necessary modifications.

1986, c. 91, s. 359; 2018, c. 7, ss. 86 and 173.

359.1. Notwithstanding section 359 and unless otherwise directed by a sign or signal, the driver of a road vehicle or a cyclist facing a red light may make a right turn, after stopping before the pedestrian crosswalk or the stop-line or, if none, at the near side of the roadway the driver or cyclist is about to enter and yielding the right of way to pedestrians, drivers and cyclists crossing the intersection and to road vehicles and cyclists approaching so closely that to proceed would constitute a hazard.

The Minister of Transport may, by an order published in the *Gazette officielle du Québec*, designate all or any part of the territory of a municipality as an area where making a right turn on a red light is prohibited.

2000, c. 31, s. 3; 2000, c. 64, s. 12; 2002, c. 62, s. 4.



See chapter C-24.2, r. 9.1.

359.2. The person responsible for the maintenance of a public highway may, by means of proper signs or signals, determine certain intersections as intersections where making a right turn on a red light is prohibited. In the case of a municipality, that power is exercised by by-law or, where the law so permits, by ordinance.

2002, c. 62, s. 5.

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*.

2007, c. 40, s. 57; 2012, c. 15, s. 12; 2018, c. 7, s. 87.

360. Unless otherwise directed by a sign or signal, when facing a flashing red light, the driver of a road vehicle or a cyclist must stop his vehicle and yield the right of way to a vehicle approaching on another roadway that is entering the intersection, or is so close that it constitutes a hazard.

1986, c. 91, s. 360; 2018, c. 7, s. 173.

361. Unless otherwise directed by a sign or signal, when facing an amber light, the driver of a road vehicle or a cyclist must stop his vehicle before the pedestrian crosswalk or stop-line or, if none, before the near side of the roadway he is about to cross, unless he has entered it or is so close to it that he could not stop in safety; he may proceed only when a signal shows he may do so.

An arrow-shaped amber light may be used to regulate stopping before a specific manoeuvre.

1986, c. 91, s. 361; 2018, c. 7, ss. 88 and 173.

362. Unless otherwise directed by a sign or signal, when facing a flashing amber light, the driver of a road vehicle or a cyclist must reduce the speed of his vehicle and he may proceed only after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

1986, c. 91, s. 362; 2018, c. 7, s. 173.

363. Unless otherwise directed by a sign or signal, when facing a green light, whether flashing or not, the driver of a road vehicle or a cyclist must proceed ahead or turn left or right, after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

1986, c. 91, s. 363; 2018, c. 7, s. 173.

364. Unless otherwise directed by a sign or signal, when facing a green arrow, the driver of a road vehicle or a cyclist must move in the direction indicated by the arrow, after yielding the right of way to road vehicles, cyclists and pedestrians crossing the intersection.

1986, c. 91, s. 364; 1990, c. 83, s. 146; 2018, c. 7, s. 173.

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.

2018, c. 7, s. 89.

365. On a roadway with two lanes or more, where lane-direction signals are installed to indicate which lanes are open to traffic, the driver of a road vehicle may drive only in the lanes above which there is a green arrow pointing downwards.

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.

1986, c. 91, s. 365; 1995, c. 25, s. 6; 2018, c. 7, s. 90.

366. Even if permitted by the traffic lights, no driver of a road vehicle may enter an intersection if there is not sufficient space ahead of the vehicle to proceed without blocking the intersection; in such a case, the driver must stop his vehicle before the near side of the roadway he is about to cross.

1986, c. 91, s. 366.

367. Where traffic lights installed at an intersection are defective or are not in operation, the driver of a road vehicle or a cyclist must act as if the intersection were regulated by stop signs for all directions, except where an adequate sign or signal replaces the traffic light.

1986, c. 91, s. 367; 2018, c. 7, s. 173.

368. The driver of a road vehicle or a cyclist must stop his vehicle when facing a stop sign, and comply with section 360.

At a level crossing, the driver may proceed only after ascertaining that it is safe to proceed.

1986, c. 91, s. 368; 2004, c. 2, s. 29; 2018, c. 7, s. 173.

369. At an intersection regulated by stop signs installed for only one roadway, the driver of a road vehicle or a cyclist who is facing a stop sign must stop his vehicle and yield the right of way to pedestrians and cyclists crossing or walking or cycling alongside the roadway he is about to cross or enter.

1986, c. 91, s. 369; 2018, c. 7, s. 91.

370. At an intersection regulated by stop signs for all directions, the driver of a road vehicle or a cyclist must stop his vehicle and yield the right of way to any vehicle having reached the intersection before him. He must also yield the right of way to pedestrians crossing or walking or cycling alongside the roadway he is about to cross or enter.

1986, c. 91, s. 370; 2018, c. 7, s. 92.

371. The driver of a road vehicle or a cyclist who is facing a “yield” sign must give priority to any vehicle moving in the lane he is about to enter where the vehicle is so close that entering the lane would constitute a hazard.

1986, c. 91, s. 371; 2018, c. 7, s. 173.

§ 6. — *Signalling*

372. The driver of a road vehicle who is about to make a turn, change lanes, make a U-turn or return to the roadway from the shoulder or a parking area must, after ascertaining that he may do so in safety, signal his intention by means of his turn-signal lights.

1986, c. 91, s. 372.

373. The driver of a road vehicle exempt from the requirement to be equipped with turn-signal lights, or on which such lights are defective, must signal his intention by manual signals.

To make a right turn, he must extend his forearm vertically upwards outside the vehicle and to make a left turn, he must extend his arm horizontally outside the vehicle.

1986, c. 91, s. 373.

374. The driver of a road vehicle exempt from the requirement to be equipped with stop lights, or on which such lights are defective, must signal his intention to stop his vehicle or to reduce its speed by extending his forearm vertically downwards outside the vehicle.

1986, c. 91, s. 374.

375. In cases described in sections 372 to 374, the driver of a road vehicle must signal his intention without interruption for a sufficient distance to avoid endangering the safety of other users of the public highway.

1986, c. 91, s. 375.

376. The driver of a road vehicle passing another vehicle must signal his intention by means of his turn-signal lights and may also signal his intention by flashing his headlights.

1986, c. 91, s. 376.

377. No person may use the flashing emergency lights of a road vehicle except for reasons of safety.

1986, c. 91, s. 377.

378. The driver of an emergency vehicle shall not operate the flashing or rotating lights, the sound producing device or the traffic-light changing device referred to in section 255 with which his vehicle is equipped except in the performance of his duties and if required by the circumstances.

The driver is then not bound to comply with sections 299, 303.2, 310 and 312, the first paragraph of section 326.1, sections 328, 329, 335 and 342, paragraph 2 of section 345 and sections 346, 347, 359, 360, 361, 364, 365, 367, 368, 371, 372, 381 to 384, 386, 406.2, 415 to 417, 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.

1986, c. 91, s. 378; 1990, c. 83, s. 147; 2018, c. 7, s. 93.

379. The driver of a road vehicle shall not operate the flashing or rotating amber lights with which his vehicle is equipped except in the performance of his duties and if so required by the circumstances.

1986, c. 91, s. 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.

2018, c. 7, s. 94.

DIVISION II

STOPPING

380. No person may leave a child under 7 years of age unattended in a road vehicle under his custody.

1986, c. 91, s. 380.

381. No person may leave unattended a road vehicle that is in his custody without previously removing the ignition key and locking the doors.

1986, c. 91, s. 381.

381.1. In addition to public highways, sections 380 and 381 apply on private roads open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.

1990, c. 83, s. 148.

382. Except in case of necessity, no person may stop a road vehicle in such a manner that it will block a sign or signal, obstruct traffic, hinder the performance of work or the maintenance of highways or prevent access to any property.

1986, c. 91, s. 382.

383. Unless otherwise indicated by the person responsible for the maintenance of the highway, a road vehicle must be parked not more than 30 centimetres from the near edge of the roadway and facing the same way as the traffic.

Where a road vehicle is parked on a slope, the emergency brake must be applied and the front wheels must be turned so that if such vehicle moves ahead of its own momentum, it will do so toward the near edge of the roadway.

Notwithstanding the foregoing, a motorcycle or moped may be angle-parked against the near edge of the roadway, in the same direction as the traffic, so that if the vehicle moves of its own momentum it will do so toward the near edge of the roadway.

1986, c. 91, s. 383.

384. No person may stop a road vehicle on the roadway of a public highway where the maximum speed allowed is 70 km/h or more, unless in a case of necessity or when authorized to do so by signs or signals.

1986, c. 91, s. 384; 1990, c. 83, s. 149.

385. If the driver of a road vehicle stops his vehicle at night on a roadway out of necessity, the driver must keep his parking lights or flashing emergency lights on, or signal the presence of his vehicle by means of lamps, reflectors or flares visible from not less than 150 metres and used in accordance with the norms prescribed by regulation.

1986, c. 91, s. 385.

386. Except in cases of necessity or where another provision of this Code permits it, no person may stop a road vehicle

- (1) on a sidewalk or the median strip of a roadway;
- (2) less than 3 m from a fire hydrant;
- (3) less than 5 m from a police or fire station, or less than 8 m from such a building and on the opposite side of the street;
- (4) at an intersection, on a pedestrian crosswalk or bicycle crossing identified by means of proper signs or signals and on a level crossing or less than 5 m therefrom;
 - (4.1) in a traffic circle;
- (5) in a loading and unloading zone or a zone reserved exclusively for road vehicles assigned to public transportation, and clearly identified as such;
- (6) on an elevated lane, a bridge or a viaduct, or in a tunnel;
- (7) on a limited access highway, at an entrance to or exit from such a highway or on an access ramp;
 - (7.1) in a traffic lane reserved exclusively for certain vehicles;
- (8) in front of a sidewalk ramp specially built for handicapped persons;

(9) at any place where parking is prohibited by a sign erected in accordance with this Code.

1986, c. 91, s. 386; 1987, c. 94, s. 57; 1990, c. 83, s. 150; 1993, c. 42, s. 7; 2018, c. 7, s. 95.



See chapter C-24.2, r. 1.1.

387. Notwithstanding the prohibitions provided in section 386, the driver of a road vehicle used for the transportation of a handicapped person may stop his vehicle to take on or discharge that person, if it can be done in safety.

1986, c. 91, s. 387.

388. No person may stop a road vehicle in a parking space reserved for the exclusive use of handicapped persons and identified by signs or signals in compliance with the standards prescribed by the Minister of Transport, unless the vehicle bears:

(1) an identification sticker issued in accordance with section 11 in the name of the driver, of a person accompanying the driver, or of the institution on whose behalf the person is acting and positioned in the place determined by government regulation;

(2) *(subparagraph repealed)*;

(3) a sticker, plate or permit displaying the international wheelchair symbol, issued by another administrative authority in Canada or a member country or associate member country of the European Conference of Ministers of Transport.

Where the vehicle bears a sticker issued pursuant to subparagraph 1 of the first paragraph, the driver or passenger must, on request, hand over to a peace officer, for examination, the certificate of the Société attesting the issue of the sticker.

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

1986, c. 91, s. 388; 1987, c. 94, s. 58; 1990, c. 83, s. 151; 1997, c. 49, s. 7; 2002, c. 29, s. 46; 2004, c. 2, s. 30; 2008, c. 14, s. 43; 2018, c. 7, s. 96.

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.

2018, c. 7, s. 97.

389. No person may exceed or allow another person to exceed the number of hours of driving or hours of service prescribed by regulation with respect to a motor vehicle having a gross vehicle weight rating of 4,500 kg or less, or in violation of the standards, conditions and procedures prescribed by regulation.

1986, c. 91, s. 389; 1987, c. 94, s. 59; 1998, c. 40, s. 94; 2008, c. 14, s. 44.

390. A peace officer may cause any road vehicle stopped in contravention of the provisions of this division to be removed and impounded in the nearest suitable place at the owner's expense.

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.

1986, c. 91, s. 390; 2018, c. 7, s. 98.

391. No person may abandon a road vehicle on a public highway, on a private road open to public vehicular traffic, as well as on land occupied by shopping centres and other land where public traffic is allowed.

1986, c. 91, s. 391; 1990, c. 83, s. 152.

392. A peace officer may cause any road vehicle abandoned on a highway or on any land referred to in section 391 to be removed and impounded in the nearest suitable place at the owner's expense.

1986, c. 91, s. 392; 1990, c. 83, s. 153.

393. When a peace officer impounds an abandoned vehicle, he must make reasonable inquiries to trace the owner, and notify the Minister of Revenue.

If the owner of an abandoned vehicle has not been found 30 days after the vehicle was impounded, the vehicle is entrusted to the management of the Minister of Revenue, who may dispose of it at will; in such case, the Minister is responsible for ordinary costs of impoundment.

1986, c. 91, s. 393; 2005, c. 44, s. 51.

394. Sections 391 to 393 also apply to a road vehicle abandoned on a private road or on private land where public access is not authorized, if the owner of that road or land requests a peace officer to remove the vehicle.

1986, c. 91, s. 394; 1990, c. 83, s. 154.

DIVISION III

SEAT BELTS

395. Subject to section 398, no person shall drive a road vehicle in which the seat belt or an air bag provided for the driver or for the seat occupied by a passenger is missing or has been modified or rendered inoperative.

1986, c. 91, s. 395; 2010, c. 34, s. 57; 2018, c. 7, s. 99.

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.

2008, c. 14, s. 45.

396. Every person, except a child referred to in section 397, must, while in a moving road vehicle, wear, properly fastened, the seat belt with which his seat is equipped.

However, the first paragraph does not apply

(1) to a person driving his vehicle in reverse;

(2) *(subparagraph repealed)*;

(3) to a person exempted by the Société from wearing a seat belt or authorized to partially wear it in accordance with section 398 of this Code;

- (4) to a person occupying a passenger seat in a police wagon.

This section applies, in addition to public highways, to highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 396; 1990, c. 83, s. 155; 1998, c. 40, s. 95; 2002, c. 29, s. 47; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 46; 2018, c. 7, s. 100; 2019, c. 18, s. 237.

397. In a moving road vehicle, every child who is less than 145 cm tall or under 9 years of age must be restrained by a restraint system or booster seat that complies with the regulations under the Motor Vehicle Safety Act (S.C. 1993, c. 16). The restraint system or booster seat must, in accordance with the manufacturer's instructions affixed thereon, be suitable for the child's height and weight and be securely attached to the vehicle.

However, the use of a restraint system or booster seat is not mandatory

- (1) for a child occupying a designated seating position, within the meaning of the regulations under the Motor Vehicle Safety Act, not equipped with a seat belt by the vehicle manufacturer, provided no place equipped with a seat belt is available; or

- (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.

If the first paragraph cannot be complied with, a child occupying a seat in a taxi, an automobile considered to be a taxi or a police car must be restrained by the seat belt with which the seat is equipped, except in the following cases:

- (1) the child is clearly unable to maintain an upright position; or

- (2) the child is exempted from wearing a seat belt or is authorized to partially wear it by the Société pursuant to section 398.

This section applies, in addition to public highways, to highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 397; 1998, c. 40, s. 96; 2002, c. 29, s. 48; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 47; 2018, c. 7, s. 101; 2019, c. 18, s. 238.

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 or specialized nurse practitioner 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, specialized nurse practitioner 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, specialized nurse practitioner 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.

1986, c. 91, s. 398; 1990, c. 19, s. 11; 1990, c. 83, s. 156; 1996, c. 56, s. 85; 2002, c. 29, s. 49; 2018, c. 7, s. 102; 2020, c. 6, s. 15.

399. *(Repealed).*

1986, c. 91, s. 399; 1990, c. 83, s. 157; 2002, c. 29, s. 50; 2018, c. 7, s. 103.

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.

1986, c. 91, s. 400; 2002, c. 29, s. 51; 2018, c. 7, s. 104.

401. No person may drive a road vehicle carrying a passenger under 16 years of age who does not fulfil the obligations prescribed under this division.

The first paragraph does not apply to taxi, bus or minibus drivers, or to drivers of automobiles considered to be taxis, in the performance of their duties. However, an adult passenger accompanying a passenger under 16 years of age in a taxi or in an automobile considered to be a taxi must ensure that the latter is transported in compliance with the conditions set out in this division.

1986, c. 91, s. 401; 2002, c. 29, s. 52; 2010, c. 34, s. 58; 2019, c. 18, s. 239.

DIVISION IV

OTHER RULES RESPECTING VEHICULAR TRAFFIC

402. Unless otherwise directed by a sign or signal, the driver of a road vehicle or a cyclist must, at an intersection or junction, yield the right of way to any vehicle moving on his right on the roadway he is about to cross or enter where the vehicle or cyclist is so close that crossing or entering the roadway would constitute a hazard.

1986, c. 91, s. 402; 2018, c. 7, s. 173.

403. Notwithstanding section 402, the driver of a road vehicle who enters a limited access highway must yield the right of way to a vehicle moving on the highway and that is so close that entering it would constitute a hazard.

1986, c. 91, s. 403.

404. The driver of a road vehicle or a cyclist who leaves private property to cross or enter a public highway must yield the right of way to any vehicle or pedestrian moving on the highway.

1986, c. 91, s. 404; 2018, c. 7, s. 173.

405. The driver of a road vehicle or a cyclist on a public highway who is about to enter private property must yield the right of way to any road vehicle, cyclist or pedestrian moving on the highway.

1986, c. 91, s. 405; 2018, c. 7, s. 173.

406. The driver of a road vehicle or a cyclist must yield to any emergency vehicle whose lights or sound producing device are in operation by reducing speed, keeping as far to the right as practicable and, if necessary, bringing his vehicle to a standstill.

1986, c. 91, s. 406; 2012, c. 15, s. 13; 2018, c. 7, s. 173.

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.

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.

2012, c. 15, s. 14.

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.

2018, c. 7, s. 105.

407. On a public highway where the maximum speed allowed is less than 70 km/h, the driver of a road vehicle must yield the right of way to a bus when the driver of the bus is flashing his turn-signal lights for re-entering the lane in which he was moving before he stopped.

The obligation to yield the right of way applies only to drivers of road vehicles moving in the lane that the driver of the bus is about to re-enter.

The driver of a bus must not flash his turn-signal lights until he is about to re-enter the lane, after ascertaining that he can do so in safety.

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.

1986, c. 91, s. 407; 1990, c. 83, s. 158; 2018, c. 7, s. 106.

408. The driver of a road vehicle or a cyclist must yield the right of way to a pedestrian who is crossing a roadway facing a steady, white signal representing a walking figure, or a flashing pedestrian light.

1986, c. 91, s. 408; 2010, c. 34, s. 59; 2018, c. 7, s. 173.

409. At an intersection regulated by traffic lights, the driver of a road vehicle or a cyclist must yield the right of way to a pedestrian facing a green light.

1986, c. 91, s. 409; 2018, c. 7, s. 173.

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.

1986, c. 91, s. 410; 2018, c. 7, s. 173; 2018, c. 7, s. 107.

411. At a level crossing, the driver of a road vehicle or a cyclist must stop his vehicle not less than 5 metres from the railway where a sign or signal, a lowered gate or a railway employee signals an approaching rail vehicle, or where the driver or cyclist sees or hears a rail vehicle approaching the level crossing.

1986, c. 91, s. 411; 2018, c. 7, s. 173.

412. Even if so authorized by traffic lights, no driver of a road vehicle may enter a level crossing if there is not sufficient space ahead of the vehicle to allow him to cross the level crossing.

1986, c. 91, s. 412.

413. The driver of a bus, minibus or road vehicle carrying dangerous substances in quantities requiring the display of safety marks, as determined by a regulation under section 622, must stop the vehicle not less than 5 metres from any level crossing; the driver may proceed only after ascertaining that it is safe to proceed.

The driver is exempt from the obligations under the first paragraph at level crossings where so indicated by a sign or signal.

1986, c. 91, s. 413; 2004, c. 2, s. 31.

414. The Minister of Transport may, by an order published in the *Gazette officielle du Québec*, designate certain level crossings where the driver of a road vehicle referred to in section 413 is exempt from the obligations under the said section.

1986, c. 91, s. 414.

415. In no case may the driver of a road vehicle enter or leave a limited access highway except at such entrances or exits as may be determined by the person responsible for its maintenance.

1986, c. 91, s. 415.

416. In no case may the driver of a road vehicle drive his vehicle in reverse on a limited access highway or on an entrance or exit ramp.

1986, c. 91, s. 416.

417. In no case may the driver of a road vehicle drive his vehicle in reverse unless he can do so in safety and without obstructing traffic.

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, as well as on public highways.

1986, c. 91, s. 417; 1996, c. 56, s. 86.

417.1. In no case may a person driving a road vehicle subject to a toll pass through a tollgate without depositing the sum prescribed by a government regulation made under section 43 of the Act respecting roads (chapter V-9).

1992, c. 54, s. 60; 2000, c. 49, s. 26; 2009, c. 48, s. 16.

417.2. No person may drive a road vehicle on a public road subject to a toll under the Act respecting transport infrastructure partnerships (chapter P-9.001) unless the toll and fees are paid in accordance with that Act.

2009, c. 48, s. 17.

418. In no case may the driver of a road vehicle drive on the shoulder of a public highway or on the sidewalk except in case of necessity or unless so directed or allowed by a sign or signal.

1986, c. 91, s. 418; 2018, c. 7, s. 108.

418.1. Notwithstanding the prohibitions under sections 416 and 418, the driver of a vehicle used in the maintenance of a public highway may, during construction or maintenance work, travel or back up on the sidewalk or the shoulder of a public highway, including a limited access highway, and on the entrance and exit ramps of a limited access highway after ensuring that it can be done safely.

2001, c. 21, s. 6; 2018, c. 7, s. 109.

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.

2018, c. 7, s. 110.

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.

2018, c. 7, s. 110.

419. The Minister of Transport may, by an order published in the *Gazette officielle du Québec*, determine the locations where the movement of all or some road vehicles designated by him is restricted or prohibited by reason of thawing, rain, erosion or flooding and the periods during which such measures apply.

1986, c. 91, s. 419.

420. A peace officer may prohibit access to a public highway to all or certain road vehicles if so justified by an emergency.

1986, c. 91, s. 420.

421. No person may drive a vehicle to which a restrictive or prohibitive measure under section 419 or 420 applies, during such periods and in such locations as are determined under the said sections.

1986, c. 91, s. 421.

421.1. No person may drive on a public highway a road vehicle exempted from registration under any of paragraphs 6 to 8 of section 14 or under section 15, or carrying a registration plate of the category prescribed by regulation, issued for road vehicles used exclusively on private land or roads and not intended to be driven on public highways.

Notwithstanding the foregoing, the driver of such a vehicle, except a motorized scooter and a vehicle with metal caterpillar tracks other than an off-highway trail maintenance vehicle referred to in the Act respecting off-highway vehicles (chapter V-1.3), is authorized to cross a public highway, other than a limited access highway.

A self-propelled aerial basket may be operated at the location where it is used to perform work but must be transported or towed to and from such a place.

1987, c. 94, s. 60; 1990, c. 83, s. 159; 1996, c. 56, s. 87; 1996, c. 60, s. 75; 2001, c. 21, s. 7; 2004, c. 2, s. 32; 2014, c. 12, s. 46; 2020, c. 26, s. 133.



See chapter C-24.2, r. 39.1.2, s. 23.

422. No person may drive a road vehicle in a race with another vehicle, or for a wager or a stake except in the case of a rally conducted in conformity with the standards prescribed in a regulation made or approved by the Minister of Education, Recreation and Sports pursuant to the Act respecting safety in sports (chapter S-3.1).

1986, c. 91, s. 422; 1997, c. 79, s. 44; 1999, c. 43, s. 13; 2003, c. 19, s. 250; 2005, c. 28, s. 196.

422.1. 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 any person driving a road vehicle in contravention of section 422.

If the person does not hold a licence or holds a licence issued by another administrative authority, the peace officer shall immediately suspend, on behalf of the Société and for a period of seven days, the person's right to obtain a learner's licence, a probationary licence or a driver's licence.

The suspension period is increased to 30 days in the case of a person who was convicted of an offence under section 422 during the 10 years before the suspension.

2010, c. 34, s. 60.

422.2. The driver of a road vehicle whose licence or right to obtain a licence is suspended under section 422.1 may obtain the lifting of the suspension by a judge of the Court of Québec acting in chambers in civil matters after proving that he was not driving the vehicle in a race with another vehicle or for a wager or a stake.

2010, c. 34, s. 60.

422.3. Sections 202.6.1 and 202.7, the second paragraph of section 209.11 and section 209.12 apply, with the necessary modifications, to the licence suspension under section 422.1.

2010, c. 34, s. 60.

422.4. In the case of a person who contravenes section 422, the peace officer, on behalf of the Société and at the owner's expense, shall immediately seize the road vehicle and impound it for seven days if the person was not convicted of an offence under section 422 during the 10 years before the licence suspension under section 422.1, or for 30 days if the person was convicted of such an offence during that period.

Sections 209.3 to 209.10 apply to the seizure, with the necessary modifications.

2010, c. 34, s. 60.

422.5. The owner of the road vehicle seized may, on the authorization of a judge of the Court of Québec acting in chambers in civil matters, recover his vehicle

(1) if he could not reasonably have foreseen that the driver would drive the vehicle in a race with another vehicle or for a wager or a stake, or had not consented to the driver being in possession of the vehicle; or

(2) if he was the driver and was not driving the vehicle in a race with another vehicle or for a wager or a stake.

If the person obtains the release of the seizure under the first paragraph, the Société lifts the suspension of the licence or of the right to obtain a licence imposed under section 422.1.

The second paragraph of section 209.11 and sections 209.11.1, 209.12, 209.13 and 209.15 apply, with the necessary modifications.

2010, c. 34, s. 60.

423. Subject to section 224, no person may drive a road vehicle equipped with turned on white lights projecting a light beam toward the rear.

1986, c. 91, s. 423.

424. The driver of a road vehicle must, at night or whenever atmospheric conditions require it, turn on the headlights and integrated lights of his vehicle.

The first paragraph also applies to a cyclist with respect to the lights with which his bicycle must be equipped.

1986, c. 91, s. 424; 2018, c. 7, s. 173.

425. The driver of a road vehicle must dim the lights on the front of his vehicle at all times when he is less than 150 metres from a vehicle approaching in the opposite direction, when he is less than 150 metres behind another vehicle that he is following or when he is moving on a highway that is sufficiently lighted.

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.

1986, c. 91, s. 425; 2018, c. 7, s. 111.

426. The driver of a road vehicle built after 1973 may not carry more passengers than there are seating positions equipped with seat belts installed by the manufacturer.

If the seating positions in a road vehicle are not all equipped with seat belts installed by the manufacturer, the driver of the vehicle may not carry more passengers than there are seats available for passengers to sit.

In the case of a bus that is not used for the transportation of school children, the driver may carry more passengers than there are seats available

(1) where the bus is used in an urban area; or

(2) where the bus is used outside an urban area, provided that there is no more than one passenger in excess of the number of available seats for each row of seats.

1986, c. 91, s. 426; 1987, c. 94, s. 61; 2000, c. 64, s. 13.

427. No person may drive a road vehicle if the front seat is occupied by more than three persons or if more than two persons are seated in the front of a vehicle equipped with chair seats.

1986, c. 91, s. 427.

428. No person may occupy a trailer or semi-trailer in motion or tolerate such practice.

Where a trailer or a semi-trailer is specially designed and equipped for the transportation of persons, it may be used for that purpose in parades or other popular events provided the highway used is closed to all other traffic.

1986, c. 91, s. 428.

429. No person may get on, in, off or out of a road vehicle in motion or tolerate such practice.

1986, c. 91, s. 429.

430. No person may open the door of a road vehicle until the vehicle is stopped and he has ascertained that it can be done in safety.

1986, c. 91, s. 430.

431. No person may leave the door of a road vehicle open except to take on or discharge passengers or to load or unload property.

1986, c. 91, s. 431.

432. The driver of a bus or minibus must, when taking on or discharging passengers, stop his vehicle on the extreme right of the roadway, on the shoulder or in the zones provided for that purpose. 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.

1986, c. 91, s. 432; 2018, c. 7, s. 112.

433. No person may ride on the running board or on any outer part of a vehicle in motion, or ride in the box or dump body of a vehicle in motion, or tolerate such a practice.

However, a person may, in order to perform his duties, stand on any outer part of a vehicle designed for such use.

1986, c. 91, s. 433; 1996, c. 56, s. 88.

434. No person may hang on to, or be pulled or pushed by, a moving road vehicle, and no driver may tolerate such a practice.

1986, c. 91, s. 434; 2002, c. 29, s. 53; 2010, c. 34, s. 61.

434.0.1. No person may hang on to, or be pulled or pushed by, a moving power-assisted bicycle, and no cyclist may tolerate such a practice.

2010, c. 34, s. 62.

434.1. Sections 433 and 434 apply 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 and on land occupied by shopping centres or other land where public traffic is allowed.

2010, c. 34, s. 62.

434.2. 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 any person who contravenes section 433 or 434.

If the person does not hold a licence or holds a licence issued by another administrative authority, the peace officer shall immediately suspend, on behalf of the Société and for a period of seven days, the person's right to obtain a learner's licence, a probationary licence or a driver's licence.

The suspension period is increased to 30 days in the case of a person who was convicted of an offence under section 433 or 434 during the 10 years before the suspension.

2010, c. 34, s. 62.

434.3. A person, other than the driver, whose licence or right to obtain a licence is suspended under section 434.2 may obtain the lifting of the suspension by a judge of the Court of Québec acting in chambers in civil matters after proving that he did not contravene section 433 or 434.

The driver of a road vehicle whose licence or right to obtain a licence is suspended under section 434.2 may obtain the lifting of the suspension by a judge of the Court of Québec acting in chambers in civil matters after proving that he did not tolerate the contravention of section 433 or 434.

2010, c. 34, s. 62.

434.4. Sections 202.6.1 and 202.7, the second paragraph of section 209.11 and section 209.12 apply, with the necessary modifications, to a licence suspension under section 434.2.

2010, c. 34, s. 62.

434.5. In the case of a person who contravenes section 433 or 434, the peace officer, on behalf of the Société and at the owner's expense, shall immediately seize the road vehicle and impound it for seven days if the person was not convicted of an offence under section 433 or 434 during the 10 years before the licence suspension under section 434.2, or for 30 days if the person was convicted of such an offence during that period.

Sections 209.3 to 209.10 apply to the seizure, with the necessary modifications.

2010, c. 34, s. 62.

434.6. The owner of the road vehicle seized may, on the authorization of a judge of the Court of Québec acting in chambers in civil matters, recover his vehicle

(1) if he was not one of the offenders and could not reasonably have foreseen that a person would contravene section 433 or 434;

(2) if he was one of the offenders, other than the driver, and establishes that he did not contravene section 433 or 434; or

(3) if he was the driver of the vehicle and did not tolerate the contravention of section 433 or 434.

If the person obtains the release of the seizure under the first paragraph, the Société lifts the suspension of the licence or of the right to obtain a licence imposed under section 434.2.

The second paragraph of section 209.11 and sections 209.11.1, 209.12, 209.13 and 209.15 apply, with the necessary modifications.

2010, c. 34, s. 62.

435. The driver of a road vehicle shall not make his tires squeal, except in case of necessity.

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

1986, c. 91, s. 435; 1990, c. 83, s. 160.

436. The driver of a road vehicle shall not brake suddenly, unless compelled to do so for safety reasons.

1986, c. 91, s. 436.

437. No person may use a road vehicle for drawing another road vehicle the wheels of which remain on the ground, unless the vehicle is firmly held by a bar.

1986, c. 91, s. 437.

437.1. No person may draw a trailer or semi-trailer without using an appropriate coupling device. Furthermore, the lights and brake system and the chain, cable or other safety device on the trailer or semi-trailer must be connected to the towing vehicle and be in proper working condition. The safety device of a trailer or semi-trailer that is not equipped with an independent brake system must, in addition, be installed in such a way that the trailer or semi-trailer follows the path of the towing vehicle and the drawbar would not touch the ground were the coupling device to break.

However, the obligations concerning the braking system referred to in the first paragraph do not apply to a tow truck which, on the request of a peace officer or for safety reasons, must move a trailer or semi-trailer that has a damaged braking system to the nearest safe area.

1990, c. 83, s. 161; 1998, c. 40, s. 98; 2010, c. 34, s. 63.

437.2. No person may draw a combination of road vehicles unless, at the request of a peace officer or for safety reasons, the combination of road vehicles must be moved to the nearest safe area.

1998, c. 40, s. 98.

438. No person may remove or tow a damaged road vehicle, unless he also removes any object detached from it.

1986, c. 91, s. 438.

439. *(Repealed).*

1986, c. 91, s. 439; 1996, c. 56, s. 89; 2001, c. 60, s. 166; 2002, c. 69, s. 124; 1999, c. 66, s. 10; 2018, c. 7, s. 114.

439.1. *(Repealed).*

2007, c. 40, s. 58; 2012, c. 15, s. 15; 2018, c. 7, s. 114.

440. *(Repealed).*

1986, c. 91, s. 440; 2018, c. 7, s. 173; 2018, c. 7, s. 114.

440.1. Between 1 December and 15 March, the owner of a motorized road vehicle registered in Québec, except a heavy vehicle, tool vehicle or farm machine, may not put the vehicle into operation unless it is equipped with tires specifically designed for winter driving, in compliance with the standards prescribed by government regulation. The prohibition also applies to any person renting out such a vehicle regardless of where it is registered.

The government regulation may also prescribe

(1) the cases in which the prohibition in the first paragraph does not apply;

(2) the cases in which the prohibition in the first paragraph is replaced by the obligation to obtain a certificate authorizing the owner of a vehicle referred to in the first paragraph or the person renting out such a vehicle, as applicable, to put the vehicle into operation in Québec without equipping it with tires specifically designed for winter driving, and the formalities required for obtaining the certificate;

(3) who may issue the certificate provided for in subparagraph 2.

Despite the second paragraph, the Minister may, by order, exclude from the application of the first paragraph persons who own or rent out vehicles for which there are no tires specifically designed for winter driving. The publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to such an order. The order comes into force on the date of its publication in the *Gazette officielle du Québec*.

The Minister may, by regulation, determine classes of heavy vehicles, tool vehicles or farm machines to which the prohibition under the first paragraph applies.

2007, c. 40, s. 59; 2008, c. 14, s. 48; 2018, c. 7, s. 115.

441. No person may drive a road vehicle on which a tire is equipped with non-skid studs or with any other device that may damage the roadway.

The Minister of Transport may, by an order published in the *Gazette officielle du Québec*, authorize, under the conditions and for the period he determines, the use of certain types of non-skid devices for such road vehicles as he may designate.

1986, c. 91, s. 441.



The prohibition provided for in the first paragraph is hereby suspended for a person who operates an off-highway vehicle or a maintenance vehicle referred to in the Act respecting off-highway vehicles (chapter V-1.3) on which a tire is equipped with studs, other than ice screws, from 15 November 2021 to 1 May 2022. (See M.O. 2021-21, 2021-10-27, (2021) 153 G.O. 2, 4585).

442. No person may drive a road vehicle or ride a bicycle if a passenger, an animal or an object is so placed as to obstruct the driver's view or to interfere with the proper handling of the vehicle.

1986, c. 91, s. 442; 2018, c. 7, s. 116.

443. No occupant of a road vehicle may drink alcoholic beverages or consume cannabis or other drugs, subject to the exceptions provided for by government regulation, in the vehicle.

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

1986, c. 91, s. 443; 1990, c. 83, s. 162; 2018, c. 19, s. 58.

DIVISION V

DISTRACTIONS WHILE DRIVING

2018, c. 7, s. 117.

§ 1. — Prohibitions

2018, c. 7, s. 117.

443.1. Every driver of a road vehicle and every cyclist are prohibited from using a cellular telephone or any other portable device designed to transmit or receive information or to be used for entertainment purposes, or from using a display screen, except in the following cases:

(1) the driver of the road vehicle uses a hands-free device; or

(2) the driver of the road vehicle or the cyclist consults the information displayed on a display screen, including that of a portable device, or uses a screen command 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 manoeuvres, or prevent the operation of equipment or reduce its efficiency and in a manner that does not present a risk of injury in case of 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 cyclist who is holding a portable 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.

2018, c. 7, s. 117.

443.2. A cyclist may not wear any earphones. The driver of a road vehicle may wear only one earphone.

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

The Government may, by regulation, prescribe exceptions to the prohibition under the first paragraph.

2018, c. 7, s. 117.

§ 2. — *Immediate licence suspension*

2018, c. 7, s. 117.

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.

2018, c. 7, s. 117.

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.

2018, c. 7, s. 117.

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.

2018, c. 7, s. 117.

§ 3. — *Rules*

2018, c. 7, s. 117.

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.

2018, c. 7, s. 117.

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.

2018, c. 7, s. 117.

CHAPTER III

SPECIAL PROVISIONS APPLICABLE TO PEDESTRIANS

444. At an intersection where there are pedestrian lights, pedestrians must comply therewith.

A pedestrian facing a steady, white signal representing a walking figure may cross the roadway.

A pedestrian facing a steady, orange hand signal may in no case start across the roadway.

A pedestrian facing a flashing signal and having started across the roadway must proceed quickly to the sidewalk or safety zone.

When facing a flashing signal with a countdown display, a pedestrian may only start crossing the roadway if he is able to reach the other sidewalk or the safety zone before the signal changes to the orange hand signal.

1986, c. 91, s. 444; 2010, c. 34, s. 64.

445. Where there are no pedestrian lights, pedestrians must comply with the traffic lights.

1986, c. 91, s. 445.

446. At a pedestrian crosswalk not situated at an intersection regulated by traffic lights, a pedestrian must, before crossing the roadway, ascertain that he can do so in safety.

1986, c. 91, s. 446.

447. Where there are no clearly identified intersections or pedestrian crosswalks in the immediate area, a pedestrian crossing a public highway must yield the right of way to the road vehicles and cyclists moving on it.

1986, c. 91, s. 447.

448. No pedestrian may stand on the roadway to solicit transportation or to deal with the occupant of a vehicle.

1986, c. 91, s. 448.

449. No pedestrian may solicit transportation where passing is prohibited.

1986, c. 91, s. 449.

450. If there is an intersection or a pedestrian crosswalk nearby, a pedestrian may cross a public highway only at such a place.

1986, c. 91, s. 450.

451. A pedestrian must cross the roadway perpendicularly to its axis. A pedestrian may cross the roadway diagonally only if authorized to do so by a peace officer or school crossing guard, or by a sign or signal.

1986, c. 91, s. 451; 1996, c. 56, s. 90; 2010, c. 34, s. 66; 2012, c. 15, s. 16.

452. Where there is a sidewalk bordering the roadway, a pedestrian must use it.

Where it is impossible to use the sidewalk, a pedestrian may walk alongside the curb on the roadway after ascertaining that he can do so in safety.

1986, c. 91, s. 452.

453. Where there is no sidewalk bordering a roadway, a pedestrian must walk along the side of the roadway or on the shoulder and in the direction opposite to that of vehicular traffic after ascertaining that he can do so in safety.

Despite the first paragraph, a pedestrian may walk in the same direction as traffic to avoid crossing the roadway more than once over a short distance or to walk on the lighted side of the public highway or the side where the shoulder is wider, after making sure it can be done safely.

1986, c. 91, s. 453; 2018, c. 7, s. 118.

453.1. No pedestrian may walk along a limited access highway or along any of its entrance or exit ways, except in a case of necessity. He may, however, cross such a highway at any intersection where traffic lights are installed.

1990, c. 83, s. 163.

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

2018, c. 7, s. 119.

CHAPTER IV

SPECIAL PROVISIONS APPLICABLE TO CERTAIN VEHICLES

DIVISION I

VEHICLES USED FOR THE TRANSPORTATION OF SCHOOL CHILDREN

454. This division applies to the transportation of school children except transportation carried out under a permit issued to that effect by the Commission des transports du Québec and for which a bus or a minibus other than a bus or a minibus used for the transportation of school children within the meaning of a government regulation made under the Transport Act (chapter T-12) may be used.

1986, c. 91, s. 454.

455. The driver of a bus or minibus used for the transportation of school children shall ascertain that every person is seated before setting his vehicle in motion and remains seated while it is in motion.

1986, c. 91, s. 455.

456. The driver of a bus or minibus used for the transportation of school children must, when stopping to take on or discharge persons, give warning by turning on the flashing red lights and activate the compulsory stop signal referred to in section 229 and keep them in operation until the persons have reached safety.

The first paragraph does not apply to such a vehicle when it is used exclusively for transporting school children who require a wheelchair.

1986, c. 91, s. 456; 1993, c. 42, s. 8; 2008, c. 14, s. 49.

457. Where two or more buses or minibuses used for the transportation of school children are stopped in single file and the driver of one of the vehicles is taking on or discharging persons, the driver of every following bus or minibus must turn on the flashing red lights of his own vehicle and activate the compulsory stop signal.

1986, c. 91, s. 457; 1993, c. 42, s. 9; 2008, c. 14, s. 50.

458. The driver of a bus or minibus used for the transportation of school children shall not turn on the flashing red lights of his vehicle or activate the compulsory stop signal except in the circumstances set out in sections 456 and 457.

1986, c. 91, s. 458; 1993, c. 42, s. 10; 2008, c. 14, s. 51.

459. No person may operate the flashing red lights of a vehicle or activate the compulsory stop signal when the vehicle is not used to carry out transportation to which this division applies.

1986, c. 91, s. 459; 1993, c. 42, s. 11; 2008, c. 14, s. 52.

460. The driver of a road vehicle or a cyclist who is approaching a bus or minibus used for the transportation of school children with flashing red lights turned on or whose compulsory stop signal has been activated must stop his vehicle more than 5 metres from the bus or minibus and shall not meet or pass it until the flashing red lights are turned off and the compulsory stop signal has been retracted, and he ascertains that he can do so in safety.

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 by any other raised physical device.

1986, c. 91, s. 460; 1993, c. 42, s. 12; 2008, c. 14, s. 53; 2018, c. 7, s. 120.

461. The second paragraph of section 426 and sections 455 to 460 apply, at all times, to the transportation of persons under 18 years of age by bus or minibus usually used for the transportation of school children within the meaning of a government regulation made under the Transport Act (chapter T-12).

1986, c. 91, s. 461; 2000, c. 64, s. 14.

DIVISION II

OUTSIZED AND LOADED VEHICLES

462. For the purposes of this division and unless the context indicates otherwise,

(1) “axle load” means the mass measured under the wheels of an axle or of the axles included in a class established by regulation or, where there is no axle, the mass measured under the wheel assemblies in lieu of axles and included in such a class, resulting from the distribution on such wheels of the mass of a road vehicle or combination of road vehicles, including accessories, equipment and load;

(2) “total loaded mass” means the mass of a road vehicle or combination of road vehicles, including accessories, equipment and load;

(3) “outsized vehicle” means

(a) a road vehicle or a combination of road vehicles the axle load, the total loaded mass, or one dimension of which does not conform to the standards established by regulation; or

(b) a combination of road vehicles made up of more than four motorized road vehicles or chassis of motor vehicles, or of more than three vehicles, a detachable axle supporting a semi-trailer not being considered when calculating the number of vehicles making up the combination.

The axle load may be expressed as the sum of the units of mass measured under each outside wheel or under each wheel of an axle or of the axles included in one category.

The total loaded mass may be expressed as the aggregate of the axle loads.

1986, c. 91, s. 462; 1990, c. 83, s. 164; 1993, c. 42, s. 13; 1995, c. 25, s. 7.

463. No owner or lessee of an outsized vehicle or operator subject to Title VIII.1 who is responsible for an outsized vehicle may allow that vehicle to be driven before he has obtained a special permit issued for that purpose.

The special permit shall be issued by the Minister of Transport on the conditions and subject to the formalities established by regulation and on payment of the duties and fees prescribed by regulation. However, no special permit may be issued except to authorize the driving of a vehicle that is outsized because of its construction, the addition of equipment, its forming a road train, or of the indivisible nature of its load.

The Minister may delegate the exercise of a power under the second paragraph to a public servant or employee of the Ministère des Transports or to any other person or body the Minister designates.

Where the applicant cannot meet the conditions referred to in the second paragraph and where justified by exceptional circumstances, a special permit may be issued by the Minister under section 633 on the conditions and on payment of the duties fixed by him.

1986, c. 91, s. 463; 1987, c. 94, s. 63; 1990, c. 83, s. 165; 1993, c. 42, s. 14; 1998, c. 40, s. 99; 2008, c. 14, s. 54.



The first paragraph of section 463 of the Highway Safety Code (chapter C-24.2) is suspended with respect to owners or lessees of outsized buses and operators subject to Title VIII.1 who are responsible for such buses. See (2018) G.O. 2, 1299C.

464. No person may drive an outsized vehicle unless he carries with him the special permit.

1986, c. 91, s. 464.



Section 464 of the Code is suspended with respect to drivers of outsized buses. See (2018) G.O. 2, 1299C.

Not in force

464.1. No person other than the holder of an escort permit may provide escort service for an outsized vehicle required to travel under escort by the conditions attached to the special permit authorizing it to be driven.

1990, c. 83, s. 166.

Not in force

464.2. Every driver of a vehicle escorting an outsized vehicle in the circumstances described in section 464.1 must carry an escort permit with him.

1990, c. 83, s. 166.

465. The holder of a special permit is liable for any damage caused to the public highways as a result of the use of an outsized vehicle.

1986, c. 91, s. 465.

466. Where a peace officer has reasonable grounds to believe that a road vehicle or a combination of road vehicles is an outsized vehicle, he may stop the vehicle or combination of vehicles and require the driver to allow it to be weighed or, as the case may be, facilitate its measurement.

Furthermore, the peace officer may require the vehicle or combination of vehicles to be driven to a location where it can be weighed or measured, provided it is not over 15 kilometres from the place of interception.

1986, c. 91, s. 466; 1990, c. 83, s. 167.

467. The axle load and the total loaded mass of a road vehicle or combination of road vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner he determines.

The fact that a measuring device has been approved by the Minister of Transport and used in the manner he has determined is proof, in the absence of any evidence to the contrary, that the device has determined accurately the mass under a wheel, the axle load or the total loaded mass at the time the offence is alleged to have been committed.

1986, c. 91, s. 467; 1990, c. 83, s. 168.

468. Where a peace officer has established that a road vehicle or combination of road vehicles is an oversized vehicle, he may require it to be driven to a suitable place and held at the expense of the owner, or of the operator in the case of a heavy vehicle, until it is made to conform to the norms of this Code, or until the driver in possession of a special permit.

Every driver must comply with the peace officer's requirement.

1986, c. 91, s. 468; 1990, c. 83, s. 169; 1996, c. 56, s. 91; 1998, c. 40, s. 100.

469. The part of the load removed to bring an oversized vehicle into conformity with this Code remains the responsibility of the operator of a heavy vehicle or the owner of the load.

1986, c. 91, s. 469; 1998, c. 40, s. 101.

470. (*Repealed*).

1986, c. 91, s. 470; 1990, c. 83, s. 170; 1998, c. 40, s. 102.

470.1. When required to do so by a peace officer or by a sign or signal, the driver of a road vehicle or combination of road vehicles must drive it to an inspection station and facilitate such inspection as may be required under this Code.

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.

The first paragraph does not apply to the driver of an emergency vehicle used during a disaster within the meaning of paragraph *d* of section 1 of the Act respecting the protection of persons and property in the event of disaster (chapter P-38.1) or to the driver of a vehicle used to return to the starting point.

1999, c. 66, s. 11; 2002, c. 29, s. 54; 2008, c. 14, s. 55.

471. No person may drive or allow to be driven a road vehicle carrying a load

(1) that is not solidly secured or adequately covered so as to prevent any part of the load from moving or detaching itself from the vehicle;

(2) that is placed, secured or covered in a manner that reduces the driver's field of vision or blocks the lights of the vehicle;

(3) that is placed, secured or covered in a manner that interferes with the stability or handling of the vehicle;

(4) that is not placed, secured or covered in accordance with the regulation respecting the securing of loads.

Subparagraphs 1, 2 and 3 apply on highways under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 471; 1990, c. 83, s. 171; 1998, c. 40, s. 103; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

472. Where a peace officer has reasonable grounds to believe that the load of a road vehicle may present a hazard, he may require that the vehicle be impounded in a suitable place, at the expense of the owner or the operator of a heavy vehicle until the situation has been corrected.

Every driver must comply with the peace officer's requirement.

1986, c. 91, s. 472; 1996, c. 56, s. 92; 1998, c. 40, s. 104.

473. No owner or lessee of a road vehicle or operator of a heavy vehicle shall allow a road vehicle or combination of road vehicles to be operated if its load or equipment exceeds its width, including the width of its mandatory accessories, or exceeds its length by more than 1 metre at the front or 2 metres at the rear.

However, a special permit may be issued

(1) to authorize equipment or a load of an indivisible nature where the person meets the requirements of a regulation under paragraph 20 of section 621 ;

(2) to authorize equipment or any load where the person meets the conditions of an authorization by the Minister under section 633.

Subject to the conditions the Government may set by regulation, 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 public utility vehicle.

For the purposes of the third paragraph, a public utility vehicle is a road vehicle designed and equipped to provide essential services to a community, including a vehicle used for the maintenance of public highways and of parks, for garbage collection or for the maintenance of a power distribution system.

1986, c. 91, s. 473; 1990, c. 83, s. 172; 1993, c. 42, s. 15; 1998, c. 40, s. 105; 2008, c. 14, s. 56; 2010, c. 34, s. 67.

473.1. No person may drive a vehicle or combination of vehicles referred to in section 473 unless he carries with him a special permit for that purpose.

1990, c. 83, s. 172.

473.2. Within the scope of the powers conferred on him by virtue of sections 466, 468 and 472, a peace officer may demand the registration certificate and remove the registration plates of a vehicle. The driver is bound to comply without delay with these requirements.

The peace officer shall issue a receipt to the driver of the vehicle. He shall keep the confiscated documents if the situation may be corrected within a reasonable time, and shall in other cases hand them over to the Société.

The peace officer or the Société, as the case may be, must return the documents to the driver or to the owner of the vehicle as soon as the situation is corrected in accordance with the law.

1990, c. 83, s. 172.

474. No person may drive a road vehicle or combination of road vehicles whose load or equipment extends beyond the rear of the road vehicle or combination of road vehicles by more than 1 metre at its farthest point unless a red flag or a reflector panel, and, at night, a red light visible from behind and from the sides for not less than 150 metres is installed at the farthest point. The flag or reflector panel and their installation must comply with any standards that may be prescribed by regulation.

The devices required under the first paragraph may be replaced by an amber light that meets the standards prescribed by regulation.

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 standards 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.

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 front of the vehicle, the light must be amber. If part of the equipment extends beyond the vehicle by more than 1.5 metres, an escort vehicle must precede or follow the vehicle, as the case may be, at a distance of not more than 50 metres with its hazard lights flashing.

The equipment is considered to extend beyond the tool vehicle when it has a point or a sharp edge that extends by at least 30 cm beyond the front or the rear of the vehicle. The starting point for measuring the part of the equipment that extends beyond the front or the rear of the tool vehicle is the end of the mast or boom to which the fork, bucket or other tool is attached.

No person may drive a tool vehicle on a public highway unless the vehicle's equipment is in a retracted position.

The fourth and sixth paragraphs do not apply when the vehicle is being used to carry out work on a public highway.

1986, c. 91, s. 474; 1990, c. 83, s. 173; 1996, c. 56, s. 93; 2008, c. 14, s. 57; 2010, c. 34, s. 68; 2018, c. 7, s. 121.

474.1. Where a peace officer has reasonable grounds to believe that a road vehicle is used for the transportation of a dangerous substance, the peace officer may stop the vehicle and inspect it.

The driver of the vehicle must, at the peace officer's request, surrender for examination the documents prescribed by regulation concerning the vehicle's load and the documents establishing the driver's qualifications for the transportation of dangerous substances.

The peace officer shall return the documents prescribed by regulation to the driver of the road vehicle after examination.

2002, c. 29, s. 55.

474.2. Where a peace officer ascertains that an offence against a regulation respecting the transportation of dangerous substances has been committed, the peace officer may order that the road vehicle transporting a dangerous substance be driven to a suitable place and impounded at the owner's expense until the person responsible for the vehicle or for its load complies with the regulation.

The driver must comply with the peace officer's order without delay.

The vehicle and its load remain the responsibility of their owner.

2002, c. 29, s. 55.

475. *(Repealed).*

1986, c. 91, s. 475; 1990, c. 83, s. 174; 1998, c. 40, s. 106.

476. *(Repealed).*

1986, c. 91, s. 476; 1996, c. 56, s. 94; 1998, c. 40, s. 106.

DIVISION III

MOTORCYCLES, MOPEDS AND BICYCLES

477. The driver of a motorcycle or moped must remain seated on the seat and keep hold of the handlebars.

A cyclist must sit astride the bicycle and keep hold of the handlebars.

1986, c. 91, s. 477; 2018, c. 7, s. 173.

478. No person may drive a motorcycle or a moped

- (1) between rows of vehicles moving in 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.

1986, c. 91, s. 478; 2018, c. 7, s. 122.

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.

1986, c. 91, s. 479; 2018, c. 7, s. 123.

480. No driver of a motorcycle or moped may carry any other person thereon unless his vehicle is equipped with permanently fixed seats designed for that purpose and with foot-rests fixed on each side of the vehicle.

1986, c. 91, s. 480.

480.1. No person under 16 years of age may carry a passenger on a moped.

2007, c. 40, s. 60.

481. The passenger of a motorcycle or moped shall be seated facing the handlebars and with both feet on the foot-rests while the vehicle is in motion.

No person shall drive a motorcycle or a moped if the passenger is not complying with the requirements of the first paragraph.

1986, c. 91, s. 481; 2000, c. 64, s. 15.

482. The driver of a motorcycle or moped must keep the white headlight of his vehicle on at all times.

1986, c. 91, s. 482.

483. Drivers of motorcycles or mopeds driving in groups of two or more in one traffic lane must drive in zigzag formation.

1986, c. 91, s. 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.

2018, c. 7, s. 124.

484. Every person riding on a motorcycle or moped or in a sidecar must wear a protective helmet that complies with the standards prescribed by regulation.

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.

Such persons must, if so requested by a peace officer, allow him to examine their protective helmets and visual protection.

1986, c. 91, s. 484; 1990, c. 83, s. 175; 2018, c. 7, s. 125.

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.

2018, c. 7, s. 126.

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.

2018, c. 7, s. 126.

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 a peace officer's orders, help in measuring the sound level of the vehicle's exhaust system in the manner prescribed by regulation.

2018, c. 7, s. 126.

485. No cyclist may take a passenger unless his vehicle is equipped with a fixed seat for that purpose.

1986, c. 91, s. 485; 2018, c. 7, s. 173.

486. When riding in groups of two or more, cyclists must keep in single file; in no case may such a file be composed of more than 15 cyclists.

1986, c. 91, s. 486.

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, taking into account the condition of the roadway and the risk of car dooring.

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

The first paragraph does not apply to a cyclist about to make a left turn, if he is authorized to ride against traffic or in case of necessity.

1986, c. 91, s. 487; 1990, c. 83, s. 176; 2010, c. 34, s. 69; 2018, c. 7, ss. 173 and 127.

488. All cyclists must comply with all traffic signs and signals.

1986, c. 91, s. 488.

489. No person may drink alcoholic beverages while riding a bicycle. The same applies to the consumption of cannabis or any other drug, subject to the exceptions provided for by government regulation.

1986, c. 91, s. 489; 2018, c. 19, s. 59.

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.

1986, c. 91, s. 490; 2018, c. 7, ss. 173 and 128.

491. Subject to section 479, no person may ride a bicycle on a public highway on which the maximum speed allowed is over 50 km/h unless

(1) he uses a cycle lane separated from the roadway and specially laid out to prevent vehicles from crossing over from the roadway to the cycle lane or vice versa, or having that effect;

(2) he is 12 years of age or over; or

(3) he is taking part in an excursion led by a person of full age.

1986, c. 91, s. 491; 1996, c. 56, s. 95.

492. *(Repealed).*

1986, c. 91, s. 492; 1990, c. 83, s. 179; 2002, c. 29, s. 56; 2010, c. 34, s. 70.

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.

1987, c. 94, s. 64; 2018, c. 7, s. 129.

492.2. A person may not ride a power-assisted bicycle on a public highway unless

(1) the person is 18 years of age or over or, if not, the person holds a licence to drive a moped and complies with the conditions and restrictions attached to the licence;

(2) the person wears a protective helmet that is in conformity with the standards established by regulation;

(3) the bicycle bears the manufacturer's label required by the regulations made pursuant to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) in the case of a bicycle sold to its first user as a power-assisted bicycle, or the bicycle motor bears the label required under section 274.2 in the case of a bicycle converted into a power-assisted bicycle;

(4) the bicycle is in conformity with the standards, other than the standard referred to in paragraph 3, applicable to power-assisted bicycles provided for in this Code and in the regulations made pursuant to the Motor Vehicle Safety Act.

2002, c. 29, s. 57.

492.3. No person may ride a non-motorized scooter on a public highway at night unless the scooter is equipped with at least one white reflector or white reflective material at the front, one red reflector or red reflective material at the rear and one red reflector or red reflective material on each side, as close to the rear as practicable.

A person riding a non-motorized scooter is exempted from the application of the first paragraph if the person wears clothing or an accessory having reflective material visible to other road users.

2002, c. 29, s. 57.

DIVISION IV

LOW-SPEED VEHICLES

2016, c. 8, s. 57.

492.4. No person may drive a low-speed vehicle on a public highway where the maximum authorized speed limit is over 50 km/h, except to cross it at an intersection where traffic lights or stop signs are present or at a traffic circle.

Nor may a person drive such a vehicle on a limited access highway or on the entrance or exit ramps of such a highway.

2016, c. 8, s. 57.

492.5. The driver of a low-speed vehicle must keep the vehicle's headlights on at all times unless the vehicle has daytime running lights.

2016, c. 8, s. 57.

492.6. The driver of a low-speed vehicle may not use it to tow a trailer or semi-trailer unless a manufacturer's sticker affixed to the vehicle attests to its towing capability and that capacity is not exceeded.

2016, c. 8, s. 57.

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.

2018, c. 7, s. 130.

DIVISION V

AUTONOMOUS VEHICLES

2018, c. 7, s. 130.

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.

The first paragraph does not apply to autonomous vehicles at driving automation level 3 of the SAE International's Standard J3016 whose sale is allowed in Canada.

2018, c. 7, s. 130.



See chapter C-24.2, r. 37.01, s. 29.

CHAPTER V

SPECIAL PROVISIONS RESPECTING ANIMALS

493. No person may allow farm animals on or across a public highway unless the animals are escorted by two persons, each of them holding a red flag in full view.

The Government may, by regulation, determine conditions under which a person may allow farm animals across a public highway without being required to comply with the first paragraph.

1986, c. 91, s. 493.

494. No person may allow farm animals on or across a public highway at night.

1986, c. 91, s. 494.

495. No person may allow farm animals on or across a limited access highway.

1986, c. 91, s. 495.

496. No person may ride a horse

- (1) on a limited access highway or on an entrance or exit ramp;
- (2) on any part of a public highway where a sign prohibits it.

1986, c. 91, s. 496; 1987, c. 94, s. 65.

CHAPTER V.1

SPECIAL PROVISIONS RESPECTING SHARED STREETS AND BICYCLE BOULEVARDS

2018, c. 7, s. 131.

DIVISION I

MUNICIPAL POWERS

2018, c. 7, s. 131.

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.

2018, c. 7, s. 131.

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 before the coming into force of a by-law made under section 496.1.

2018, c. 7, s. 131.

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.

2018, c. 7, s. 131.

DIVISION II

SHARED STREETS

2018, c. 7, s. 131.

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

2018, c. 7, s. 131.

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.

2018, c. 7, s. 131.

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

2018, c. 7, s. 131.

DIVISION III

BICYCLE BOULEVARD

2018, c. 7, s. 131.

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

2018, c. 7, s. 131.

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.

2018, c. 7, s. 131.

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.

2018, c. 7, s. 131.

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

2018, c. 7, s. 131.

CHAPTER VI

MISCELLANEOUS PROVISIONS RESPECTING THE USE OF PUBLIC HIGHWAYS

497. Subject to a by-law adopted by a municipality, no person may, in residential areas where the speed limit is 50 km/h or less, conduct snow-removal operations on a public highway with a snowblower whose net mass exceeds 900 kg except under the supervision of a person walking in front of the vehicle.

1986, c. 91, s. 497; 2010, c. 34, s. 71.

498. No person may dispose of, deposit or abandon any objects or substances on a public highway, unless authorized to do so by the person responsible for the maintenance of that highway.

1986, c. 91, s. 498; 1996, c. 56, s. 96; 2005, c. 6, s. 195; 2018, c. 7, s. 132.

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.

2018, c. 7, s. 133.

499. No person may use skates, skis, skateboard or a toy vehicle on the roadway.

1986, c. 91, s. 499.

500. No person may occupy the roadway, shoulder or any other part of the right of way of or approaches to a public highway or place a vehicle or obstacle thereon so as to obstruct vehicular traffic on the highway or access to such a highway, except where so authorized by law.

A peace officer may remove or cause to be removed at the expense of the owner any thing used in contravention of this section. The peace officer may also seize such a thing; the provisions respecting things seized in the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things so seized.

For the purposes of this section, a public highway includes a road being used as an alternate route for traffic diverted from a public highway even if the alternate route is situated on private property, and a road under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

1986, c. 91, s. 500; 1990, c. 83, s. 180; 2000, c. 31, s. 4; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

500.1. No person may, during a concerted action intended to obstruct in any way vehicular traffic on a public highway, occupy the roadway, shoulder or any other part of the right of way of or approaches to the highway or place a vehicle or obstacle thereon so as to obstruct vehicular traffic on the highway or access to such a highway.

A peace officer may remove or cause to be removed, at the expense of the owner, any thing used in contravention of this section. The peace officer may also seize such a thing; the provisions respecting things seized in the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things so seized.

This section does not apply during parades or other popular events previously authorized by the person responsible for the maintenance of the public highway provided the highway used is closed to traffic or is under the control of a police force.

For the purposes of this section, a public highway includes a road being used as an alternate route for traffic diverted from a public highway even if the alternate route is situated on private property, and a road under the administration of or maintained by the Ministère des Ressources naturelles et de la Faune.

2000, c. 31, s. 5; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

500.2. Despite sections 499 and 500 of this Code, a municipality may, by by-law, permit free play on a public highway under its management.

The by-law must prescribe

- (1) the zones where free play is permitted;
- (2) any applicable restrictions on traffic and any applicable safety rules;
- (3) the prohibitions respecting free play, if applicable;
- (4) any other condition related to the exercise of that permission.

The municipality must indicate, by means of proper signs or signals, the zones where free play is permitted under the by-law.

The municipality may determine the provisions of the by-law the violation of which constitutes an offence and determine the applicable fines, up to a maximum of \$120.

2017, c. 13, s. 78.



The application of the third paragraph of this section is suspended until 30 June 2025. See M.O. 2020-15, 2020-08-03, (2020) 152 G.O. 2, 2263.

501. *(Replaced).*

1986, c. 91, s. 501; 1990, c. 83, s. 180.

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.

1986, c. 91, s. 502; 2018, c. 7, s. 134.

503. The person responsible for the maintenance of a public highway may, if he believes on reasonable grounds that a lighting system or flashing or rotating lights are used on private property in contravention of section 502, issue a notice to the owner requiring him to remove or modify the system or lights within 48 hours.

If the contravener fails to comply with the notice, the person responsible for the maintenance of the highway may enter the property and remove the lighting system or lights at the owner's expense.

1986, c. 91, s. 503; 2018, c. 7, s. 135.

CHAPTER VII

PENAL PROVISIONS

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.

1986, c. 91, s. 504; 1987, c. 94, s. 66; 1990, c. 4, s. 212; 2018, c. 7, ss. 173 and 136.

504.1. Every person riding a non-motorized scooter who contravenes section 492.3 or user of skates, skis, a skateboard or a toy vehicle who contravenes section 499 is guilty of an offence and is liable to a fine of \$80 to \$100.

2002, c. 29, s. 58; 2018, c. 7, s. 137.

505. Every pedestrian who contravenes any of sections 444 to 453.2 is guilty of an offence and is liable to a fine of \$15 to \$30.

1986, c. 91, s. 505; 1990, c. 4, s. 212; 1990, c. 83, s. 181; 2018, c. 7, s. 138.

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

1986, c. 91, s. 506; 1990, c. 4, s. 212; 1990, c. 83, s. 182; 1993, c. 42, s. 16; 1996, c. 56, s. 97; 2007, c. 40, s. 61; 2010, c. 34, s. 72; 2016, c. 22, s. 45; 2018, c. 7, ss. 173 and 139.

507. Every person who contravenes any of sections 321, 323, 330, 377 to 380, 403, 425, 437, 438, the first paragraph of section 441 or any of sections 492.2, 494 to 496, 498 and 498.1 is guilty of an offence and is liable to a fine of \$60 to \$100.

1986, c. 91, s. 507; 1990, c. 4, s. 212; 1990, c. 83, s. 183; 2000, c. 31, s. 6; 2012, c. 15, s. 17; 2018, c. 7, ss. 173 and 140.

508. Every person who contravenes section 401 or the second paragraph of section 484 is guilty of an offence and is liable to a fine of \$80 to \$100.

1986, c. 91, s. 508; 1987, c. 94, s. 67; 1990, c. 4, s. 212; 1990, c. 83, s. 184; 2007, c. 40, s. 62; 2018, c. 7, s. 141.

508.1. Every person who contravenes section 480.1 is guilty of an offence and is liable to a fine of \$100.

2007, c. 40, s. 63.

509. Every person who contravenes any of sections 320, 322, 326, 331, 335, 339, 351 to 358, 364.1, 365, 372 to 376, 386, 388.1, 391 and 407, any of sections 415, 416, 417.1, 418, 421.1, 473.1, 483, 492.4 to 492.6 and 502, and every person other than a cyclist who contravenes any of sections 349, 350, 358.1, 359, 359.1, 360, 361, 362 to 364, 367 to 371, 402, 404, 405, 408 to 411, 421, 424, 442, 443.2, 477, 478, 479 and 496.6 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 509; 1987, c. 94, s. 68; 1990, c. 4, s. 212; 1990, c. 83, s. 185; 1992, c. 54, s. 61; 1993, c. 42, s. 17; 1996, c. 56, s. 98; 1998, c. 40, s. 107; 2000, c. 64, s. 16; 2002, c. 29, s. 59; 2008, c. 14, s. 58; 2016, c. 8, s. 58; 2018, c. 7, ss. 173 and 142.

509.1. Every person who contravenes section 474 is guilty of an offence and is liable to a fine of \$90 to \$270.

1998, c. 40, s. 108.

509.2. Every person who contravenes section 417.2 is guilty of an offence and is liable to a fine of \$150 to \$250.

2009, c. 48, s. 18.

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.

2018, c. 7, s. 143.

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.

2018, c. 7, s. 143.

509.3. Every person who contravenes section 434.0.1 commits an offence and is liable to a fine of \$300 to \$500.

2010, c. 34, s. 73.

510. 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 cyclist who contravenes any of sections 346, 406 and 460 is guilty of an offence and is liable to a fine of \$200 to \$300.

Every driver of a bus or minibus used for the transportation of school children who contravenes section 426 is guilty of an offence and is liable to a fine of \$200 to \$375 and, in the case of a second or subsequent offence, to a fine of \$250 to \$750.

Every driver of a heavy vehicle who contravenes the second paragraph of section 472 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

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.

1986, c. 91, s. 510; 1990, c. 4, s. 212; 1990, c. 83, s. 186; 1998, c. 40, s. 109; 2002, c. 29, s. 60; 2007, c. 40, s. 64; 2010, c. 34, s. 74; 2012, c. 15, s. 18; 2016, c. 22, s. 46; 2018, c. 7, ss. 173, 144 and 204.

510.1. Every person who contravenes section 471 is guilty of an offence and is liable to a fine of

(1) \$175 to \$525 for an offence under paragraph 2 of that section;

(2) \$350 to \$1,050 for an offence under paragraph 1 or 3 of that section;

(3) \$90 to \$270, \$175 to \$525 or \$350 to \$1,050 for an offence under paragraph 4 of that section and according to the seriousness of the offence as specified by regulation.

1998, c. 40, s. 110.

511. Every occupant of a road vehicle other than a driver who contravenes section 443 is guilty of an offence and is liable to a fine of \$200 to \$300.

Every driver of a road vehicle who contravenes section 443 is guilty of an offence and is liable to a fine of \$300 to \$600.

1986, c. 91, s. 511; 1990, c. 4, s. 212.

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.”

2018, c. 7, s. 145.

511.1. Every person who contravenes the first paragraph of section 500 is guilty of an offence and is liable to a fine of \$300 to \$600 and, in the case of a second or subsequent offence, to a fine of \$3,000 to \$6,000.

Moreover, on conviction for an offence under this section, a judge may order the confiscation of a thing seized under the second paragraph of section 500. Prior notice of the application for confiscation shall be given to the person from whom the thing was seized and to the offender by the prosecutor, except where the parties are in the presence of the judge.

2000, c. 31, s. 7; 2000, c. 64, s. 17.

511.2. Every driver of a road vehicle who contravenes section 470.1 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

2000, c. 64, s. 18.

512. Every person who contravenes section 327, 422, 433, 434 or 492.8 is guilty of an offence and is liable to a fine of \$1,000 to \$3,000.

Every driver of a road vehicle who contravenes the second paragraph of section 468 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1986, c. 91, s. 512; 1990, c. 4, s. 212; 1998, c. 40, s. 111; 2010, c. 34, s. 75; 2018, c. 7, s. 146.

512.0.1. Every person who contravenes the first paragraph of section 500.1 is guilty of an offence and is liable to a fine of \$350 to \$1,050 and, in the case of a second or subsequent offence, to a fine of \$3,500 to \$10,500.

However, if it is shown that the person convicted has participated in the planning, organization or directing of the concerted action referred to in that section, the fine shall be \$3,000 to \$9,000 and, in the case of a second or subsequent offence, \$9,000 to \$27,000.

Moreover, on conviction for an offence under this section, a judge may order the confiscation of a thing seized under the second paragraph of section 500.1. Prior notice of the application for confiscation shall be given to the person from whom the thing was seized and to the offender by the prosecutor, except where the parties are in the presence of the judge.

2000, c. 31, s. 8; 2000, c. 64, s. 19.

512.1. Every person who contravenes section 333 is guilty of an offence and is liable to a fine of \$500 to \$1,000.

1990, c. 83, s. 188.

513. Every driver of a heavy vehicle who contravenes a regulatory provision the violation of which constitutes an offence under paragraph 35 of section 621 is guilty of an offence and is liable to a fine of \$90 to \$270, \$175 to \$525 or \$350 to \$1,050 according to the seriousness of the offence as specified by regulation. Every driver who fails to comply with a condition fixed under section 633 is guilty of an offence and is liable to a fine of \$175 to \$525.

Every holder of a special permit who contravenes a regulatory provision the violation of which constitutes an offence under paragraph 35 of section 621 is guilty of an offence and is liable to a fine of \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 according to the seriousness of the offence as specified by regulation. Every

holder who fails to comply with a condition fixed under section 633 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

However, the fine is

(1) \$175 plus \$75 per excess metre if the offence is for exceeding the length limit authorized in the special permit;

(2) \$175 plus \$75 per excess 10 centimetres if the offence is for exceeding the width or height limit authorized in the special permit;

(3) \$600 plus \$100 per excess 1,000 kg, not counting the first excess 1,000 kg, if the offence is for exceeding the axle load limit or the total loaded mass authorized in the special permit;

(4) an amount corresponding, under section 517.1, to the nature of the offence if a heavy vehicle is stopped on a public highway on which it is not authorized to travel as provided in the special permit, if the vehicle is being operated during the thaw period without special authorization, if the vehicle's configuration is not the configuration described in the special permit or if the vehicle is travelling without special authorization on a bridge or viaduct where a sign or signal prohibits overweight vehicles.

Every holder of an escort permit who contravenes a regulatory provision the violation of which constitutes an offence under paragraph 20.3 of section 621 is guilty of an offence and is liable to a fine of \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 according to the seriousness of the offence as specified by regulation.

The period of validity of a special permit or escort permit for a heavy vehicle in respect of which an offence was committed is suspended for a period of three months if the holder of the permit commits a second offence while the permit is valid. If a subsequent offence is committed during the same period of validity, the permit is suspended for three months, whether or not the vehicles covered by the permit were the subject of proceedings. The right to obtain a special permit or escort permit, for the same or another heavy vehicle is, for the operator, subject to the rules governing a second or subsequent offence.

1986, c. 91, s. 513; 1990, c. 4, s. 212; 1990, c. 83, s. 189; 1995, c. 25, s. 8; 1998, c. 40, s. 112; 1999, c. 66, s. 12.

Not in force

513.1. Every person who contravenes section 464.1 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1990, c. 83, s. 190.

514. Every person who contravenes either of sections 456 and 457 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

1986, c. 91, s. 514; 1990, c. 4, s. 212.

514.1. Every person who drives a road vehicle that has been impounded under section 328.2, 422.4 or 434.5 is guilty of an offence and is liable to a fine of \$600 to \$2,000.

2010, c. 34, s. 76.

515. *(Repealed).*

1986, c. 91, s. 515; 1990, c. 4, s. 212; 1998, c. 40, s. 113.

516. Every person who contravenes the second paragraph of section 299, section 303.2 or 328, the third paragraph of section 329 or section 496.4 or 496.7 is guilty of an offence and is liable to a fine which shall be of \$15 plus,

(1) if the speed exceeds the speed limit by 1 to 20 km/h, \$10 for each 5 km/h by which the speed exceeds the speed limit;

(2) if the speed exceeds the speed limit by 21 to 30 km/h, \$15 for each 5 km/h by which the speed exceeds the speed limit;

(3) if the speed exceeds the speed limit by 31 to 45 km/h, \$20 for each 5 km/h by which the speed exceeds the speed limit;

(4) if the speed exceeds the speed limit by 46 to 60 km/h, \$25 for each 5 km/h by which the speed exceeds the speed limit;

(5) if the speed exceeds the speed limit by 61 km/h or more, \$30 for each 5 km/h by which the speed exceeds the speed limit.

Every person who

(1) drives a road vehicle at a speed of 39 km/h or less over the posted speed limit in a zone where the maximum authorized speed limit is 60 km/h or less,

(2) drives a road vehicle at a speed of 49 km/h or less over the posted speed limit in a zone where the maximum authorized speed limit is over 60 km/h but not over 90 km/h or

(3) drives a road vehicle at a speed of 59 km/h or less over the posted speed limit in a zone where the maximum authorized speed limit is over 90 km/h

is liable to double the fine set out in the first paragraph for an offence under section 303.2.

1986, c. 91, s. 516; 1990, c. 4, s. 212; 1990, c. 83, s. 191; 2001, c. 21, s. 8; 2010, c. 34, s. 77; 2018, c. 7, s. 147.

516.1. Every person who

(1) drives a road vehicle at a speed of 40 km/h or more over the posted speed limit in a zone where the maximum authorized speed limit is 60 km/h or less,

(2) drives a road vehicle at a speed of 50 km/h or more over the posted speed limit in a zone where the maximum authorized speed limit is over 60 km/h but not over 90 km/h, or

(3) drives a road vehicle at a speed of 60 km/h or more over the speed limit in a zone where the maximum authorized speed limit is 100 km/h or more

is liable to double the fine set out in section 516 for the corresponding speeding violation.

A person who was convicted of more than two speeding offences under this section during the 10 years before the conviction is liable to triple the fine set out in section 516 for the corresponding speeding violation.

2007, c. 40, s. 65; 2010, c. 34, s. 78.

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.

2018, c. 7, s. 148.

517. Every driver of a vehicle who contravenes section 464 is guilty of an offence and is liable to a fine of \$175 to \$525.

1986, c. 91, s. 517; 1987, c. 94, s. 69; 1990, c. 4, s. 212; 1990, c. 83, s. 192; 1998, c. 40, s. 114; 2008, c. 14, s. 59.

517.1. Subject to the provisions of the second paragraph of section 517.2, every owner or lessee of an oversized vehicle or, where applicable, every owner or operator of a heavy vehicle who contravenes section 463 is guilty of an offence and is liable to a fine of

- (1) \$175 plus \$75 per excess metre if the vehicle is oversized as to length;
- (2) \$175 plus \$75 per excess 10 centimetres if the vehicle is oversized as to width or height;
- (3) \$150 to \$450 if the vehicle does not conform to its authorized axle load but conforms to its authorized total loaded mass;
- (4) *(paragraph repealed)*;
- (5) \$300 if the vehicle does not conform to its authorized total loaded mass, plus
 - (a) \$50 per excess 1,000 kg, up to 5,000 kg in excess;
 - (b) \$75 per excess 1,000 kg, where the excess is between 5,000 kg and 10,000 kg;
 - (c) \$100 per excess 1,000 kg, where the excess is greater than 10,000 kg;
- (6) twice the amount of the fines under this section, if an offence relating to axle load or total loaded mass is committed while the vehicle is travelling on a bridge or viaduct where a sign or signal prohibits overweight vehicles;
- (7) *(paragraph repealed)*.

Subparagraph 6 of the first paragraph applies only if the axle load or the total loaded mass exceeds the normally authorized load limit, that is, the load limit permitted in the absence of restrictions determined under section 419 or under a special permit.

1987, c. 94, s. 69; 1990, c. 4, s. 212; 1990, c. 83, s. 193; 1998, c. 40, s. 115; 1999, c. 66, s. 13; 2004, c. 2, s. 33; 2008, c. 14, s. 60; 2010, c. 34, s. 79.

517.2. Where the load of a heavy vehicle that is oversized with respect to the total loaded mass is considered to be a full load for the purposes of transportation and the shipper, consignee and transport service intermediary fail to provide written information to the operator of the heavy vehicle referred to in Title VIII.1 that enables the operator to determine the mass of the load, they are guilty of an offence and are liable to the same penalty as that prescribed for the operator in paragraph 5 of section 517.1, whether or not the operator has been prosecuted or convicted. The same applies to any person having entrusted the load to the operator in charge of transporting the load.

Where the mass determined on the basis of the information provided to the operator by one of the persons referred to in the first paragraph is less than that calculated by subtracting the net mass of the vehicle from the recorded total loaded mass, the person who provided the inaccurate information is guilty of an offence and is liable to either

- (1) the same penalty as that prescribed in paragraph 5 of section 517.1 if the difference between the calculated mass and the mass previously determined is equal to or more than the overload; the operator may only in that case be found guilty of the offence referred to in section 513 or 517.1 if it is proven that the operator was aware of the overload; or

(2) a reduced penalty if the difference between the calculated mass and the determined mass is less than the overload; the fine that may be imposed on the operator under paragraph 5 of section 517.1 must in that case be reduced by the amount of the fine imposed under this paragraph.

For the purposes of subparagraph 2 of the second paragraph, the fine must be calculated by multiplying the amount of the penalty prescribed in paragraph 5 of section 517.1 by the result of the following operation, rounded off to the nearest dollar : the result obtained by subtracting the determined mass from the calculated mass, divided by the overload.

For the purposes of this section, a “load is considered to be a full load for the purposes of transportation” if all the goods making up the load are transported for one shipper only or to one destination only, or were loaded at the same place of shipment or consignment. In the absence of shipping documents, a load shall always be so considered. Where an outsized vehicle is being operated under a special permit, this section applies only if the total loaded mass limit authorized under the permit is exceeded; in that case, the penalty is calculated by applying subparagraph 3 of the third paragraph of section 513 rather than paragraph 5 of section 517.1.

The information contained in any item that may constitute the shipping documents prescribed by the Regulation respecting the requirements applicable to shipping documents, leasing contracts and contracts for services, made by Order in Council 61-2001 (2001, G.O. 2, 1132) is sufficient, in the absence of evidence to the contrary, to identify the shipper, consignee, transport service intermediary and any person having entrusted the load to the operator, and to establish the place of shipping, consignment and destination. The information contained in the registration certificate of a vehicle is sufficient, in the absence of evidence to the contrary, to establish the net mass of a vehicle.

Copies of the items that may constitute the shipping documents, including printouts of computer files containing such items, are admissible as evidence of the information they contain in penal proceedings under this section, if the copies are dated and signed by the inspectors or peace officers who reproduced them. To be admissible as evidence for the purposes of the second paragraph, the written document containing the information allowing the mass of the load to be established must have been given to the peace officer when the vehicle was being weighed.

1987, c. 94, s. 69; 1990, c. 4, s. 212; 1998, c. 40, s. 116; 2004, c. 2, s. 34.

518. The owner of a road vehicle travelling on a public highway whose net mass or number of axles, as the case may be, exceeds what is entered in the register kept by the Société pursuant to section 10 is guilty of an offence and is liable to a fine of \$300 to \$600 for the first offence and to a fine of \$600 to \$2,000 for any subsequent offence committed with the same vehicle during the twelve months following the date of conviction for the first offence.

Section 467 applies, adapted as required, with respect to the methods used to determine the net mass of a road vehicle and with respect to the probative force thereof.

An owner of a road vehicle must, at the request of the Société or a peace officer, furnish the weighing certificate within 10 days of the request to establish the net mass of the vehicle.

1986, c. 91, s. 518; 1990, c. 4, s. 212; 1990, c. 83, s. 194; 1990, c. 83, s. 261; 1998, c. 40, s. 117.

519. Where a road vehicle or combination of road vehicles for which no special permit has been issued is outsized in respect of more than one standard provided in this Code, the driver, the owner or the lessee of the vehicle or the operator of a heavy vehicle cannot be convicted for contravening more than one of such standards.

1986, c. 91, s. 519; 1990, c. 83, s. 195; 1998, c. 40, s. 118.

TITLE VIII.1

SPECIAL RULES RESPECTING OWNERS AND OPERATORS OF HEAVY VEHICLES

1987, c. 94, s. 70; 1998, c. 40, s. 119.

CHAPTER I

SCOPE

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.1. This Title applies to heavy vehicles and to the following persons:

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

(2) drivers of heavy vehicles, persons supplying the services of such drivers and, in specified cases, shippers and consignees.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 1999, c. 66, s. 14; 2005, c. 39, s. 52; 2004, c. 2, s. 35.

CHAPTER II

OBLIGATIONS OF DRIVERS AND OPERATORS OF HEAVY VEHICLES

1998, c. 40, s. 119.

519.1.1. For the purposes of this chapter, a “motor coach” is a bus whose characteristics are defined by regulation.

2005, c. 39, s. 30.

DIVISION I

OBLIGATIONS OF DRIVERS

1998, c. 40, s. 119.

519.2. A driver of a heavy vehicle must, in accordance with the standards prescribed by regulation, conduct a circle check of the heavy vehicle to be driven and enter all observations of the mechanical condition of the vehicle in the vehicle’s circle-check report.

The operator may, however, designate another person to conduct the circle check. The person designated must comply with the obligations provided for in the first paragraph and must complete and sign the report prescribed in section 519.3 and note and report any mechanical defect in accordance with section 519.5.

1987, c. 94, s. 70; 1990, c. 83, s. 196; 1993, c. 42, s. 18; 1998, c. 40, s. 119; 2000, c. 64, s. 20; 2005, c. 39, s. 31.

519.2.1. No person may drive a heavy vehicle unless a circle check of the vehicle has been conducted within the time prescribed by regulation.

2005, c. 39, s. 32.

519.2.2. No person may drive a motor coach unless the inspection specific to motor coaches has been conducted on the vehicle within the time prescribed by regulation.

2005, c. 39, s. 32.

519.3. A driver must, in accordance with the standards prescribed by regulation, complete, sign and update the circle-check report for the heavy vehicle being driven.

A driver must not have in his or her possession more than one report for each circle check of the vehicle.

If the circle check of a heavy vehicle was conducted by another person, the driver of the vehicle must countersign the circle-check report. The driver must send the original of the report to the operator within the time prescribed by regulation.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 33.

519.4. A driver must keep on board the vehicle he or she is driving any defect list prescribed by regulation and applicable to the vehicle as well as the circle-check report and, if applicable, the motor-coach inspection report for the vehicle. The driver must surrender these documents for examination to any peace officer who asks to see them.

Once the lists and reports have been examined, they must be returned to the driver.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 34.

519.4.1. No person may drive a heavy vehicle without keeping on board the circle-check report and, if applicable, the motor-coach inspection report for the vehicle.

2005, c. 39, s. 35.

519.5. A driver who discovers a major mechanical defect that appears on an applicable defect list must note the defect in the circle-check report and report the defect without delay to the persons determined by regulation in accordance with the form, content and conditions prescribed by regulation.

A driver who discovers a minor mechanical defect that appears on an applicable defect list must note the defect in the circle-check report and report the defect before the next circle check to the persons determined by regulation in accordance with the form, content and conditions prescribed by regulation.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 36.

519.6. No person shall drive a heavy vehicle which has a major defect that appears on the defect lists applicable to the vehicle.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 37.

519.7. A driver whose driver's licence or class authorizing the driving of a heavy vehicle has been modified, suspended or cancelled must without delay inform the operator, the owner and, where required, any person determined by regulation in the manner prescribed therein.

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.8. A driver of a bus or minibus must distribute and secure freight, express and baggage, other than carry-on baggage, so as to ensure 519.6.

(1) unrestricted freedom of movement for the driver and proper operation of the bus or minibus by the driver ;

(2) unobstructed access by passengers to all exits ;

(3) protection of passengers against injury caused by falling or shifting articles transported in the bus or minibus.

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.8.1. No driver shall drive

- (1) if the driver's driving ability is impaired to the point where it is unsafe for the driver to drive ;
- (2) if driving jeopardizes or is likely to jeopardize the safety or health of the public, the driver or the employees of the operator ;
- (3) if the driver is the subject of an out-of-service declaration under section 519.12 ; or
- (4) other than in accordance with the provisions of sections 519.9 and 519.10.

A government regulation determines the circumstances under which subparagraph 2 of the first paragraph applies.

2004, c. 2, s. 36.

519.9. No driver shall drive in violation of the standards relating to hours of rest and hours of driving prescribed by regulation or in violation of the conditions attached to a permit issued or an authorization granted under section 519.31 or a permit issued by a director and approved by the Société.

No driver shall drive in violation of the standards relating to work cycles and hours of service prescribed by regulation.

1987, c. 94, s. 70; 1990, c. 83, s. 197; 1998, c. 40, s. 119; 2004, c. 2, s. 37.

519.10. Unless the conditions prescribed by regulation are met, a driver must, in the manner prescribed by regulation, maintain a daily log each day, in the form determined by regulation, that accounts for all of the driver's hours of rest and hours of service for that day, as well as any other information required by regulation.

No driver shall keep more than one daily log in respect of any day.

No driver shall enter inaccurate information into a daily log or falsify, deface or mutilate a daily log or supporting documents.

No driver who is required to maintain a daily log shall drive unless the driver has the documents prescribed by regulation in the driver's possession.

The driver must, in accordance with the standards prescribed by regulation, forward the daily log and supporting documents to the operator and any other person who supplies the driver's services. Furthermore, the driver must surrender them for examination to a peace officer, at the officer's request. The daily log and documents must be returned to the driver after examination.

1987, c. 94, s. 70; 1990, c. 83, s. 198; 1998, c. 40, s. 119; 2004, c. 2, s. 38; 2008, c. 14, s. 61.

519.11. A driver must, at the request of a peace officer, surrender the leasing contract or the contract for services.

The peace officer must return the documents to the driver after examination.

1987, c. 94, s. 70; 1988, c. 68, s. 13; 1990, c. 19, s. 11; 1998, c. 40, s. 119; 2008, c. 14, s. 62.

519.12. A peace officer may, in accordance with the standards prescribed by regulation, issue an out-of-service declaration in respect of a driver, for the duration and under the conditions determined by regulation.

1987, c. 94, s. 70; 1990, c. 83, s. 199; 1998, c. 40, s. 119; 2004, c. 2, s. 39.

519.13. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 83, s. 200; 1998, c. 40, s. 119; 1999, c. 66, s. 15; 2004, c. 2, s. 40.

519.14. *(Repealed).*

1987, c. 94, s. 70; 1998, c. 40, s. 119; 1999, c. 66, s. 16.

519.14.1. *(Replaced).*

1988, c. 68, s. 14; 1990, c. 19, s. 11; 1990, c. 83, s. 201; 1998, c. 40, s. 119.

DIVISION II

OBLIGATIONS OF OPERATORS AND OWNERS

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.15. Heavy vehicles must be maintained in good mechanical order by the owner of the vehicles who must comply with the maintenance standards and the inspection frequency and inspection procedure prescribed by regulation.

Owners of motor coaches must conduct the inspection specific to motor coaches except in the case of vehicles to which a preventive maintenance program provided for in Chapter I.1 of Title IX applies. They must complete a motor-coach inspection report in accordance with the standards prescribed by regulation for each vehicle under their responsibility, and must place the report in the vehicle.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 38.

519.15.1. An operator is required to ensure that the driver of a heavy vehicle under the operator's responsibility or, if applicable, the designated person, conducts a circle check of the vehicle in accordance with the standards prescribed by regulation.

2005, c. 39, s. 39.

519.15.2. An operator may not allow a heavy vehicle to be driven that has not undergone a circle check within the time prescribed by regulation.

In addition, an operator may not allow a motor coach to be driven that has not undergone the inspection specific to motor coaches within the time prescribed by regulation.

2005, c. 39, s. 39.

519.15.3. An operator may not allow a heavy vehicle to be driven unless the speed limiter with which the vehicle has been equipped is activated and set at a maximum speed of 105 km/h, is in proper working order and allows the programming data to be read.

Moreover, an operator may not allow a heavy vehicle to be driven if it is fitted with any form of technology that allows it to travel at a speed exceeding 105 km/h despite the activation of a speed limiter or that makes it possible to conceal the programming data allowing such a speed to be attained.

This section applies only to the heavy vehicles specified by an order of the Minister of Transport published in the *Gazette officielle du Québec*.

2007, c. 40, s. 66; 2010, c. 34, s. 80.

519.16. In accordance with the terms and conditions prescribed by regulation, an operator must place the applicable defect lists in each heavy vehicle under the operator's responsibility and ensure that the driver keeps them on board the vehicle.

In addition, an operator is required to ensure that the driver keeps on board the vehicle the circle-check report and, if applicable, the motor-coach inspection report, and that the driver and the designated person who conducts the circle check enter all information in these reports in accordance with the standards prescribed by regulation.

An operator may not allow a heavy vehicle to be driven if the circle-check report and, if applicable, the motor-coach inspection report, is not kept on board.

An operator that is not the owner of the vehicle must inform the owner immediately of any vehicle defect observed by or brought to the attention of the operator and must send a copy of the circle-check report to the owner.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 40.

519.17. An owner must correct any defect which is reported to the owner. In the case of a minor defect, the owner must make the necessary repairs or have them made within 48 hours to preserve the right to maintain the vehicle in operation.

An owner or operator may not allow a heavy vehicle that has a major defect to be operated or allow a heavy vehicle that has a minor defect to be operated after 48 hours.

All repairs must be made in compliance with the maintenance standards prescribed by regulation.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 41.

519.18. The owner of a heavy vehicle that is operated by an operator is responsible for obtaining a copy of the circle-check report.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2005, c. 39, s. 42.

519.19. An operator shall not allow a bus or minibus in which freight, express or baggage has not been distributed or secured in conformity with section 519.8 to be operated.

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.20. An owner, operator or any other person who supplies the services of a driver must maintain the records, reports, files and other documents prescribed by regulation.

1987, c. 94, s. 70; 1990, c. 83, s. 202; 1998, c. 40, s. 119.

519.21. An owner who is advised that a notice of defect has been issued by a vehicle manufacturer pursuant to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) must without delay take the necessary measures to have the defect corrected as specified in the manufacturer's directions or to have the vehicle repaired or modified so as to eliminate the defect.

Any minor or major defect listed in the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) constitutes a defect within the meaning of this section.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2004, c. 2, s. 41.

519.21.1. No operator, shipper, consignee or other person shall request, require or allow a driver to drive

- (1) if the driver's driving ability is impaired to the point where it is unsafe for the driver to drive ;

- (2) if driving jeopardizes or is likely to jeopardize the safety or health of the public, the driver or the employees of the operator ;
- (3) if the driver is the subject of an out-of-service declaration under section 519.12 ; or
- (4) other than in accordance with the provisions of sections 519.9 and 519.10.

A government regulation determines the circumstances under which subparagraphs 1 to 4 of the first paragraph apply

2004, c. 2, s. 42.

519.21.2. Every operator shall monitor the compliance of each driver with the provisions of sections 519.8.1, 519.9, 519.10, 519.70, 519.71 and 638.1. An operator that identifies non-compliance with those provisions shall take immediate remedial action and document the action taken.

2004, c. 2, s. 42; 2010, c. 34, s. 81.

519.21.3. Unless the conditions prescribed by regulation are met, an operator shall require every driver to maintain a daily log each day that accounts for all the driver's hours of rest and hours of service for that day.

2004, c. 2, s. 42.

519.22. *(Repealed).*

1987, c. 94, s. 70; 1996, c. 56, s. 144; 1998, c. 40, s. 119; 2004, c. 2, s. 43.

519.22.1. *(Replaced).*

1990, c. 83, s. 203; 1998, c. 40, s. 119.

519.23. *(Repealed).*

1987, c. 94, s. 70; 1988, c. 68, s. 15; 1990, c. 19, s. 11; 1998, c. 40, s. 119; 2004, c. 2, s. 43.

519.24. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1998, c. 40, s. 119; 2004, c. 2, s. 43.

519.25. The operator shall file the daily logs and supporting documents at the place determined and in accordance with the standards prescribed by regulation. Where the daily logs and supporting documents have not been received by the operator at the place determined for their filing, the operator must forward them to that place and make sure they have been received within the time prescribed by regulation.

During working hours, the operator shall immediately place at the disposal of a peace officer, at the request of and in the place specified by the peace officer, the daily logs, supporting documents and documents prescribed by regulation, for examination.

The peace officer shall send the operator an acknowledgement of receipt according to the procedures determined by regulation and return the daily logs, supporting documents and other documents prescribed by regulation within 14 days after receiving them.

1987, c. 94, s. 70; 1998, c. 40, s. 119; 2004, c. 2, s. 44; 2008, c. 14, s. 63.

519.26. An operator who uses the services of a driver must obtain the driver's daily logs from the person who supplies the driver, in the manner prescribed by regulation.

A person in the business of supplying the services of a driver must transmit the driver's daily logs to the operator in the manner prescribed by regulation.

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1990, c. 83, s. 204; 1998, c. 40, s. 119; 2004, c. 2, s. 45.

519.27. An operator is responsible for ensuring that the driver complies with the obligation to drive the vehicle to a roadside inspection station as provided in section 470.1.

1987, c. 94, s. 70; 1990, c. 83, s. 204; 1998, c. 40, s. 119; 2000, c. 64, s. 21.

519.28. Where it is found by a peace officer that a regulation relating to the transportation of dangerous substances has been contravened, the peace officer may order that the vehicle be driven to an appropriate place and detained at the expense of the operator until the operator or the owner of the vehicle or of its load complies with the provisions of the regulation.

The driver must immediately comply with that order.

The vehicle and its load remain the responsibility of the operator, the owner of the vehicle or of the load, as the case may be.

1987, c. 94, s. 70; 1990, c. 83, s. 204; 1998, c. 40, s. 119.

519.29. In a proceeding for an offence under this Title or under the second paragraph of section 145, proof that the offence was committed by an agent, a mandatary or an employee of an owner or operator is sufficient to establish that the offence was also committed by the owner or operator unless it is established by the owner or operator that due care was exercised by the taking of all necessary measures to ensure compliance with this Act or a regulation.

1987, c. 94, s. 70; 1990, c. 83, s. 204; 1998, c. 40, s. 119.

DIVISION III

SPECIAL PROVISIONS RESPECTING HEAVY VEHICLE CROSSINGS

2018, c. 7, s. 149.

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 property.

2018, c. 7, s. 149.

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).

2018, c. 7, s. 149.

CHAPTER III

POWERS AND OBLIGATIONS OF THE SOCIÉTÉ

1998, c. 40, s. 119.

519.30. The Société may appoint, subject to the conditions it determines, an operator or heavy-vehicle driving school to administer the qualification examinations, except medical examinations, required for the issue of a class of licence authorizing the driving of a heavy vehicle.

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1998, c. 40, s. 119.

519.30.1. *(Replaced).*

1988, c. 68, s. 16; 1990, c. 19, s. 11; 1998, c. 40, s. 119.

519.31. At the request of an operator, the Société may, in accordance with the conditions and procedures determined by regulation, issue a permit authorizing the operator or a driver to depart from the standards and conditions relating to hours of driving and rest prescribed by regulation, and prescribe by regulation the conditions and procedures attached to the permit as well as

(1) the reasons for issuing the permit;

(2) the duration of the permit;

(3) the schedule that the driver must follow; and

(4) any other condition required for the protection of the safety and health of the public, the driver or the employees of the operator.

The Société may, within the framework of a fatigue management program prescribed by regulation, grant to an operator that applies therefor an authorization to depart from the standards and conditions relating to work cycles and hours of driving, rest and service prescribed by regulation, and prescribe by regulation the standards, conditions and procedures applicable to such an authorization.

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1998, c. 40, s. 119; 2004, c. 2, s. 46; 2008, c. 14, s. 64.

519.31.1. At the request of a director to whom a request for a permit is submitted relating to a heavy vehicle that will be operated in Québec, the Société may, in accordance with the conditions and procedures prescribed by regulation, approve the issuing of the permit.

2004, c. 2, s. 47.

519.31.2. The Société may amend, revoke or suspend a permit issued under section 519.31 or withdraw approval in respect of a permit issued by another director, upon written notification to the operator, if

(1) the operator or driver of the heavy vehicle contravenes the conditions attached to the permit ; or

(2) the Société determines that the health and safety of the public, the driver or the employees of the operator are jeopardized or are likely to be jeopardized.

2004, c. 2, s. 47.

519.31.3. Where a director of another province withdraws approval in respect of a permit issued by the Société, the Société shall amend the permit to remove the authorization to operate a heavy vehicle under the permit in the province for which the approval has been withdrawn.

2004, c. 2, s. 47.

CHAPTER IV

PENAL PROVISIONS

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.32. Every person who contravenes a section of this Code to which a provision of this chapter applies is liable only to the fine imposed under this chapter.

1987, c. 94, s. 70; 1998, c. 40, s. 119.

519.33. Every driver of a heavy vehicle that does not meet the requirements of any of sections 212, 213, 215 to 223, 225, 228, 234, the first paragraph of section 235, any of sections 236, 237, 254, 258, 261 to 265, 269, 270, 272 or 273 is guilty of an offence and is liable to a fine of \$90 to \$270.

Every owner or operator who operates or permits the operation of a heavy vehicle that does not meet the requirements of any of the sections referred to in the first paragraph is guilty of an offence and is liable to a fine of \$175 to \$525.

Every driver of a heavy vehicle that does not meet the requirements of section 441 is guilty of an offence and is liable to a fine of \$150 to \$450.

Every owner or operator who operates or permits the operation of a heavy vehicle that does not meet the requirements of section 441 is guilty of an offence and is liable to a fine of \$300 to \$900.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.34. Every driver of a heavy vehicle who contravenes any of sections 240.1, 274, 437.1, 437.2 and 519.8 is guilty of an offence and is liable to a fine of \$175 to \$525.

Every driver who contravenes paragraph 3 of section 519.8.1 or an out-of-service declaration issued by a peace officer under section 519.12 or 519.28 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

Every operator who contravenes any of sections 274, 437.1, 437.2 and 519.19 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2004, c. 2, s. 48.

519.35. Every driver of a heavy vehicle who contravenes section 519.5 is guilty of an offence and is liable to a fine of \$175 to \$525 if the driver fails or refuses to report a minor defect and to a fine of \$350 to \$1,050 if the driver fails or refuses to report a major defect.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.36. Every driver of a heavy vehicle that has not been registered as required under section 6, 7 or 8 is guilty of an offence and is liable to a fine of \$125 to \$375.

Every owner who operates or permits the operation of a heavy vehicle that does not meet the requirements of any of the sections referred to in the first paragraph is guilty of an offence and is liable to a fine of \$250 to \$750.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1990, c. 83, s. 205; 1998, c. 40, s. 119.

519.37. Every driver of a heavy vehicle who contravenes section 474 is guilty of an offence and is liable to a fine of \$175 to \$525.

Every operator who contravenes section 474 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.38. Every driver of a heavy vehicle who contravenes section 248 is guilty of an offence and is liable to a fine of \$175 to \$525.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2005, c. 39, s. 44.

519.39. A driver of a heavy vehicle is guilty of an offence and liable to a fine of \$350 to \$1,050 if he or she contravenes

(1) section 519.2 by failing to conduct the required circle check in accordance with the standards prescribed by regulation or by failing to record his or her observations;

(2) section 519.2.1 by driving a heavy vehicle that has not undergone a circle check within the time prescribed by regulation;

(3) section 519.2.2 by driving a motor coach that has not undergone an inspection specific to motor coaches within the time prescribed by regulation;

(4) section 519.3 by not completing, failing to sign or countersign or failing to update a circle-check report, by having in his or her possession more than one report for the same circle check or by neglecting to send the original of the report to the proper party within the time prescribed by regulation;

(5) section 519.4 by failing to keep on board the vehicle the applicable defect lists, or by refusing to surrender those lists, the circle-check report and, if applicable, the motor-coach inspection report for examination to a peace officer who asks to see them;

(6) section 519.4.1 by driving a heavy vehicle without keeping on board the circle-check report and, if applicable, the motor-coach inspection report concerning the vehicle.

1987, c. 94, s. 70; 1988, c. 68, s. 17; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2000, c. 64, s. 22; 2004, c. 2, s. 49; 2005, c. 39, s. 45.

519.40. Every owner who operates or permits the operation of a heavy vehicle carrying a registration plate for a class other than that vehicle's class, or who operates or permits the operation of a heavy vehicle registered for a use other than the use being made of the vehicle, or every driver who drives a heavy vehicle carrying a registration plate issued for another vehicle is guilty of an offence and is liable to a fine of \$250 to \$750.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.41. Every owner who contravenes section 266 or 268 is guilty of an offence and is liable to a fine of \$175 to \$525.

Every owner or operator who contravenes any of sections 214, 239, 240.1 and 260 or who permits the operation of a heavy vehicle that does not meet the requirements of section 423 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.42. Every owner or operator who, notwithstanding proper notification in accordance with section 519.7, permits a heavy vehicle to be operated by a driver to whom that section applies is guilty of an offence and is liable to a fine of \$700 to \$2,100 if the driver of the vehicle is liable to the fine under sections 143 and 144.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.43. Every owner or operator who contravenes the second paragraph of section 531 or section 532 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2004, c. 2, s. 50.

519.44. Every driver who contravenes any of paragraphs 1, 2 and 4 of section 519.8.1 or section 519.10 or 519.11 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

Every person who contravenes any of sections 519.21.1 to 519.26 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2004, c. 2, s. 51.

519.45. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2004, c. 2, s. 52.

519.46. Every owner who contravenes section 519.21 is guilty of an offence and is liable to a fine of \$350 to \$1,050 if the heavy vehicle in respect of which a notice was given has a minor defect, and to a fine of \$700 to \$2,100 if the heavy vehicle has a major defect.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.46.1. Every operator who contravenes section 519.15.3 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

2007, c. 40, s. 67.

519.47. Every owner or operator who contravenes section 519.17 is guilty of an offence and is liable to a fine of

(1) \$350 to \$1,050 if the owner or operator permitted the heavy vehicle to be operated with a minor defect after 48 hours ;

(2) \$700 to \$2,100 if the owner or operator permitted the heavy vehicle to be operated with a major defect.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.48. Every owner or operator who operates or permits the operation of a heavy vehicle that does not meet the requirements of section 34 or who operates a vehicle to which a validation sticker issued for another vehicle has been affixed is guilty of an offence and is liable to a fine of \$250 to \$750.

Every owner or operator who attaches to a heavy vehicle a registration plate issued for another vehicle or who operates or permits the operation of a heavy vehicle carrying a registration plate issued for another vehicle is guilty of an offence and is liable to a fine of \$500 to \$1,500.

Every owner or operator who contravenes section 519.15, 519.15.1 or 519.15.2 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2005, c. 39, s. 46.

519.49. Every driver of a heavy vehicle that does not meet the requirements of section 229 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1990, c. 83, s. 206; 1998, c. 40, s. 119.

519.50. Every driver who contravenes section 519.6 or 519.7 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 1999, c. 66, s. 17; 2000, c. 64, s. 23; 2004, c. 2, s. 53.

519.51. Every operator who contravenes section 519.27 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

Every owner who contravenes section 519.18 or 534 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119.

519.52. Every operator who contravenes the first paragraph of section 519.16 or the second paragraph of that section by failing to ensure that the driver or the designated person who conducted the circle check entered all information in the circle-check report in accordance with the standards prescribed by regulation is guilty of an offence and is liable to a fine of \$350 to \$1,050.

Every operator who contravenes the third or fourth paragraph of section 519.16 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

Every owner or operator who operates or permits the operation of a heavy vehicle whose braking system has been modified or altered in such a way as to reduce its effectiveness or who contravenes any of sections 473, 523, 538 and 539 is guilty of an offence and is liable to a fine of \$700 to \$2,100. In the case of an offence under section 471, the fine for which such an owner or operator is liable is

- (1) \$350 to \$1,050 for an offence under paragraph 2 of section 471;
- (2) \$700 to \$2,100 for an offence under paragraph 1 or 3 of that section;
- (3) \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 for an offence under paragraph 4 of that section according to the seriousness of the offence as determined by regulation.

Every person who supplies the services of a driver and every owner or operator who contravenes section 519.20 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1990, c. 83, s. 207; 1998, c. 40, s. 119; 1999, c. 66, s. 18; 2005, c. 39, s. 47.

519.53. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 4, s. 212; 1998, c. 40, s. 119; 2004, c. 2, s. 54.

519.54. In the case of an offence under the Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43), every person who requested or participated in the arranging of the transportation is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1987, c. 94, s. 70; 1992, c. 61, s. 136; 1996, c. 56, s. 99; 1998, c. 40, s. 119.

519.55. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1992, c. 61, s. 137; 1996, c. 56, s. 99.

519.56. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1992, c. 61, s. 138; 1996, c. 56, s. 99.

519.57. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1992, c. 61, s. 139; 1996, c. 56, s. 99.

519.58. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1996, c. 56, s. 99.

519.59. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1996, c. 56, s. 99.

519.60. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1992, c. 61, s. 140; 1996, c. 56, s. 99.

519.61. *(Repealed).*

1987, c. 94, s. 70; 1988, c. 21, s. 66; 1990, c. 19, s. 11; 1996, c. 56, s. 99.

519.62. *(Repealed).*

1987, c. 94, s. 70; 1990, c. 19, s. 11; 1996, c. 56, s. 99.

TITLE VIII.2

CONTROL OF HIGHWAY TRANSPORTATION OF PERSONS AND GOODS

1990, c. 83, s. 208.

CHAPTER I

APPLICATION

1990, c. 83, s. 208.

519.63. The Société has jurisdiction to ensure the monitoring and control of highway transportation of persons and goods. It shall exercise such jurisdiction in accordance with the provisions of this Code and the agreements referred to in section 519.64.

1990, c. 83, s. 208; 1993, c. 42, s. 19; 2008, c. 14, s. 66.

519.64. In addition to the provisions of this Code and its regulations, the Société shall be responsible, in exercising its jurisdiction under this Title, for the application of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3) and for the application of the Acts and regulations coming under

the authority of such departments and bodies as are designated by the Government to the extent and on the conditions determined by agreement between the Société and the departments and bodies.

1990, c. 83, s. 208; 1998, c. 40, s. 120; 2005, c. 39, s. 52.

519.65. The Société may, with the approval of the Minister of Transport, enter into an agreement with any department or body designated by the Government for the application of the following Acts:

- (1) *(paragraph repealed)*;
- (2) Act respecting explosives (chapter E-22);
 - (2.1) Sustainable Forest Development Act (chapter A-18.1);
- (3) Tobacco Tax Act (chapter I-2);
- (4) Food Products Act (chapter P-29);
- (5) *(paragraph repealed)*;
- (6) Environment Quality Act (chapter Q-2);
- (7) Act respecting occupational health and safety (chapter S-2.1);
- (8) Act respecting the Société des alcools du Québec (chapter S-13);
- (9) Fuel Tax Act (chapter T-1);
- (10) Marine Products Processing Act (chapter T-11.01);
- (11) Act respecting remunerated passenger transportation by automobile (chapter T-11.2);
- (12) Transport Act (chapter T-12);
- (13) *(paragraph repealed)*;
- (14) Act respecting the Québec sales tax (chapter T-0.1).

1990, c. 83, s. 208; 1993, c. 42, s. 20; 1996, c. 56, s. 100; 1998, c. 40, s. 121; 2000, c. 26, s. 60; 2001, c. 15, s. 133; 2005, c. 10, s. 67; 2010, c. 3, s. 267; 2019, c. 18, s. 241.

519.66. Every agreement entered into under this Title must include in particular

- (1) the object contemplated and the mandate conferred on the Société with respect to the control of highway transportation;
- (2) a list of the legislative and regulatory provisions and the administrative standards the application of which is wholly or partly under the responsibility of the Société;
- (3) the conditions and administrative methods to be observed by the parties within the scope of the mandate conferred on the Société;
- (4) the delegation to the Société of any powers which, at the time of the agreement, the department or body concerned has authority to exercise under the Acts and regulations which are the subject of the agreement;

(5) the rules governing the exchange of information between the parties.

1990, c. 83, s. 208.

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.

2008, c. 14, s. 67.

CHAPTER II

CONTROL ON HIGHWAYS AND WITHIN UNDERTAKINGS

1990, c. 83, s. 208; 2008, c. 14, s. 68.

DIVISION I

AUTHORITY OF HIGHWAY CONTROLLERS

2008, c. 14, s. 68.

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) the provisions of this Code with regard to

(a) any heavy vehicle;

(b) any road vehicle or combination of road vehicles designed or used to provide transportation or perform work whether for remuneration or not, regardless of its mass; and

(c) any passenger vehicle registered as such when highway controllers intervene with respect to load, dimensions, the securing of loads, mechanical condition or transportation of dangerous substances, except any other provision relating to the monitoring of passenger vehicle traffic;

(1.1) the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);

(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).

If warranted by an emergency, or at the request of a police force, highway controllers may prohibit passenger vehicle traffic on a public highway, and must notify the competent authority as soon as possible.

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

1990, c. 83, s. 208; 1993, c. 42, s. 21; 1996, c. 56, s. 101; 1998, c. 40, s. 122; 1999, c. 66, s. 19; 2004, c. 2, s. 55; 2005, c. 39, s. 52; 2008, c. 14, s. 68; 2019, c. 18, s. 242.

519.67.1. *(Replaced).*

1993, c. 42, s. 22; 2008, c. 14, s. 68.

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.

1990, c. 83, s. 208; 2000, c. 12, s. 315; 1999, c. 66, s. 20; 2008, c. 14, s. 68.

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).

1990, c. 83, s. 208; 1996, c. 56, s. 102; 1998, c. 40, s. 123; 2005, c. 39, s. 52; 2008, c. 14, s. 68.

DIVISION II

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

2008, c. 14, s. 68.

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.

1990, c. 83, s. 208; 1998, c. 40, s. 124; 2008, c. 14, s. 68.

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.

1990, c. 83, s. 208; 2008, c. 14, s. 68.

519.72. *(Replaced).*

1990, c. 83, s. 208; 2004, c. 2, s. 56; 2008, c. 14, s. 68.

519.73. *(Replaced).*

1990, c. 83, s. 208; 1998, c. 40, s. 125; 2008, c. 14, s. 68.

CHAPTER III

PENAL PROVISIONS

1990, c. 83, s. 208.

519.74. Any person who is guilty of an offence under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with this Title, is liable to the penalty provided for that offence under the Act or the regulation which is the subject of the agreement.

1990, c. 83, s. 208.

519.75. No person may drive or allow to be driven in Québec a motor vehicle, other than a passenger vehicle, whose fuel tank contains fuel acquired outside Québec, unless he is the holder of the permit or certificate for occasional trips he is required to hold pursuant to the Fuel Tax Act (chapter T-1).

1990, c. 83, s. 208; 1998, c. 40, s. 126.

519.76. Any peace officer having reasonable grounds to believe that an offence under section 519.75 has been committed may demand the registration certificate and remove the registration plates of the vehicle containing the fuel. The driver must comply without delay with such demand.

The peace officer shall issue a receipt to the driver. He may keep the confiscated documents if the situation may be corrected within a reasonable time or, if not, he shall send them to the Société.

The peace officer or the Société, as the case may be, must return the documents to the driver or owner of the vehicle as soon as the certificate has been issued.

1990, c. 83, s. 208.

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.

1990, c. 83, s. 208; 1993, c. 42, s. 23; 1998, c. 40, s. 127; 2008, c. 14, s. 69.

519.78. Every person who contravenes section 519.75 is guilty of an offence and is liable to a fine of \$500 to \$1,500.

1998, c. 40, s. 127.

TITLE IX

MECHANICAL AND PHOTOMETRIC INSPECTION OF VEHICLES AND PREVENTIVE MAINTENANCE PROGRAM

1998, c. 56, s. 103; 2004, c. 2, s. 57.

CHAPTER I

GENERAL PROVISIONS

520. The Société shall have exclusive jurisdiction to carry out the mechanical inspection of road vehicles and to issue certificates of mechanical inspection and inspection stickers. For that purpose, the Société may, on the conditions it determines, appoint persons authorized to carry out, on its behalf, the inspection of the road vehicles it determines and authorize those persons to issue certificates of mechanical inspection and inspection stickers in respect of those vehicles.

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

1986, c. 91, s. 520; 1987, c. 94, s. 71; 1990, c. 19, s. 11; 2008, c. 14, s. 70.

520.1. A peace officer may, within the scope of an on-road inspection program established by the Société, conduct or order a mechanical inspection on a road vehicle, including a vehicle subject to a periodic mechanical inspection or a road vehicle to which a preventive maintenance program applies pursuant to the provisions of this Title.

1999, c. 66, s. 21.

520.2. The Société has jurisdiction to carry out a photometric inspection of the windows of road vehicles and has exclusive jurisdiction to issue photometric inspection certificates. For that purpose, the Société may, on the conditions it determines, authorize persons to carry out the photometric inspection of the windows of road vehicles on its behalf and authorize those persons to issue photometric inspection certificates in respect of those vehicles.

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

2004, c. 2, s. 58; 2008, c. 14, s. 71.

521. The following road vehicles, subject to section 543.2, must be submitted to mechanical inspection:

- (1) vehicles used for driving instruction by a driving school;
- (2) emergency vehicles;
- (3) buses and minibuses;
- (4) *(subparagraph repealed)*;

(5) vehicles having a gross vehicle weight rating of 4,500 kg or more, except detachable axles, vehicles having a net mass of 4,000 kg or less that originally had an open truck box and a tailgate and that are registered as passenger vehicles within the meaning of the registration regulations, sport utility vehicles having a net mass of 4,000 kg or less, motor homes, house trailers, tool vehicles, farm machines as well as construction trailers defined by regulation;

- (6) *(subparagraph replaced)*;

(7) vehicles whose ownership has been transferred and whose year of manufacture is determined by the Minister of Transport;

(8) vehicles to which any of the modifications described in section 214 have been made and vehicles made by hand;

(9) vehicles of the make, model, series or year for which an inspection is ordered by the Minister of Transport;

(10) vehicles designated by a peace officer having reasonable grounds to believe that modifications described in section 214 have been made to them or that they are in such a condition that they constitute a hazard;

(10.1) vehicles which, in the opinion of the Société, are in such poor condition that they constitute a hazard or vehicles which the Société has reasonable grounds to believe are not in compliance with this Code;

(10.2) damaged vehicles that have been rebuilt and to which Title IX.1 applies;

(11) other vehicles determined by regulation.

Subparagraphs 10 and 10.1 apply to vehicles being operated 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.

1986, c. 91, s. 521; 1987, c. 94, s. 72; 1990, c. 19, s. 11; 1990, c. 83, s. 209; 1993, c. 42, s. 24; 1996, c. 56, s. 104; 1998, c. 40, s. 128; 1996, c. 56, s. 104; 2000, c. 64, s. 24; 2002, c. 29, s. 61; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2004, c. 2, s. 59; 2008, c. 14, s. 72; 2010, c. 34, s. 82; 2018, c. 7, s. 150; 2019, c. 18, s. 243.

522. Mechanical inspection is carried out in respect of the various road vehicles, according to the standards and procedures established by regulation and, in the case of a vehicle contemplated in paragraph 10 of section 521, within the time determined by the peace officer.

1986, c. 91, s. 522; 2004, c. 2, s. 60.

523. The owner or driver of a road vehicle contemplated in section 521 must submit the vehicle to the required mechanical inspection and must remit the registration certificate of the vehicle and his licence to the Société or to the peace officer if so requested.

The Société or the peace officer must return those documents to their holder once they have been examined.

1986, c. 91, s. 523; 1990, c. 19, s. 11.

524. The peace officer or the Société, as the case may be, may give a notice indicating the time within which the owner or driver of a road vehicle described in paragraph 10 or 10.1 of section 521 is required to submit his vehicle to a mechanical inspection.

No person may, after the expiry of the time allotted, operate the vehicle unless it is proved, to the satisfaction of the Société or a person authorized to perform the inspection of vehicles for the Société, that the vehicle was submitted to a mechanical inspection and that it conforms to this Code.

Failure by the owner or driver to comply within the time prescribed constitutes an offence under the provisions of section 523.

1986, c. 91, s. 524; 1987, c. 94, s. 73; 1990, c. 19, s. 11; 1992, c. 61, s. 141.

525. The owner of a modified road vehicle must furnish to the Société, before the mechanical inspection, a description of the modifications described in section 214 which have been made to his vehicle.

1986, c. 91, s. 525; 1990, c. 19, s. 11.

526. The Société or a peace officer is authorized to impound a vehicle or to have it impounded at the owner's expense in order to have it submitted to mechanical inspection.

1986, c. 91, s. 526; 1990, c. 19, s. 11.

527. Following the mechanical inspection of a road vehicle, the Société or the person authorized to perform the inspection for it shall issue a certificate of mechanical inspection and notify the owner or the driver of the results of the inspection.

1986, c. 91, s. 527; 1990, c. 19, s. 11.

528. Every person authorized to perform the inspection of vehicles for the Société shall without delay forward to it a copy of every certificate of mechanical inspection issued by him.

1986, c. 91, s. 528; 1990, c. 19, s. 11.

529. Where a certificate of mechanical inspection indicates that a road vehicle conforms to this Code, the Société or the person authorized to perform the inspection for it shall affix an inspection sticker to the vehicle.

1986, c. 91, s. 529; 1990, c. 19, s. 11.

530. A certificate of mechanical inspection attesting that a road vehicle does not conform to this Code shall indicate the minor or major defects, determined by regulation, found in the vehicle.

1986, c. 91, s. 530.

531. Where a certificate of mechanical inspection indicates that a road vehicle has a minor defect, the Société or the person authorized to perform the inspection for it shall issue to the owner or the driver of the vehicle a notice enjoining the owner to make the necessary repairs or cause such repairs to be made within 48 hours.

At the expiry of that period, no person may put the vehicle back into operation unless it is proved, to the satisfaction of the Société or a person authorized to perform the inspection of vehicles for the Société, that the vehicle conforms to this Code.

1986, c. 91, s. 531; 1990, c. 19, s. 11.

532. Within the time indicated in the notice issued under section 531, the owner must prove, to the satisfaction of the Société or of a person authorized to perform the inspection of vehicles for the Société, that the defects discovered on his vehicle during the inspection have been repaired by him or by another person and that his vehicle conforms to this Code.

1986, c. 91, s. 532; 1987, c. 94, s. 74; 1990, c. 19, s. 11; 1990, c. 83, s. 210; 1992, c. 61, s. 142; 1998, c. 40, s. 129.

533. Where a person authorized to perform the inspection of vehicles for the Société discovers during the inspection of a road vehicle that it has a major defect, he must, without delay, notify the Société.

1986, c. 91, s. 533; 1990, c. 19, s. 11; 1996, c. 56, s. 105.

534. Where a certificate of mechanical inspection indicates that a road vehicle has a major defect, no person may put the vehicle back into operation unless it is proved, to the satisfaction of the Société or a person authorized to perform the inspection of vehicles for the Société, that the vehicle conforms to this Code.

1986, c. 91, s. 534; 1990, c. 19, s. 11.

535. The Société or a peace officer may demand the registration certificate of a road vehicle and may remove the registration plate where a certificate of mechanical inspection indicates that the vehicle has a major defect.

The Société may exercise the same powers where an owner has failed to submit his vehicle to a mechanical inspection within the time allotted under section 524.

1986, c. 91, s. 535; 1987, c. 94, s. 75; 1990, c. 19, s. 11.

536. The Société or a peace officer is authorized to impound or have impounded at the owner's expense a vehicle that was put back into operation in contravention of sections 531 and 534 until it is proved, to the satisfaction of the Société or a person authorized to perform the inspection of vehicles for the Société, that the vehicle conforms to this Code.

1986, c. 91, s. 536; 1987, c. 94, s. 76; 1990, c. 19, s. 11.

537. Where the Société or a person authorized to perform the inspection of vehicles for the Société is satisfied with the evidence furnished as proof that a vehicle conforms to this Code, he shall affix an inspection sticker to the vehicle.

Every person authorized to perform the inspection of vehicles for the Société shall, without delay, notify it of every inspection sticker he affixes on a vehicle pursuant to the first paragraph.

1986, c. 91, s. 537; 1990, c. 19, s. 11.

538. No person may issue a certificate of mechanical inspection or affix an inspection sticker to a road vehicle unless he is authorized for such purpose by the Société in accordance with section 520.

1986, c. 91, s. 538; 1990, c. 19, s. 11.

538.0.1. The Société may revoke, for a period of two years, the certificate of competency referred to in section 543.3.1 of any mechanic who issues a certificate of mechanical inspection without being authorized to do so by the Société in accordance with section 520.

1998, c. 40, s. 130.

538.1. No sticker that may be confused with an inspection sticker issued by the Société or by another administrative authority may be affixed to a road vehicle.

1990, c. 83, s. 211.

539. No person may issue a certificate of mechanical inspection containing false or inaccurate information on the condition of an inspected vehicle.

1986, c. 91, s. 539.

539.1. A peace officer who is unable to see the inside or the occupants of a road vehicle through the windows on each side of the driver's compartment may issue a notice indicating the time within which the owner or driver of the vehicle must submit the windows of the vehicle to a photometric inspection.

The owner or driver referred to in the first paragraph must submit the vehicle to the inspection required.

Failure by the owner or driver to comply within the time prescribed constitutes an offence under this section.

2004, c. 2, s. 61.

539.2. Following the photometric inspection, the Société or the person authorized to carry out the photometric inspection for the Société shall issue a photometric inspection certificate and notify the owner or the driver of the results of the inspection.

2004, c. 2, s. 61.

539.3. A person authorized to carry out photometric inspections for the Société shall without delay forward to it a copy of every photometric inspection certificate issued by the person.

2004, c. 2, s. 61.

539.4. A photometric inspection certificate must indicate whether the windows on each side of the driver's compartment of a road vehicle admit less light than the standard prescribed by regulation.

2004, c. 2, s. 61.

539.5. Where a photometric inspection certificate indicates that the windows on each side of the driver's compartment of a road vehicle admit less light than the standard prescribed by regulation, the Société or the person authorized to carry out the photometric inspection for the Société shall issue to the owner or the driver of the vehicle a notice ordering the owner to make the necessary changes or cause such changes to be made within 48 hours.

At the expiry of that period, no person may put the vehicle back into operation unless a photometric inspection carried out by the Société or a person authorized to carry out the photometric inspection for the Société certifies that the windows on each side of the driver's compartment of the vehicle admit light in accordance with the standard prescribed by regulation.

2004, c. 2, s. 61.

539.6. The Société or a peace officer is authorized to impound a vehicle that was put back into operation in contravention of section 539.5, or have it impounded at the owner's expense, until a photometric inspection carried out by the Société or a person authorized to carry out the inspection of vehicles for the Société certifies that the windows on each side of the driver's compartment of the vehicle admit light in accordance with the standard prescribed by regulation.

2004, c. 2, s. 61.

539.7. No person, unless authorized to do so by the Société in accordance with section 520.2, may issue a photometric inspection certificate.

2004, c. 2, s. 61.

539.8. No person may issue a photometric inspection certificate containing false or inaccurate information on the condition of the windows inspected.

2004, c. 2, s. 61.

540. A peace officer who has reasonable grounds to believe that the taximeter of a passenger vehicle does not give a reading that corresponds to the scale in force may require that it be submitted to an inspection on a route provided for that purpose.

1986, c. 91, s. 540; 2019, c. 18, s. 244.

541. The owner or the driver of a passenger vehicle referred to in section 540 must comply with the request of the peace officer and drive the passenger vehicle to the route indicated.

The peace officer is authorized to impound the vehicle or to have it impounded at the owner's expense in order to submit it to an inspection regarding the taximeter.

1986, c. 91, s. 541; 2019, c. 18, s. 244.

542. If the peace officer making the inspection finds that the taximeter does not give a reading that corresponds to the scale in force, he shall issue a notice to that effect to the owner or the driver of the passenger vehicle. The driver or owner who is issued such a notice shall cease to operate the passenger vehicle and have the taximeter adjusted, repaired or replaced.

1986, c. 91, s. 542; 2019, c. 18, s. 244.

543. The owner or the driver of a passenger vehicle referred to in section 542 shall not put it back into operation unless it is proved to the satisfaction of a peace officer that the taximeter gives a reading that corresponds to the scale in force.

A peace officer is authorized to impound or have impounded at the owner's expense a passenger vehicle that was put back into operation in contravention of the first paragraph, until that proof is made.

1986, c. 91, s. 543; 2019, c. 18, s. 244.

Not in force

543.1. Where the owner of a road vehicle is notified or becomes aware of a notice of defect issued by a vehicle manufacturer pursuant to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16), he must forthwith ensure that the defect is corrected as instructed by the manufacturer or that the vehicle is repaired or modified in such a way that the defect no longer exists.

Any minor or major defect listed in the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) constitutes a defect within the meaning of this section.

1987, c. 94, s. 77; 1996, c. 56, s. 144.

543.1.1. The owner of a road vehicle powered by natural gas or propane shall not operate the vehicle or allow it to be operated if the vehicle is not carrying the fuel supply system inspection sticker required by the regulations under section 621.

2002, c. 29, s. 62.

CHAPTER I.1

PREVENTIVE MAINTENANCE PROGRAM

1996, c. 56, s. 106.

543.2. The owner of a road vehicle subject to periodic mechanical inspection pursuant to a regulation made under paragraph 29 of section 621 may apply to the Société for certification of his preventive maintenance program to stand in place of mechanical inspection, if the program meets the minimum standards prescribed by regulation.

1996, c. 56, s. 106; 1998, c. 40, s. 131; 2004, c. 2, s. 62.

543.3. To obtain certification, the owner must provide the information and documents prescribed by regulation and pay to the Société the fees prescribed by regulation.

1996, c. 56, s. 106.

543.3.1. The Société, or a mandatary designated by the Société, shall issue a certificate of competency in the cases determined by regulation to any mechanic assigned to the preventive maintenance of road vehicles who has passed the examination established or recognized by the Société.

1998, c. 40, s. 132.

543.3.2. The Société may exempt an owner of a road vehicle who files an application pursuant to section 543.2 from the requirement to comply with the minimum standards pertaining to the qualifications of mechanics assigned to the maintenance of road vehicles.

The Société may refuse such an exemption if, in the Société's opinion, mechanics do not have qualifications equivalent to those required for a certificate of competency to be issued.

1998, c. 40, s. 132.

543.4. Where the Société considers that the owner's program meets the minimum standards, it shall issue a certificate to the owner, containing the information prescribed by regulation.

1996, c. 56, s. 106.

543.5. The owner must affix a sticker to every road vehicle covered by the program, the form, content, period of validity and cost of which shall be prescribed by regulation.

1996, c. 56, s. 106.

543.6. No person, except a person holding a certificate issued by the Société, may affix such a sticker to a road vehicle.

1996, c. 56, s. 106.

543.7. The owner must keep preventive maintenance records, the form, content and period of retention of which shall be prescribed by regulation.

1996, c. 56, s. 106.

543.8. The owner must adhere to the minimum standards prescribed by regulation.

He must maintain the road vehicles covered by the program in safe operating order.

The owner must also adhere to the other standards contained in the program.

1996, c. 56, s. 106.

543.9. Work under the preventive maintenance program may be performed by a third person on the conditions prescribed by regulation. However, the owner remains bound by the obligations set out in section 543.8.

1996, c. 56, s. 106.

543.10. The Société may, in the cases and on the conditions determined by regulation, cancel a certification.

1996, c. 56, s. 106.

543.11. Any owner whose certification has been cancelled may submit a new application to the Société provided he complies with the requirements under section 543.3 and with the other conditions determined by the Société, where applicable.

1996, c. 56, s. 106.

543.12. Where a certificate of mechanical inspection indicates that a road vehicle to which this chapter applies has a minor defect and that a 48-hour notice has been issued under section 531 by a highway controller, the proof of conformity referred to in the second paragraph of that section may be made to the vehicle's owner by a mechanic assigned to preventive maintenance.

1996, c. 56, s. 106; 2008, c. 14, s. 73.

543.13. The Société may designate any member of its personnel having the required qualifications to ensure that sections 519.6, 519.15 and 539, the provisions of this chapter and the regulatory provisions made under paragraphs 32.1 to 32.7 of section 621 are complied with.

1996, c. 56, s. 106; 2008, c. 14, s. 74.

543.14. In the performance of his duties, the person designated by the Société under section 543.13 may, in particular,

(1) enter, at any reasonable time, the establishment of an owner or of a third person referred to in this chapter or any place where a road vehicle to which the preventive maintenance program applies is located;

(2) inspect, within such places, the premises or equipment where records that must be kept pursuant to this chapter are found;

(3) inspect any vehicle subject to the provisions of this chapter and, for such purpose, order the immobilization of the vehicle if necessary, enter it, examine the records referred to in subparagraph 2 and open or cause to be opened any container or recipient;

(4) require any information relating to the application of this chapter, require any document relating thereto and examine and make copies of books, accounts, records and other documents which contain such information.

Any person having custody, possession or control of such books, accounts, records and other documents must, on request, make them available to the person carrying out the inspection and facilitate their examination.

1996, c. 56, s. 106; 2008, c. 14, s. 75.

543.15. On request, a person designated by the Société under section 543.13 must identify himself and show a certificate of his capacity issued by the Société.

1996, c. 56, s. 106; 2008, c. 14, s. 76.

543.16. *(Repealed).*

1996, c. 56, s. 106; 2008, c. 14, s. 77.

CHAPTER II

PENAL PROVISIONS

544. Every person who contravenes section 528 or 539.3 is guilty of an offence and is liable to a fine of \$30 to \$60.

1986, c. 91, s. 544; 1990, c. 4, s. 212; 2004, c. 2, s. 63.

545. Every person who contravenes section 531 or 539.5 is guilty of an offence and is liable to a fine of \$100 to \$200 for each defect discovered.

1986, c. 91, s. 545; 1990, c. 4, s. 212; 2004, c. 2, s. 64.

Not in force

545.1. Every person who contravenes section 543.1 is guilty of an offence and is liable to a fine of \$60 to \$100 if the road vehicle to which the notice applies has a minor defect or to a fine of \$100 to \$200 if the vehicle has a major defect.

1987, c. 94, s. 78; 1990, c. 4, s. 212.

545.2. Every person who contravenes section 543 is guilty of an offence and is liable to a fine of \$250 to \$750.

1998, c. 40, s. 133.

546. Every person who contravenes the first paragraph of section 523 or any of sections 534, 538, 538.1, 539, 539.1, 539.7, 539.8 or 543.1.1 is guilty of an offence and is liable to a fine of \$300 to \$600.

Every driver of a heavy vehicle who contravenes section 523 or 534 is guilty of an offence and is liable to a fine of \$350 to \$1,050.

1986, c. 91, s. 546; 1990, c. 4, s. 212; 1990, c. 83, s. 212; 1998, c. 40, s. 134; 2002, c. 29, s. 63; 2004, c. 2, s. 65.

546.0.1. Every owner to whom Chapter I.1 applies who contravenes a regulatory provision determined under paragraph 32.8 of section 621 is guilty of an offence and is liable to a fine of \$100 to \$200 or of \$300 to \$600, or to a fine of \$350 to \$1,050 or of \$700 to \$2,100 if Title VIII.1 applies to the owner, according to the offence to which the minimum and maximum amounts of the fine fixed in the regulation correspond.

1996, c. 56, s. 107; 1998, c. 40, s. 135.

546.0.2. Every owner to whom Chapter I.1 applies who contravenes the second paragraph of section 543.8 is guilty of an offence and is liable to a fine of \$100 to \$200 or to a fine of \$350 to \$1,050 if Title VIII.1 applies to the owner.

1996, c. 56, s. 107; 1998, c. 40, s. 136.

546.0.3. Every owner to whom Chapter I.1 of Title IX applies who contravenes section 543.6 is guilty of an offence and is liable to a fine of \$300 to \$600 or, in the case of an owner of a heavy vehicle, to a fine of \$700 to \$2,100.

1996, c. 56, s. 107; 1998, c. 40, s. 137.

546.0.4. Every person who contravenes the second paragraph of section 543.14 or section 543.16 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1996, c. 56, s. 107; 1998, c. 40, s. 138.

TITLE IX.1

REBUILDING OF DAMAGED VEHICLES

1990, c. 83, s. 213.

546.1. The Société has exclusive jurisdiction for making technical appraisals of rebuilt road vehicles and for issuing certificates of technical compliance.

For these purposes, the Société may, on the conditions it establishes, appoint persons authorized to make technical appraisals of rebuilt road vehicles on its behalf, and authorize them to issue certificates of technical compliance in respect of such road vehicles.

1990, c. 83, s. 213.

546.1.1. A road vehicle to which the Registrar of Vehicles Imported to Canada has assigned the status of unrebildable vehicle may not be rebuilt. As soon as the Société is informed of the status assigned to the vehicle, the Société shall prohibit the vehicle from being put into operation.

2008, c. 14, s. 78.

546.2. 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.

The Société may enter into an agreement with any government, government department, public body or private undertaking for the transmission to it of information allowing such vehicles to be identified.

1990, c. 83, s. 213; 1996, c. 56, s. 109; 2000, c. 64, s. 25; 2018, c. 7, s. 151.

546.3. *(Repealed).*

1990, c. 83, s. 213; 1993, c. 42, s. 25.

546.4. Every person rebuilding a damaged vehicle shall maintain a record on the rebuilding of the vehicle on the form provided by the Société. The record must contain the following documents and information:

- (1) the name and address of the rebuilder, of the owner of the vehicle and of its insurer together with the file number of the claim;
- (2) the identification of the vehicle;
- (3) a list of the major components used, including the name of the supplier, the date of purchase and the identification number of the original vehicle;
- (4) the insurer's estimate of repairs;
- (5) the purchase invoice for the vehicle carcass and invoices for major components needed for the rebuilding;
- (6) colour photographs showing the front, rear and sides of the vehicle taken before rebuilding and a colour photograph taken on a frame alignment bench;
- (7) an attestation that such information and documents are true;
- (8) any other document or information required by regulation.

When the rebuilding of the vehicle is completed, the person who rebuilt the vehicle must give the record of rebuilding to the owner of the vehicle.

1990, c. 83, s. 213; 1993, c. 42, s. 26.

546.5. The Société or the person it authorizes to make a technical appraisal shall issue a certificate of technical compliance when in his opinion a rebuilt road vehicle complies with the rebuilding standards recognized in the automobile industry especially with respect to frame alignment and solidity of assembly, and 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.

Following the technical appraisal, the Société or authorized person shall advise the owner or the driver of the results of the appraisal.

1990, c. 83, s. 213; 1996, c. 56, s. 110; 2018, c. 7, s. 153.

546.5.1. The person authorized to make the technical appraisal for the Société shall without delay forward to it a copy of the certificate of technical compliance or the results of the appraisal.

1996, c. 56, s. 111.

546.6. No person may put a vehicle that has been seriously damaged and that has been rebuilt back into operation without first having submitted it for technical appraisal with the record of rebuilding referred to in section 546.4 and without having obtained a certificate of technical conformity and a certificate of technical inspection stating that the vehicle meets the requirements of this Code.

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.

1990, c. 83, s. 213; 1993, c. 42, s. 27; 1996, c. 56, s. 112; 2018, c. 7, s. 154.

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.

2018, c. 7, s. 155.

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 peace officer 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.

2018, c. 7, s. 155.

546.6.1. Every insurer or owner of a vehicle exempted 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 who contravenes section 546.2 and every person who contravenes section 546.5.1 is guilty of an offence and is liable to a fine of \$100 to \$200.

1996, c. 56, s. 113; 2018, c. 7, s. 156.

546.7. Every person who contravenes section 546.6 or the third paragraph of section 546.6.0.1 or 546.6.0.2 is guilty of an offence and is liable to a fine of \$300 to \$600.

1990, c. 83, s. 213; 2018, c. 7, s. 157.

546.8. Every person who issues a certificate of technical compliance in contravention of the conditions set out in section 546.5 or who forwards technical appraisal results containing false or inaccurate information as to the condition of the vehicle is liable to the fine prescribed by section 546.7.

1996, c. 56, s. 114.

TITLE X

PROCEDURE AND PROOF

CHAPTER I

PROCEDURE AND PROOF IN ADMINISTRATIVE MATTERS

DIVISION I

GENERAL PROVISIONS

547. For the purposes of this Code, the Société may admit any relevant evidence that may serve the interests of justice.

1986, c. 91, s. 547; 1990, c. 19, s. 11.

548. The Société may, where provisions applicable to a particular case are lacking, supply any procedure compatible with this Code.

1986, c. 91, s. 548; 1990, c. 19, s. 11.

549. A document filed in the records of the Société is proof of its content, except on proof to the contrary.

1986, c. 91, s. 549; 1990, c. 19, s. 11.

550. Every decision of the Société rendered under paragraphs 1, 2 and 3 of section 81, section 82, paragraph 2 or 4 of section 83, paragraph 4 of section 109, section 185 or 187.1, paragraphs 1 and 2 of section 188, subparagraph 2 of the first paragraph and the second paragraph of section 189, paragraphs 1, 2, 3 and 5 of section 190, any of sections 191, 191.2, 194, 195.1 and 538.0.1 or the second paragraph of section 543.3.2 must be in writing and give the reasons on which it is based.

Where the Société receives an application for the review of a decision referred to in the first paragraph, it must give the applicant the opportunity to present observations.

Every decision of the Société denying a review of or upholding a decision under the first paragraph must be in writing and give the reasons on which it is based.

The Société shall transmit the decision referred to in this section or the prior notice referred to in section 553 to the person concerned, by giving it to the person or sending it, by any means of transmission providing proof of receipt, to the last address listed for the person in the records of the Société.

1986, c. 91, s. 550; 1987, c. 94, s. 79; 1990, c. 19, s. 11; 1990, c. 83, s. 214; 1996, c. 56, s. 115; 1996, c. 60, s. 76; 1997, c. 43, s. 172; 1998, c. 40, s. 139; 2000, c. 64, s. 26; 2002, c. 29, s. 64; 2004, c. 2, s. 66; 2007, c. 40, s. 68; 2015, c. 4, s. 35.

550.1. The Société shall transmit to the person concerned the decision in respect of a sanction referred to in section 106.1 by giving it to him or sending it, by any means of transmission providing proof of receipt, to the last address listed for him in the records of the Société.

1993, c. 42, s. 28; 2002, c. 29, s. 65.

551. Appeal from a conviction by a person convicted of an offence does not suspend the entry of the number of demerit points corresponding to the offence or a decision made by the Société under section 185, unless the court decides otherwise.

1986, c. 91, s. 551; 1990, c. 19, s. 11.

552. Where a person suffers from an illness or deficiency or is in a situation described in paragraph 2 or 3 of section 81, paragraph 2 of section 82, paragraph 2 of section 83, paragraph 2 or 3 of section 190 or section 191, the Société may, before rendering a decision, request, by notice, the person to furnish, within the time fixed by the Société which may in no case exceed 90 days, a complementary report on the examination or assessment referred to in section 73, 76.1.2, 76.1.4, 76.1.4.1 or 603.

In addition, the Société may request the person to furnish other documents from an institution providing health services under the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5), or from another health professional governed by the Professional Code (chapter C-26) or, in the case of a professional driver, with a notice from the person's employer.

On receipt of the complementary report or, if the person fails to furnish such a report, at the expiry of the period fixed, the Société shall render the decision it deems appropriate.

1986, c. 91, s. 552; 1987, c. 94, s. 80; 1990, c. 19, s. 11; 1990, c. 83, s. 215; 1992, c. 21, s. 124; 1994, c. 23, s. 23; 1996, c. 56, s. 116; 2007, c. 40, s. 69; 2010, c. 34, s. 83.

553. The Société shall, before making a written decision in respect of which it is required to comply with the obligations prescribed by section 5 of the Act respecting administrative justice (chapter J-3), send to the person concerned a notice of its proposed decision which shall mention, among other things, that the person has 12 days from the time of mailing of the notice within which to present observations.

The proposed decision shall become the decision of the Société on the third day following the expiry of such time limit, and shall take effect unless the Société decides otherwise.

The time limit prescribed in the first paragraph may be shortened where the decision relates to the suspension of a licence or class of a licence following a proficiency examination.

In the event of an interruption of postal service, a decision delivered by another means takes effect on the date fixed by the Société.

1986, c. 91, s. 553; 1987, c. 94, s. 81; 1990, c. 83, s. 216; 1996, c. 56, s. 117; 1997, c. 43, s. 173; 2000, c. 64, s. 27.

554. In communicating its decision, the Société must inform the person concerned of the consequences of the decision and of his right to bring a proceeding under section 557 or 560.

1986, c. 91, s. 554; 1990, c. 19, s. 11; 1997, c. 43, s. 174.

555. No application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against the Société, one of its members or a person designated under section 17.1 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011), acting in their official capacity.

1986, c. 91, s. 555; 1990, c. 19, s. 11; I.N. 2016-01-01 (NCCP).

556. A judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to section 555.

1986, c. 91, s. 556; I.N. 2016-01-01 (NCCP).

DIVISION II

REVIEW AND PROCEEDING BEFORE THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC

1997, c. 43, s. 175.

557. The Société may, of its own initiative or on the application of the person concerned, review or cancel any decision it has rendered in respect of which no proceeding has been brought before the Administrative Tribunal of Québec.

The Société may also, of its own initiative or on the application of the person concerned, correct any decision containing an error in writing or in calculation or any other formal defect.

1986, c. 91, s. 557; 1990, c. 19, s. 11; 1997, c. 43, s. 176.

558. The Société may, in the case contemplated in section 557, request a person to return to it any document issued to him, in accordance with the decision it has reviewed, corrected or annulled.

1986, c. 91, s. 558; 1990, c. 19, s. 11.

559. Where the person refuses or fails to comply with the requirement of section 558, the Société may request a peace officer to take possession of the document.

The person must immediately remit the document to the peace officer who requests him to do so and informs him of the reason therefor.

1986, c. 91, s. 559; 1990, c. 19, s. 11.

560. A decision may be contested before the Administrative Tribunal of Québec if it is

(1) a decision made by the Société under paragraphs 1, 2 and 3 of section 81, paragraphs 1 and 2 of section 82, paragraph 2 of section 83, paragraphs 1, 2 and 3 of section 190 or section 191 or a decision of the Société refusing to review such a decision or maintaining it;

(2) a decision made by the Société under paragraph 3 of section 82, section 538.0.1 or the second paragraph of section 543.3.2 or a decision of the Société refusing to review such a decision or maintaining it.

1986, c. 91, s. 560; 1987, c. 94, s. 82; 1988, c. 21, s. 66; 1990, c. 19, s. 11; 1990, c. 83, s. 217; 1997, c. 43, s. 177; 1998, c. 40, s. 140; 2004, c. 2, s. 67; 2015, c. 4, s. 36.

561. *(Repealed).*

1986, c. 91, s. 561; 1988, c. 21, s. 66; 1990, c. 19, s. 11; 1997, c. 43, s. 178.

562. *(Repealed).*

1986, c. 91, s. 562; 1997, c. 43, s. 178.

563. *(Repealed).*

1986, c. 91, s. 563; 1988, c. 21, s. 66; 1990, c. 19, s. 11; 1997, c. 43, s. 178.

564. *(Repealed).*

1986, c. 91, s. 564; 1990, c. 19, s. 11; 1997, c. 43, s. 178.

565. *(Repealed).*

1986, c. 91, s. 565; 1997, c. 43, s. 178.

566. *(Repealed).*

1986, c. 91, s. 566; 1997, c. 43, s. 178.

567. *(Repealed).*

1986, c. 91, s. 567; 1997, c. 43, s. 178.

568. *(Repealed).*

1986, c. 91, s. 568; 1997, c. 43, s. 178.

569. *(Repealed).*

1986, c. 91, s. 569; 1997, c. 43, s. 178.

570. *(Repealed).*

1986, c. 91, s. 570; 1997, c. 43, s. 178.

571. *(Repealed).*

1986, c. 91, s. 571; 1997, c. 43, s. 178.

572. *(Repealed).*

1986, c. 91, s. 572; 1997, c. 43, s. 178.

573. *(Repealed).*

1986, c. 91, s. 573; 1997, c. 43, s. 178.

DIVISION III

RECOVERY

1992, c. 61, s. 144.

573.1. Proceedings for the recovery of duties or fees prescribed by this Code shall be instituted by the Société.

1992, c. 61, s. 144.

CHAPTER II

PROCEDURE AND PROOF IN PENAL MATTERS

DIVISION I

STATEMENTS OF OFFENCE AND NOTICES

1992, c. 61, s. 145.

574. *(Repealed).*

1986, c. 91, s. 574; 1992, c. 61, s. 146.

575. *(Repealed).*

1986, c. 91, s. 575; 1987, c. 94, s. 83; 1992, c. 61, s. 147.

576. The person authorized by a municipal council to enforce the parking by-laws of a municipality may perform the actions that a peace officer is authorized to perform under this chapter if the offence alleged under this Code is a parking infraction.

1986, c. 91, s. 576.

577. *(Repealed).*

1986, c. 91, s. 577; 1990, c. 19, s. 11; 1992, c. 61, s. 148; 1996, c. 56, s. 118.

578. *(Repealed).*

1986, c. 91, s. 578; 1990, c. 19, s. 11; 1990, c. 83, s. 218; 1992, c. 61, s. 149; 1996, c. 56, s. 119.

579. *(Repealed).*

1986, c. 91, s. 579; 1992, c. 61, s. 150.

580. *(Repealed).*

1986, c. 91, s. 580; 1992, c. 61, s. 150.

581. *(Repealed).*

1986, c. 91, s. 581; 1992, c. 61, s. 150.

582. *(Repealed).*

1986, c. 91, s. 582; 1992, c. 61, s. 150.

583. Failure to mention, in a statement of offence, the number of demerit points entailed by a conviction or a mistake in such mention, does not prevent the Société from entering the appropriate number of demerit points in the file of the person concerned.

1986, c. 91, s. 583; 1990, c. 19, s. 11; 1992, c. 61, s. 151.

584. *(Repealed).*

1986, c. 91, s. 584; 1992, c. 61, s. 150.

585. A payment is deemed to have been made once the proper sum is paid in cash or otherwise to the prosecuting party or another person designated by him.

The payment is deemed to have been made by the defendant in respect of whom the statement of offence has been served.

1986, c. 91, s. 585; 1992, c. 61, s. 152; 1999, c. 40, s. 55.

586. The person who accepts a payment for an offence for which conviction entails, under this Code, the suspension or cancellation of a licence or the suspension of a registration, must inform the Société.

1986, c. 91, s. 586; 1990, c. 19, s. 11; 1992, c. 61, s. 153.

587. The clerk of a court of justice or a person under his authority shall notify the Société of every conviction that entails, under this Code, the suspension or cancellation of a licence or a class thereof as well as any conviction for an offence under section 165 or 166 of this Code or under section 186, 187, 191 or 192 of the Automobile Insurance Act (chapter A-25).

The clerk of a court of justice or a person under the clerk's authority shall also notify the Société of an order of prohibition under Part VIII.1 of the Criminal Code (R.S.C. 1985, c. C-46) on offences relating to conveyances.

If a decision states that the offender's blood alcohol concentration level at the time of an offence under section 180 was equal to or in excess of 160 mg of alcohol in 100 ml of blood, the notice to the Société must mention it.

1986, c. 91, s. 587; 1987, c. 94, s. 85; 1990, c. 19, s. 11; 1990, c. 83, s. 219; 1992, c. 61, s. 154; 1996, c. 56, s. 120; 2007, c. 40, s. 70; 2015, c. 4, s. 37; 2018, c. 19, s. 60.

587.1. A collector of fines, the clerk of a court, the clerk, secretary or clerk-treasurer of a municipality, the Director of Criminal and Penal Prosecutions or the director of a police service, as the case may be, shall advise the Société of every statement issued and of every conviction of an owner or operator to which Title VIII.1 applies or of a driver in relation to the operation of a heavy vehicle.

1996, c. 56, s. 121; 1998, c. 40, s. 141; 2005, c. 34, s. 85; 2021, c. 31, s. 132.

588. The notice provided for in sections 112, 586 and 587 must be given within 30 days of the date of the judgment of conviction and be accompanied with all the information required by the Société.

The notice must be in the form and contain the particulars determined by the Société.

1986, c. 91, s. 588; 1990, c. 19, s. 11; 1992, c. 61, s. 155; 2010, c. 34, s. 84.

589. Every document emanating from the Société evidencing a payment, a blood alcohol concentration level or a conviction in respect of a person is proof of its content, in the absence of any contrary evidence.

1986, c. 91, s. 589; 1990, c. 19, s. 11; 2007, c. 40, s. 71.

590. Any delay in the transmission of a notice provided for in sections 112, 519.56, 586 and 587 does not prevent the Société from rendering a decision.

1986, c. 91, s. 590; 1990, c. 19, s. 11; 1992, c. 61, s. 156.

DIVISION II

RULES OF PROOF

1992, c. 61, s. 157.

591. *(Repealed).*

1986, c. 91, s. 591; 1990, c. 19, s. 11; 1990, c. 4, s. 215; 1992, c. 61, s. 158.

592. The owner of a road vehicle whose name appears in the register of the Société kept pursuant to section 10 may be convicted of every offence against this Code or any municipal traffic or parking by-law committed with the vehicle, unless he proves that, at the time of the offence, the vehicle was in the possession of a third person without his consent.

In the case of an offence against any of sections 35, 36, 65, 74, 89, 96 to 102, 105, 168, 171, 299, 303.2, 310, 311, 320 to 324, the second paragraph of section 325, any of sections 326 to 331, 333, 335 to 337, 339 to 377, the first paragraph of section 378, any of sections 379, 395, 396, 401, 402 to 413, 415 to 417.1, 418, 421 to 429, 431 to 443.2, 455 to 460, 464, the second paragraph of section 468, section 470, the second paragraph of section 472, the second paragraph of section 476 or any of sections 477 to 484, 496.4 and 496.7 or against any municipal by-law to the same effect, the owner cannot be convicted unless it is established that he was the driver of the vehicle at the time of the offence or was in the vehicle then driven by his agent. In the latter case, the court may condemn either or both of them.

The second paragraph does not apply in the case of an offence evidenced by a photograph taken by a photo radar device or a red light camera system.

1986, c. 91, s. 592; 1990, c. 4, s. 216; 1990, c. 83, s. 220; 2009, c. 48, s. 19; 2012, c. 15, s. 19; 2018, c. 7, s. 158.

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.

2012, c. 15, s. 20.

592.0.1. A person in whose name a transponder is registered may be convicted of any offence under section 417.2 unless the person proves that, at the time of the offence, the transponder was in the possession of a third party without the person's consent.

2009, c. 48, s. 20.

592.0.2. A holder of a customer account with the partner may be convicted of any offence under section 417.2 unless the person proves that, at the time of the offence, the road vehicle associated with the customer account was in the possession of a third party without the person's consent.

2009, c. 48, s. 20.

592.1. In the case of an offence evidenced by a photograph taken by a photo radar device or a red light camera system, the statement of offence and the photograph indicating the place, date and time the photograph was taken and, as applicable, the traffic light involved or the speed recorded, must be sent to the owner within 30 days after the date of the offence at the most recent address entered in the records of the Société or in records held outside Québec by an administrative authority responsible for registering the

vehicle. The photograph must show the road vehicle and its registration plate and, if applicable, the traffic light involved, without making it possible to identify the occupants of the vehicle.

If the owner was not driving the vehicle at the time the offence was recorded, the driver and the owner may, within 15 days after service of the statement of offence, send the prosecutor a declaration identifying the driver on the form prescribed by the Minister of Justice signed by both the driver and the owner. The prosecutor may serve a new statement of offence on the driver.

Even if the driver refuses to sign the declaration, the owner may send it to the prosecutor and so notify the driver. The prosecutor may serve a new statement of offence on the driver.

2007, c. 40, s. 72; 2012, c. 15, s. 21.

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.

2012, c. 15, s. 22.

592.2. Despite the first paragraph of section 592, the owner of the road vehicle may not be convicted if the driver or short-term renter of the vehicle is convicted of the same offence or an included offence.

2007, c. 40, s. 72; 2012, c. 15, s. 23.

592.2.1. Despite sections 592 and 592.1, the owner and the driver of the following road vehicles cannot be convicted of an offence evidenced by a photograph taken by a photo radar device or a red light camera system:

- (1) a police force vehicle;
- (2) an ambulance service vehicle;
- (3) a fire safety vehicle;
- (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.

2012, c. 15, s. 24.

592.3. *(Repealed).*

2007, c. 40, s. 72; 2010, c. 34, s. 85; 2012, c. 15, s. 25.

592.4. An offence evidenced by a photograph taken by a photo radar device or a red light camera system does not entail the issue of demerit points unless the driver was intercepted and was served with a statement of offence.

2007, c. 40, s. 72.

592.4.1. In the case of an offence under the second paragraph of section 299, section 303.2 or 328, the third paragraph of section 329 or section 359, 496.4 or 496.7, the prosecutor is not required to prove the presence of road signs or signals marking the place where a photo radar device or red light camera system is used to monitor compliance with highway safety rules.

No proceedings may be dismissed nor may any defendant be acquitted on the grounds that road signs or signals described in the first paragraph were inadequate or absent.

2012, c. 15, s. 26; 2018, c. 7, s. 159.

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.

2018, c. 7, s. 160.

592.5. In the case of an offence evidenced by a photograph taken by a camera approved by the Minister of Transport under section 595.1, the statement of offence and the photograph, indicating the place, date and time it was taken, must be sent to the owner of the road vehicle at the most recent address entered in the records of the Société or, if applicable, in the records kept outside Québec by an administrative authority responsible for registering the vehicle, or to the person in whose name the transponder is registered or the holder of the customer account at the last address that person or holder gave to the partner. The photograph must show the vehicle's registration plate without making it possible to see the occupants of the vehicle.

In the case of a person described in paragraph 5 of section 13 of the Act respecting transport infrastructure partnerships (chapter P-9.001), the prosecutor must send to that person the statement of offence and the photograph, indicating the place, date and time it was taken, within 30 days after the passage of the road vehicle on a public road subject to a toll under that Act.

2009, c. 48, s. 21.

593. *(Repealed).*

1986, c. 91, s. 593; 1990, c. 4, s. 217.

594. A person authorized by the Director of Criminal and Penal Prosecutions may sign a document required for the application of this chapter and certify true a copy of or extract from the document.

The signature of that person may be affixed by means of an automatic device or in the form of an engraved, lithographed or printed facsimile.

1986, c. 91, s. 594; 1990, c. 4, s. 218; 1992, c. 61, s. 159; 2005, c. 34, s. 85.

595. The filing of a document attested by the Société which states that the defendant is the owner of the vehicle the registration number of which is indicated on the statement of offence constitutes, failing any evidence to the contrary, proof of such ownership in penal proceedings for an offence under a provision of this Code.

1986, c. 91, s. 595; 1990, c. 19, s. 11; 1992, c. 61, s. 160; 2008, c. 14, s. 81.

595.1. The cameras used to photograph the registration plates of road vehicles driven on a public road referred to in section 417.2 must be approved by the Minister of Transport and, if applicable, be verified or certified in accordance with a regulation made under subparagraph 5 of the first paragraph of section 11 of the Act respecting transport infrastructure partnerships (chapter P-9.001); they must also allow the place, date and time the photograph was taken to be determined.

The places where such cameras may be used must be announced by traffic signs or signals prescribed for that purpose by the Minister of Transport.

Any order made under this section is to be published in the *Gazette officielle du Québec*.

2009, c. 48, s. 22.

595.2. In penal proceedings for an offence under section 417.2, a photograph of a road vehicle's registration plate taken by a camera approved by the Minister of Transport is proof, in the absence of any evidence to the contrary, of the vehicle's presence on the public road and of the other information displayed on the photograph.

2009, c. 48, s. 22.

596. (*Repealed*).

1986, c. 91, s. 596; 1987, c. 94, s. 86; 1992, c. 61, s. 161.

596.1. Any person who advises, encourages or incites another person to do a thing that constitutes an offence under this Code or under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with Title VIII.2, or who accomplishes or omits to accomplish a thing which results in aiding another person to commit an offence is a party to that offence and is liable to the same penalty as that which is prescribed for the offender, whether or not the offender has been prosecuted or convicted.

Any person who fails to furnish to an owner or operator of heavy vehicles or who furnishes false or misleading or erroneous information, the knowledge or truth of which would have prevented an offence under this Code is liable to the same fine as the offender, whether or not the offender has been prosecuted or convicted.

1990, c. 83, s. 221; 1998, c. 40, s. 142.

596.2. Where a legal person commits an offence under this Code or under a legislative or regulatory provision which is under the responsibility of the Société pursuant to an agreement entered into in accordance with Title VIII.2, every director, partner, officer, employee or agent of that person who prescribed or authorized the commission of the offence or who consented or acquiesced thereto or participated therein is deemed to be a party to that offence and is liable to the same penalty as that which is prescribed for the legal person, whether or not that legal person has been prosecuted or convicted.

1990, c. 83, s. 221.

596.3. In any penal proceedings for an offence against section 523 or 539.1, proof of the notification provided for in section 524 or 539.5 may be made by the filing of a duplicate of the notice attesting the giving of the notice and signed by the peace officer or the person authorized by the Société.

The date of the mechanical or photometric inspection may be proved by the filing of a duplicate of the notice attesting the inspection, dated and signed by the inspector.

However, the defendant may require the prosecutor, in accordance with article 63 of the Code of Penal Procedure (chapter C-25.1), to summon as a witness the person who gave the notice or made the inspection.

1993, c. 42, s. 29; 2008, c. 14, s. 82.

596.4. In any penal proceedings for an offence against section 531, proof of the notification provided for in that section may be made by the filing of a duplicate of the notice attesting the giving of the notice, signed by the person authorized by the Société or the person authorized to make the mechanical inspection for the Société.

The date of the inspection of the repairs and the certification of the conformity of the road vehicle with this Code may be proved by the filing of a duplicate of the notice attesting the inspection of the vehicle and its conformity with this Code, dated and signed by the person authorized by the Société or the person authorized to make the mechanical inspection for the Société.

However, the defendant may require the prosecutor, in accordance with article 63 of the Code of Penal Procedure (chapter C-25.1), to summon as a witness the person who gave the notice or made the inspection.

1993, c. 42, s. 29.

596.5. *(Repealed).*

1996, c. 56, s. 122; 2008, c. 14, s. 83.

DIVISION III

PROCEEDINGS BY MUNICIPALITY OR NATIVE ENTITY

1999, c. 66, s. 22; 2010, c. 34, s. 86.

597. Penal proceedings for an offence under a provision of this Code may be instituted by a municipality if the offence was committed within its territory, excluding any part of the territory covered by an agreement entered into under the second paragraph.

Likewise, where an agreement has been entered into for that purpose with the Government, penal proceedings for such an offence may be instituted

(1) by a Native community, represented by its band council, if the offence is committed in the territory assigned to that community and in respect of which a police service agreement has been entered into under section 90 of the Police Act (chapter P-13.1);

(2) by a Cree community, represented by its band council, if the offence is committed in a part of the territory described in section 102.6 of that Act and specified in the agreement;

(3) by the Naskapi Village, if the offence is committed in the territory described in section 99 of that Act;

(4) by the Cree Nation Government, if the offence is committed in the territory described in section 102.6 of that Act, excluding any part of the territory covered by an agreement entered into with a Cree community under this paragraph;

(5) by the Kativik Regional Government, if the offence is committed in the territory referred to in section 369 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1).

Fines collected pursuant to this section belong to the prosecutor.

1986, c. 91, s. 597; 1992, c. 61, s. 162; 1995, c. 42, s. 50; 1999, c. 66, s. 23; 2000, c. 12, s. 315, s. 318; 2010, c. 34, s. 87; 2013, c. 19, s. 91.

597.1. Section 597 does not apply to penal proceedings for an offence evidenced by a photograph taken by a photo radar device or a red light camera system.

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.

2007, c. 40, s. 73; 2012, c. 15, s. 27.

597.2. Section 597 does not apply to penal proceedings for an offence under section 417.2.

2009, c. 48, s. 23.

598. Proceedings for an offence against this Code committed in the territory of a municipality may be instituted before the competent municipal court.

The costs relating to proceedings brought before a municipal court belong to the municipality in which the court has jurisdiction, except any part of the costs remitted by the collector to another prosecuting party under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and any costs remitted to the defendant or imposed on the municipality under article 223 of the said Code.

1986, c. 91, s. 598; 1995, c. 42, s. 51; 2003, c. 5, s. 11.

599. *(Repealed).*

1986, c. 91, s. 599; 1990, c. 4, s. 219.

600. *(Repealed).*

1986, c. 91, s. 600; 1992, c. 61, s. 163.

601. *(Repealed).*

1986, c. 91, s. 601; 1992, c. 61, s. 164.

601.1. Sections 112, 587.1 and 649 are applicable to a Native entity that has entered into an agreement concerning the right to institute proceedings, as stipulated therein.

1999, c. 66, s. 24; 2010, c. 34, s. 88.

602. Sections 575 to 590 do not apply to proceedings instituted by the cities of Québec and Montréal.

The equivalent provisions of the charter of either of the cities mentioned in the first paragraph that apply to contraventions to that charter or to a municipal by-law apply, with the necessary adaptations, to a contravention to this Code.

1986, c. 91, s. 602.

TITLE XI

TRANSMISSION OF INFORMATION

603. A health professional may, according to his field of practice, report to the Société the name, address and state of health of a person 14 years of age or older whom he considers unfit to drive a road vehicle having regard, in particular, to the illnesses, deficiencies and situations incompatible with the driving of a road vehicle established by regulation.

For the purposes of this section, health professionals are authorized to disclose to the Société any information revealed to them in the practice of their profession.

1986, c. 91, s. 603; 1990, c. 19, s. 11; 1996, c. 56, s. 123.

604. The Société may disclose to health care professional who made a report to it under section 603, the decision it has made after receiving the information transmitted by him.

1986, c. 91, s. 604; 1990, c. 19, s. 11; 1996, c. 56, s. 124.

605. No action in damages may be brought against a health care professional for having availed himself of section 603.

1986, c. 91, s. 605; 1996, c. 56, s. 125.

606. In no case may the report referred to in section 603 be used as evidence in any suit or judicial or quasi judicial proceedings, except in proceedings relating to the application of section 560.

1986, c. 91, s. 606.

607. The Société, a public police force or a municipality may transmit the accident report referred to in section 173 to any person involved in the accident as driver, passenger, victim of bodily injury, operator of a heavy vehicle or owner of a damaged vehicle or property and to the authorized representative and insurer of any of them or the representative of that insurer.

The accident report may also be transmitted to any person whose name appears therein.

In the case of an accident report containing inaccurate or incomplete information, or in the absence of any report, the Société may transmit to any person referred to in the first paragraph any information permitting the identification of any person involved in the accident or his insurer.

1986, c. 91, s. 607; 1987, c. 94, s. 87; 1990, c. 19, s. 11; 1990, c. 83, s. 222; 2004, c. 2, s. 68.

607.1. (*Repealed*).

1987, c. 94, s. 88; 1996, c. 56, s. 126.

608. For the purposes of paragraph 9 of section 521 or of a recall campaign for which it received a notice from the Department of Transport of Canada, the Société may transmit to that department or the Ministère des Transports du Québec as well as to the manufacturers and automobile dealers concerned, any information permitting the identification of the owners of the vehicles that are recalled.

1986, c. 91, s. 608; 1990, c. 19, s. 11.

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.

2018, c. 7, s. 161.

609. With the exception of a report under section 603, the Société may transmit to the persons, departments and agencies responsible for the application of the legislation on road traffic, compensation of victims of automobile accidents, and highway safety, any information concerning holders of licences or permits issued under this Code as well as the person in whose name a road vehicle is registered by the Société, where the transmission of that information is necessary for the application of that legislation outside Québec.

The Société may also transmit to the persons, departments and agencies referred to in the first paragraph any information it holds concerning an owner or operator of a heavy vehicle or a driver under their responsibility, who is under the authority of those persons, departments or agencies.

1986, c. 91, s. 609; 1990, c. 19, s. 11; 1990, c. 83, s. 223; 1996, c. 56, s. 127; 1998, c. 40, s. 143.

610. Any information concerning the person in whose name registration of a road vehicle is effected by the Société may be transmitted by the Société to a person requesting it as the owner of the vehicle concerned.

The Société may also transmit to an insurer or the Insurance Crime Prevention Bureau the names and the present or the previous addresses of present and past owners of a road vehicle, as well as any information concerning the vehicle's registration history, within the scope of an inquiry carried out at the time a claim is made to an insurer.

Information referred to in the second paragraph which is personal information may only be so transmitted where it is needed for an inquiry relating to the theft of a road vehicle or a fraud in respect of a road vehicle. The information must be dealt with confidentially by the persons to whom it is released. It may only be disclosed to persons who need it for the above purposes. No person may use it for any other purposes than the inquiry. The information must be destroyed by the insurer or the Insurance Crime Prevention Bureau at the end of the inquiry or not later than one year after the date on which it was received.

1986, c. 91, s. 610; 1990, c. 19, s. 11; 1990, c. 83, s. 224; 2006, c. 22, s. 177.

610.1. The Société may, without the consent of the person concerned, transmit to the Minister of Revenue information necessary for the application of section 13.1.

The Société may also, without the consent of the person concerned, transmit to a jurisdiction having joined the International Registration Plan, to the mandatary or designated agent of such a jurisdiction and to any person responsible for the implementation of the Plan information necessary for the administration of the Plan.

2002, c. 62, s. 6.

610.2. The Minister of Revenue may, without the consent of the person concerned, transmit to the Société information necessary for the administration of the International Registration Plan.

The Minister of Revenue may also, without the consent of the person concerned, transmit information provided for in section 610.1 to a jurisdiction and a person referred to in that section and for the purposes provided therein.

2002, c. 62, s. 6.

611. Sections 607 and 609 apply notwithstanding sections 53 and 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

1986, c. 91, s. 611.

611.1. The Société may, on payment of the fees determined by regulation, communicate to any person who provides it with the file number appearing on another person's licence or road vehicle registration certificate and who provides the Société, at its request, with the reference number of the licence or the registration certificate number, information concerning the validity of the licence, restrictions on the right to obtain registration of a vehicle, the right to operate a vehicle or the capacity to transfer, acquire, lease or discard a vehicle.

No communication may, however, disclose the person's name or address, or the reasons for which the measures have been imposed.

1996, c. 56, s. 128; 2003, c. 5, s. 12.

611.2. The Minister of Agriculture, Fisheries and Food and an association certified under the Farm Producers Act (chapter P-28) may, after entering into agreements with the Société, communicate to the Société, for the registration of road vehicles, the information needed to verify farmer status and membership

in such an association or the status of registered agricultural operation pursuant to section 36.0.1 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14).

The agreements must include provisions specifying the nature of the information to be communicated, the steps to be taken to ensure confidentiality and the relevant security measures.

1999, c. 66, s. 25; 2008, c. 14, s. 84; 2020, c. 7, ss. 10 and 40.

611.3. The president of the Office de la protection du consommateur must, for the purpose of enforcing the provisions of this Code, send the Société any information enabling it to identify road vehicle dealers and recyclers who hold a permit issued under the Consumer Protection Act (chapter P-40.1) or whose permit is suspended or cancelled, including, in the case of dealers and recyclers who are natural persons, their name, residential address, date of birth and any other information determined by government regulation.

2015, c. 4, s. 39.

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.

2018, c. 7, s. 162.

TITLE XII

Repealed, 2002, c. 29, s. 66.

1996, c. 56, s. 129; 2002, c. 29, s. 66.

612. *(Repealed).*

1986, c. 91, s. 612; 1996, c. 56, s. 130; 2002, c. 29, s. 66.

613. *(Repealed).*

1986, c. 91, s. 613; 1994, c. 40, s. 457; 1996, c. 56, s. 131; 2002, c. 29, s. 66.

614. *(Repealed).*

1986, c. 91, s. 614; 2002, c. 29, s. 66.

615. *(Repealed).*

1986, c. 91, s. 615; 1990, c. 19, s. 11; 2002, c. 29, s. 66.

616. *(Repealed).*

1986, c. 91, s. 616; 1990, c. 19, s. 11; 1990, c. 83, s. 225; 1996, c. 56, s. 132; 2002, c. 29, s. 66.

617. *(Repealed).*

1986, c. 91, s. 617; 2002, c. 29, s. 66.

TITLE XIII

REGULATORY PROVISIONS

CHAPTER I

POWERS OF THE GOVERNMENT

618. The Government may by regulation

- (1) prescribe the criteria on the basis of which a road vehicle may be recognized as an emergency vehicle;
- (2) determine in which cases and subject to what conditions any of the following documents are issued or invalidated: a registration certificate, registration plate, validation sticker, temporary registration certificate or detachable registration plate;
- (3) determine, according to the class or sub-class of road vehicles, the information forming the registration which is entered in the registers of the Société, to be supplied by the person applying for registration or paying sums with regard thereto;
- (4) determine the information which must appear on each of the following documents: the registration plate, validation sticker, identification sticker or detachable registration plate, and determine their respective periods of validity;
 - (4.1) determine, according to the class or sub-class of road vehicles, the information which must appear on the registration certificate and temporary registration certificate, the form of those certificates and of copies of them, and their term of validity;
- (5) *(paragraph repealed)*;
- (6) determine the cases where a vehicle to which the Act respecting off-highway vehicles (chapter V-1.3) applies, a recreation vehicle and a vehicle designed to be used mainly on snow, other than a snowmobile to which the Act respecting off-highway vehicles applies, are exempt from registration;
- (7) determine the documents which must be produced with an application for registration or the payment of amounts under section 31.1 as well as the information they must contain and any other condition or formality for obtaining registration or for renewing the authorization to put a road vehicle into operation;
 - (7.1) establish the conditions and formalities for replacing a registration certificate, registration plate, validation sticker, temporary registration certificate or temporary registration plate;
- (8) prescribe the classes of road vehicles for which registration may be effected under section 10.2;
 - (8.1) prescribe the information to be entered in the registers of the Société with regard to the classes of road vehicles prescribed under paragraph 8 and the persons applying for registration under section 10.2;
 - (8.2) prescribe the conditions for obtaining registration under section 10.2;
 - (8.3) prescribe the methods of computing the duties exigible for obtaining registration under section 10.2 on the basis of the following factors:
 - (a) the time remaining between the date of registration and the date of the prescribed day within the prescribed period for payment of annual duties exigible under section 31.1;
 - (b) the annual duties fixed pursuant to paragraph 8.4 which would be exigible under section 31.1;

(8.4) fix the annual duties exigible under section 31.1 with regard to any person obtaining registration under section 10.2 on the basis of one or more of the following factors:

- (a) the class of road vehicles registered;
- (b) their net mass;
- (c) their number of axles;
- (d) their use;
- (e) the professional activity, the legal personality or the identity of the applicant;
- (f) the territory where the vehicles are to be used;

(8.5) establish the method to be applied for rounding off the amount of registration duties and of the additional duties and establish the terms and conditions of payment of those duties;

(8.6) define the meaning of “registration by lot” and determine the terms and conditions thereof;

(8.7) prescribe at what intervals the payment of duties and additional duties exigible under section 31.1 must be made;

(8.8) determine during what periods the payment of duties, fees, the insurance contribution and, where applicable, the contribution of motorists to public transit or the contribution of off-highway vehicle owners and the additional duties exigible under section 31.1 concerning a registered road vehicle must be made according to the class or sub-class of road vehicles to which it belongs, the professional activity, the legal personality or the identity of its owner, the territory where it is used, its net mass or the first letter of its owner’s name;

(8.9) prescribe with regard to the owner of a road vehicle any exemptions of duties and additional duties exigible under section 31.1 concerning a road vehicle registered according to the class or sub-class of road vehicles to which it belongs;

(9) define, in relation to the fixing and computing of the duties exigible for obtaining the registration of a road vehicle and in relation to the fixing and computing of the duties exigible under section 31.1, the terms “axle” and “net mass” and establish the method for calculating the number of axles of a road vehicle as well as the rules governing any increase in the number of axles or any change in the net mass during the term of the registration of the vehicle;

(10) provide, subject to the conditions established by it, cases of exemption or reduction of the fee exigible for obtaining the registration of a road vehicle;

(11) prescribe the cases and conditions establishing a right to a reimbursement of part of the duties and additional duties exigible for obtaining the registration of a road vehicle and of the duties and additional duties exigible under section 31.1 and establish the calculation method or fix the exact amount of the duties and additional duties to be reimbursed;

(11.0.1) prescribe the cases and conditions establishing a right to a reimbursement of a part of the contribution of motorists to public transit or the contribution of off-highway vehicle owners exigible under section 21 or section 31.1, and establish the calculation method or fix the exact amount of the contribution to be reimbursed;

(11.1) prescribe the cases and conditions establishing entitlement to a reduction of the duties exigible in respect of a road vehicle under section 31.1 and establish the calculation method or fix the exact amount of duties to be deducted;

(11.2) prescribe the cases and conditions allowing claims for repayment, upon expiration of the periods prescribed by regulation or at any later date it fixes, of the duties, additional duties, fees, insurance contribution and, where applicable, the contribution of motorists to public transit or the contribution of off-highway vehicle owners exigible under section 31.1 and establish the calculation method or fix the exact amount of the sums claimed, as well as the maximum period which may be covered by such a claim;

(12) define, with respect to registration, classes and sub-classes of road vehicles other than those established under this Code;

(12.1) prescribe, with respect to a class or sub-class of road vehicles, the maximum number of vehicles belonging to one owner that may be registered in that class or sub-class;

(13) determine classes of registration plates according to classes and sub-classes of road vehicles, use, the identity of the owner or according to the area where it is used and impose restrictions on vehicles bearing certain classes of registration plates;

(13.1) establish standards and prohibitions respecting the use and driving of road vehicles according to the class or sub-class of road vehicles to which they belong, their owner's identity, the territory where they are used or the class of registration plate they carry;

(14) prescribe a method for attaching registration plates according to their classes;

(15) determine any other place on the vehicle where a temporary registration certificate, a registration plate or a detachable registration plate may be affixed;

(16) determine the cases where two duplicates of the registration plate must be issued;

(17) determine the places on the registration plate where the validation stickers must be affixed;

(18) provide, subject to the conditions it determines, other cases of total or partial exemption from registration;

(19) establish the standards and the conditions according to which a registration plate may be affixed to a motor vehicle manufactured over twenty years ago;

(20) determine terms and conditions for obtaining, using and renewing the certificate and the identification sticker provided for in section 11, determine the information that must appear on them, fix their periods of validity and determine the fees exigible for their issue;

(21) *(paragraph replaced)*;

(22) *(paragraph replaced)*;

(23) *(paragraph repealed)*.

1986, c. 91, s. 618; 1987, c. 94, s. 89; 1990, c. 19, s. 11; 1990, c. 83, s. 226; 1991, c. 32, s. 167; 1990, c. 83, s. 226; 1991, c. 32, s. 167; 1992, c. 21, s. 375; 1994, c. 23, s. 9; 1997, c. 49, s. 8; 1996, c. 60, s. 77; 1997, c. 85, s. 15; 2002, c. 29, s. 67; 2004, c. 2, s. 69; 2004, c. 34, s. 26; 2004, c. 35, s. 43; 2008, c. 14, s. 85; 2010, c. 33, s. 25; 2018, c. 18, s. 28; 2020, c. 26, s. 149.

619. The Government may by regulation

(1) determine, according to the nature of each licence, the information that the title evidencing it must include and the form of that title;

(1.0.1) determine the period of validity of each licence and of the title evidencing it, except as regards a restricted licence issued under section 118;

(1.1) *(paragraph repealed)*;

(2) determine the cases where and establish the criteria according to which conditions may be attached to a licence;

(3) determine classes and categories of licences according to their nature;

(4) prescribe, on the conditions it determines, cases of exemption or reduction of the duties exigible under sections 69 and 93.1;

(4.1) prescribe at what intervals the payment of duties exigible under section 93.1 must be made;

(4.2) determine the period within which payment of the duties, fees and insurance contribution exigible under section 93.1 must be made;

(5) prescribe the cases and conditions giving entitlement to a reimbursement of part of the duties exigible for obtaining a licence and of the duties exigible under section 93.1 and establish the calculation method or fix the exact amount of the duties to be reimbursed;

(5.1) prescribe the cases and conditions giving entitlement to a reduction of the duties payable for a probationary licence or a driver's licence under section 93.1 and establish the calculation method or fix the exact amount of duties to be deducted;

(5.2) prescribe the cases and conditions allowing claims for repayment, upon expiration of the period prescribed by regulation, of the duties, fees and insurance contribution exigible under section 93.1 and establish the calculation method or fix the exact amount of the sums claimed, as well as the maximum period which may be covered by such a claim;

(6) prescribe, according to the nature, class or category of a licence, the documents and information which must be produced with an application for the issue or renewal of such a licence or the payment of amounts under section 93.1 as well as any other condition or formality for obtaining or renewing that licence;

(6.0.1) *(paragraph repealed)*;

(6.0.2) determine, according to the category of a licence, the circumstances and conditions in and on which the Société may issue a licence that does not bear the photograph or signature of the holder;

(6.1) *(paragraph repealed)*;

(6.2) establish, according to the nature and class of licence applied for, any additional conditions and formalities a person who has failed a proficiency examination referred to in section 67 must comply with to obtain a licence or class of licence;

(6.3) prescribe cases of exemption from the obligation to undergo the proficiency examinations of the Société for obtaining a licence;

(6.4) determine, for obtaining a driver's licence under any of sections 66 and 92.0.1, the period during which a person must have held a probationary licence and establish the cases where the period may be reduced and the terms and conditions permitting such a reduction;

(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;

(7) establish the particular requirements and procedures for the issue of a learner's licence, of a probationary licence, of a driver's licence or of a class of either to a person whose licence or class is cancelled or whose right to obtain one is suspended;

(7.1) *(paragraph repealed)*;

(8) establish the health standards which identify the illnesses, deficiencies and conditions affecting a person that are considered as being essentially or relatively inconsistent with the driving of a road vehicle or class or sub-class of road vehicles;

(8.1) 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;

(9) establish a system of demerit points on the basis of which the Société cancels a licence or suspends the right to obtain a licence; the system shall include a list of offences and the corresponding number of demerit points for each offence and determine the total number of demerit points entered in a person's file that entails the sending of a notice, the cancellation of a licence or the suspension of the right to obtain a licence;

(9.1) *(paragraph repealed)*;

(9.2) determine which provisions of Division IV of Chapter II of Title II or of a regulation made under paragraph 9 of this section shall apply to the holder of a learner's licence, a probationary licence, a moped licence or a farm tractor licence, and provide for derogatory provisions to this division or to that regulation which shall apply to such holders;

(9.3) prescribe the number of offences or of demerit points entered in a person's record that entails the suspension of a learner's licence, a probationary licence, a moped licence or a farm tractor licence, or the suspension of the right to obtain such licences;

(10) *(paragraph repealed)*;

(11) *(paragraph repealed)*;

(12) *(paragraph repealed)*;

(13) *(paragraph repealed)*;

(14) *(paragraph repealed)*;

(15) *(paragraph repealed)*;

(16) *(paragraph repealed)*;

(17) *(paragraph repealed)*;

(18) *(paragraph repealed)*;

(19) *(paragraph repealed)*;

(20) *(paragraph repealed)*;

(21) *(paragraph repealed)*;

(22) *(paragraph repealed)*;

(23) determine in what cases and on what conditions a person may hold more than one driver's licence under the fifth paragraph of section 94.

1986, c. 91, s. 619; 1987, c. 94, s. 90, s. 91; 1990, c. 19, s. 11; 1990, c. 83, s. 227; 1990, c. 85, s. 122; 1990, c. 83, s. 227; 1995, c. 6, s. 12; 1996, c. 2, s. 214; 1996, c. 56, s. 133; 2000, c. 31, s. 9; 2002, c. 29, s. 68; 2004, c. 2, s. 70; 2007, c. 40, s. 74; 2018, c. 7, s. 163; 2018, c. 18, s. 29; 2018, c. 19, s. 61.

619.1. The Government may fix, by regulation, the duties exigible for obtaining the registration of a road vehicle and the duties exigible under section 31.1, on the basis of one or more of the following factors:

- (1) the class or sub-class of road vehicles to which the vehicle belongs;
- (2) its net mass;
- (3) its number of axles;
- (4) its use;
- (5) the professional activity, the legal personality or the identity of its owner;
- (6) the territory where it is used.

1990, c. 83, s. 228.

619.2. The Government may fix, by regulation, the duties exigible for obtaining a learner's licence, probationary licence, driver's licence or restricted licence, and the duties exigible under section 93.1, on the basis of one or more of the following factors:

- (1) the nature of the licence applied for;
- (2) its class;
- (3) its category.

1990, c. 83, s. 228; 1996, c. 56, s. 134; 2007, c. 40, s. 75.

619.3. The Government may prescribe, by regulation, calculation methods for the following duties:

(1) the duties exigible for obtaining the registration of a road vehicle on the basis of one or more of the following factors:

(a) the time remaining between the date of registration and the date of the prescribed day within the prescribed period under paragraph 8.8 of section 618 for the payment of annual duties exigible under section 31.1;

(b) the right of the applicant to a reimbursement of part of the registration duties on another road vehicle;

(c) a percentage of the annual duties on the road vehicle fixed pursuant to section 619.1 which would be exigible under section 31.1;

(2) the duties exigible for obtaining a learner's licence, probationary licence, driver's licence or restricted licence, on the basis of one or more of the following factors:

(a) the time remaining between the date of issue of the licence and the date of the prescribed day within the prescribed period under paragraph 4.2 of section 619 for the payment of duties exigible under section 93.1;

(b) the time expired between the date of issue of the licence and the expiration date of a previous licence;

(c) the cancellation of a previous licence;

(d) the cancellation of a previous licence at the holder's request;

(e) the applicant's entitlement to a reimbursement of part of the duties for his previous licence.

The calculation methods prescribed on the basis of the factors referred to in paragraphs *a* and *b* of subparagraph 1 of the first paragraph shall be based on the annual duties on the road vehicle fixed under section 619.1 which would be exigible under section 31.1 or on the monthly duties on the vehicle fixed by the Government, by regulation, on the basis of one or more of the factors prescribed in section 619.1.

The calculation methods prescribed on the basis of the factors referred to in paragraph 2 of the first paragraph shall be based on the licence duties fixed under section 619.2 which would be exigible under section 93.1 or on the monthly licence duties fixed by the Government, by regulation, on the basis of one or more of the factors prescribed in section 619.2.

1990, c. 83, s. 228; 1996, c. 56, s. 135; 2007, c. 40, s. 76.

619.4. The Government may determine, by regulation, a class of road vehicles which are seven years old or less, whose value exceeds \$40,000 and in respect of which an additional duty corresponding, on an annual basis, to 1% of the value of the vehicle in excess of \$40,000 is payable, as well as the rules for the calculation of the additional duty and the age of a vehicle and the rules for the determination of the value of a vehicle, which value determination rules may refer to a price or value fixed by another government, a body or a person specified by the regulation.

The regulation may provide that references to other texts include any subsequent amendments to those texts.

1997, c. 85, s. 16.

619.5. The Government may establish, by regulation, a class of road vehicles equipped with an engine with a displacement it determines in respect of which an additional duty and an acquisition duty are payable and fix the amount of each duty according to the vehicle's engine displacement or determine the methods to calculate them.

2004, c. 35, s. 44; 2016, c. 7, s. 86.

620. The Government may by regulation

(1) *(paragraph repealed)*;

(2) *(paragraph repealed)*;

(3) *(paragraph repealed)*;

(3.1) *(paragraph repealed)*;

(4) *(paragraph repealed)*;

(4.1) establish the form and retention rules applicable to the register to be kept by a recycler under Title III;

(4.2) determine the major components of a vehicle for the purposes of section 155;

(5) determine the form, content and mode of transmission of the report that a peace officer must transmit to the Société;

(5.1) determine the cases in which a peace officer and an insurer are required to make a report to the Société in respect of an accident that causes property damage only and does not give rise to a failure to stop at the scene of an accident;

(6) *(paragraph repealed)*.

1986, c. 91, s. 620; 1987, c. 94, s. 92; 1990, c. 19, s. 11; 1990, c. 83, s. 229; 1996, c. 56, s. 136; 2000, c. 64, s. 28; 2015, c. 4, s. 40.

621. The Government may by regulation

- (1) establish the conditions for the affixing by the Société of an identification number to a road vehicle;
- (2) prescribe standards for the manufacture, sale, installation and use of fog lights, exhaust systems, tires and protective helmets;
 - (2.1) prescribe standards, conditions and procedures for the construction, operation, custody, maintenance, salubrity and safety of road vehicles used for the transportation of handicapped persons, prescribe standards for the installation and use of safety equipment and accessories in respect of such vehicles, and specify the persons to whom and the vehicles to which the standards apply;
- (3) establish the conditions for the installation and use of white lights at the rear of certain classes or sub-classes of road vehicles;
- (4) *(subparagraph repealed)*;
- (5) establish criteria to be met by a road vehicle to be equipped with flashing or rotating amber lights;
 - (5.1) prescribe in what cases and on what conditions emergency vehicles may carry alternately flashing white headlights;
 - (5.2) determine the conditions under which the authorization referred to in the first paragraph of section 226.2 may be obtained and the technical standards the light must meet and the method for its installation;
- (6) prescribe standards respecting the number, colour, intensity, shape and dimensions of headlights, lights and reflectors;
- (7) prescribe standards for the windshield and windows of a road vehicle which will ensure good visibility for the driver;
- (8) prescribe standards for the manufacture, installation and use of a slow-moving vehicle signs, red flags and reflector panels;
 - (8.1) prescribe the characteristics of the amber signal light for loads or equipment that extend beyond the rear of a road vehicle or combination of road vehicles, and the standards for its installation and use;
- (9) establish the conditions on which riding a horse is permitted on a public highway;
- (10) approve devices to measure the rate of speed of a road vehicle and determine the manner in which such devices are to be used;
- (11) establish norms to govern the utilization of lamps, reflectors and flares;
 - (11.1) prescribe standards applicable to the height of the dump body of a heavy vehicle and the flashing red warning light or audible warning device required under section 257.1;
- (12) prescribe the standards relating to work cycles, hours of rest, hours of driving and hours of service that the driver of a heavy vehicle is required to comply with to be allowed to drive, and, for that purpose, prescribe special standards for the installation and use of accessories and equipment on such vehicles as well as standards governing the driving of such vehicles;
 - (12.0.1) define, for the purposes of sections 519.8.1, 519.9, 519.10, 519.12, 519.20, 519.21.1 to 519.26 and 519.31 to 519.31.3, the expressions “driver”, “cycle”, “out-of-service declaration”, “director”, “provincial director”, “supporting document”, “daily log”, “hour of driving”, “hour of rest”, “hour of service”, “day”, “permit” and “home terminal”;

(12.0.2) prescribe the conditions and procedures according to which the Société may grant to an operator or a driver of a heavy vehicle, by means of a permit, the authorization to depart from the standards and conditions relating to hours of driving and hours of rest prescribed by a regulation made under paragraph 12, the conditions and procedures attached to the permit and the conditions and procedures according to which the Société may approve the issuing of a permit by another director;

(12.1) prescribe the procedures according to which the driver of a heavy vehicle must maintain a daily log, determine the information the log must contain and its form, and establish rules governing the shipping, receiving and keeping of the daily log and supporting documents;

(12.2) determine the conditions according to which an operator does not have the obligation to require that all drivers maintain a daily log each day that accounts for all their hours of rest and hours of service for that day, the conditions according to which a driver is not required to maintain such a daily log and determine the documents that drivers required to maintain daily logs must have in their possession when driving;

(12.2.1) prescribe the procedures according to which the operator using the services of a driver must obtain the driver's daily logs from the person providing the services;

(12.2.2) prescribe the procedures according to which a person providing the services of a driver must transmit the driver's daily logs to the operator;

(12.3) determine the standards, conditions and manner of implementing a fatigue management program;

(12.4) determine the standards according to which a peace officer may issue an out-of-service declaration in respect of a driver of a heavy vehicle as well as the duration of and conditions applicable to that declaration;

(13) prescribe standards of installation and use for anti-theft devices;

(14) prescribe standards of installation and use for child safety devices;

(15) establish classes of road vehicles and combinations of road vehicles according to load, the number, type and class of axles, configuration in respect of axle arrangement, tire and suspension specifications or any other mechanical specification;

(16) establish classes of axles and include in those classes wheel assemblies that are not attached to an axle but are in lieu thereof;

(17) establish for classes of public highways, according to classes of road vehicles and combinations of road vehicles and classes of axles, norms for axle load, total loaded mass and dimensions of road vehicles and combinations of road vehicles with or without load;

(18) modify, during periods of thaw or in the event of rain, erosion or flooding, the norms established under paragraph 17;

(19) determine the form and content of special permits;

(20) determine the amount of the fee exigible and the conditions and formalities for obtaining a special permit and the conditions attached to such a permit according as the permit relates to an oversized vehicle or to a vehicle used for the transportation of a load exceeding its length or its width;

(20.1) determine the form and content of escort permits for oversized vehicles and designate a person authorized to issue such permits;

(20.2) fix the fee exigible for obtaining an escort permit for oversized vehicles, establish the conditions for obtaining such a permit and provide for the deposit of security, its nature and amount, and determine the

conditions attached to the permit, including the reports to be transmitted by the holder to the person authorized to issue the escort permit;

(20.3) determine, from among the provisions of any regulation made under paragraph 20.2, the provisions the violation of which constitutes an offence and indicate for each offence the minimum and the maximum amounts of the fine to which the offender is liable;

(20.4) prescribe safety standards and traffic rules relating to farm machines, combinations of farm vehicles and the road vehicles escorting them, and define the expression “combination of farm vehicles”;

(20.5) determine the provisions of a regulation related to farm machines, combinations of farm vehicles and the road vehicles escorting them, the violation of which constitutes an offence, and indicate for each offence the minimum and the maximum amounts of the fine to which the offender is liable;

(21) determine the circumstances in which farm animals may be allowed across a public highway even when the requirements of the first paragraph of section 493 are not met;

(22) prescribe norms respecting the sale and use of brake fluid;

(23) establish norms for the securing of loads and determine, among the provisions of the regulation, those the violation of which constitutes an offence and indicate, for each offence, the minimum and maximum amounts to which the offender is liable, according to the seriousness of the offence, namely \$90 to \$270, \$175 to \$525 or \$350 to \$1,050 for a driver, owner or lessee or \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 for an operator to whom Title VIII.1 applies;

(24) require the installation and use on buses and minibuses of accessories that meet safety standards and establish norms of installation and use in respect thereof;

(25) establish the safety standards that must be met by a road vehicle to be authorized to be operated;

(25.1) define, for the purposes of the safety standards for road vehicles, classes and subclasses of road vehicles other than those provided for in this Code;

(26) regulate the presence and movement of convoys on the public highways;

(27) take the measures necessary to control the dimensions and mass of a road vehicle or combination of road vehicles moving on a public highway, load included;

(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;

(28) determine what road vehicles are subject to mechanical inspection under paragraph 11 of section 521;

(29) prescribe the frequency, standards and procedures of the mechanical inspection and technical appraisal, as well as the standards and procedures of the photometric inspection, of the various road vehicles that are subject to inspection;

(30) determine, in relation to the inspection of vehicles the minor and major defects that may affect a road vehicle;

(31) establish the form, content, conditions and procedures of issue of the notices referred to in sections 531 and 542;

- (31.1) establish which road vehicles damaged in an accident or by fire or flood cannot be rebuilt;
- (31.2) prescribe the documents and information which must be included in the record of rebuilding of a road vehicle referred to in section 546.2;
- (31.3) prescribe classes of damaged road vehicles that are wholly or partially exempted from the application of Title IX.1;
- (32) establish the form and content of the certificate of mechanical inspection, the photometric inspection certificate, the inspection sticker and the certificate of technical compliance;
- (32.1) determine the minimum standards to be met by a preventive maintenance program intended to stand in place of mandatory mechanical inspection, with regard to
- (a) the requirements relating to the mechanical components to be inspected at each maintenance;
 - (b) the frequency of maintenance;
 - (c) the place where maintenance is carried out;
 - (d) the qualification of the mechanics assigned to maintenance and the cases in which they must be holders of a certificate of competency issued pursuant to section 543.3.1;
- (32.2) determine the information and documents that must be provided by an owner on application for the certification of a preventive maintenance program;
- (32.3) determine the information that must appear on a certificate evidencing certification;
- (32.4) establish the form, content and period of validity of a preventive maintenance program sticker;
- (32.5) establish the form, content and period of retention applicable to preventive maintenance records;
- (32.6) prescribe the conditions on which an owner may allow work under a preventive maintenance program to be performed by a third person;
- (32.7) determine the cases and circumstances giving rise to cancellation by the Société of a preventive maintenance program;
- (32.8) determine, among the provisions of a regulation under paragraphs 32.1 to 32.7, those the violation of which constitutes an offence and indicate, for each offence, the minimum and maximum fines to which the offender is liable, according to the seriousness of the offence, namely \$100 to \$200, or \$300 to \$600 for an owner to whom Chapter I.1 of Title IX applies, or \$350 to \$1,050 or \$700 to \$2,100 if Title VIII.1 applies to the owner;
- (32.9) prescribe the progressive implementation of Chapter I.1 of Title IX according to the number and type of vehicles covered by the program;
- (33) *(subparagraph repealed);*
- (34) *(subparagraph repealed);*
- (35) determine, among the provisions of a regulation concerning the conditions attached to a special permit for a certain class of road vehicles or combinations of road vehicles, those the violation of which constitutes an offence and indicate, for each offence, the minimum and the maximum amounts of the fine to which the offender is liable;

(36) exempt certain road vehicles, according to their class or sub-class, the year they were manufactured or the make and model attributed by the manufacturer, from the mandatory service brake system on the front-axle wheels;

(36.1) determine the additional braking systems with which road vehicles must be equipped when travelling on a public highway if their mass, load included, exceeds the mass determined by the Government, where such equipment is required by a sign or signal;

(37) prescribe standards for the maintenance of heavy vehicles and the frequency and procedure of mandatory inspections by owners;

(38) establish standards for the circle check of heavy vehicles prescribed in section 519.2 and exempt certain drivers, owners and operators in the cases it determines;

(38.1) define the characteristics of a motor coach for the purposes of Chapter II of Title VIII.1;

(39) determine the form, content and rules for the retention of the reports, daily logs, files or other documents referred to in Title VIII.1 and exempt certain owners, operators or persons who supply the services of a driver from retaining them in the cases it indicates;

(39.1) *(subparagraph repealed)*;

(40) determine the form, content, procedure for sending and rules for the retention of the circle-check report prescribed in section 519.3 or 519.4 and the motor-coach inspection report prescribed in section 519.15 and exempt certain drivers or persons designated by the operator in the cases it determines;

(40.1) determine the persons who must be informed of a defect found on a heavy vehicle and the form and content of the report referred to in section 519.5 and the manner of making the report;

(41) *(subparagraph repealed)*;

(42) determine, subject to the conditions it determines, the cases where a heavy vehicle is partially or totally exempt from the application of Title VIII.1;

(42.1) exempt certain heavy vehicles from the obligation of stopping at a level crossing;

(43) *(subparagraph repealed)*;

(44) prescribe the procedure according to which an operator or any other person it determines is informed by a driver whose driver's licence or class of licence authorizing him to drive a heavy vehicle has been modified, suspended or cancelled;

(45) *(subparagraph repealed)*;

(46) *(subparagraph repealed)*;

(47) determine in what cases and on what conditions the occupant of a road vehicle may drink alcoholic beverages therein;

(48) *(subparagraph repealed)*;

(49) prescribe the conditions and formalities for partial or complete recognition of periodical and compulsory mechanical inspection programs of another administrative authority in Canada or the United States for road vehicles as well as the cases in which such vehicles must undergo a mechanical inspection under this Code;

(50) determine the towing and daily impounding charges for a road vehicle seized by a peace officer on behalf of the Société;

(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

(52) fix, on the basis of the costs borne by the Société for the purposes of section 194, the amount by which the number of notices sent to the Société pursuant to article 365 of the Code of Penal Procedure (chapter C-25.1) is to be multiplied in order to determine the amount to be paid to the Société by the Government, every municipality and every Native entity pursuant to section 648.2.

The publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to a regulation made under subparagraph 52 of the first paragraph. The Minister of Transport shall consult with the bodies representing municipalities, more particularly, the Union des municipalités du Québec and the Fédération québécoise des municipalités locales et régionales (FQM) before submitting a draft of the regulation to the Government. The Minister may also seek any other consultation the Minister considers appropriate.

1986, c. 91, s. 621; 1987, c. 94, s. 93; 1988, c. 68, s. 18; 1990, c. 19, s. 11; 1990, c. 83, s. 230; 1993, c. 42, s. 30; 1995, c. 25, s. 9; 1996, c. 56, s. 137; 1996, c. 60, s. 78; 1998, c. 40, s. 144; 1999, c. 66, s. 26; 2002, c. 29, s. 69; 2004, c. 2, s. 71; 2003, c. 5, s. 13; 2005, c. 39, s. 48; 1999, c. 66, s. 26; 2008, c. 14, s. 86; 2010, c. 34, s. 88; 2018, c. 7, s. 164; I.N. 2019-12-01.

622. The Government may, by regulation, prescribe standards with respect to the transportation of dangerous substances on a public highway, a private road open to public vehicular traffic, land occupied by shopping centres and other roads where public traffic is allowed. The regulation may, in particular,

(1) establish classes of motor vehicles and combinations of road vehicles according to load or mechanical or material characteristics;

(2) establish classes and categories of dangerous substances;

(3) designate a substance as a dangerous substance;

(4) prescribe norms, conditions and procedures for the construction, use, custody and maintenance of any motor vehicle, combination of road vehicles and any container it may indicate where that vehicle or that container is used for the transportation of a dangerous substance;

(5) prescribe, according to classes of vehicles and classes and categories of dangerous substances, the norms and prohibitions respecting

(a) the operation of motor vehicles and combinations of road vehicles assigned to the transportation of a dangerous substance;

(b) the presence on a highway, a road or land referred to in this section of a motor vehicle or combination of road vehicles assigned to the transportation of a dangerous substance;

(c) the operations of loading, handling, unloading, placing into containers and packaging dangerous substances transported, or to be transported;

(d) the packaging of dangerous substances transported, or to be transported,

(6) prescribe, according to classes of road vehicles and classes and categories of dangerous substances transported to be transported,

(a) the indication of danger and other information which must be affixed on dangerous substances and on their packaging as well as on the containers, motor vehicles and combinations of road vehicles containing them;

(b) the documents that must accompany dangerous substances that are being transported and the minimum information that these documents must contain;

(6.1) set rules for the training of persons working in the dangerous substances transportation industry;

(7) determine, among the provisions of a regulation under this section, those that are applicable to a shipper who offers a dangerous substance for transport, to an owner or operator of a heavy vehicle, to a carrier or to a driver of a vehicle that transports dangerous substances;

(8) determine, among the provisions of a regulation under this section, those the violation of which constitutes an offence and prescribe for each offence the minimum and maximum amounts to which the following persons are liable :

(a) the person who offers dangerous substances for transport, the owner or the operator of the heavy vehicle or the carrier of dangerous substances, each amount to be from \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100, according to the seriousness of the offence;

(b) the driver of the vehicle that transports dangerous substances, each amount to be from \$90 to \$270, \$175 to \$525 or \$350 to \$1,050, according to the seriousness of the offence.

The regulation-making powers provided in the first paragraph may be exercised in respect of all or certain highways, roads and land referred to in this section.

1986, c. 91, s. 622; 1987, c. 94, s. 94; 1998, c. 40, s. 145; 2002, c. 29, s. 70; 2010, c. 34, s. 89.

623. *(Repealed).*

1986, c. 91, s. 623; 1992, c. 61, s. 165.

CHAPTER II

POWERS OF THE SOCIÉTÉ

1990, c. 19, s. 11.

624. The Société may by regulation

(1) determine the amount of the fee exigible for obtaining the registration of a road vehicle and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 31.1 and establish the terms and conditions of payment of such fees;

(1.0.1) determine the amount of the management fee exigible for the administration of the personalized registration plate system;

(1.1) fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 31.1, in cases of failure to pay within the period determined by a regulation made under paragraph 8.8 of section 618;

(1.2) determine the amount of the fee for the issue of personalized registration plates;

(2) *(subparagraph repealed)*;

(3) fix, according to the nature, class or category of a licence, the amount of the fee exigible for obtaining or renewing such a licence and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 93.1 and establish the terms and conditions of payment of such fees;

(3.1) fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 93.1, in cases of failure to pay during the period determined by a regulation made under paragraph 4.2 of section 619;

(4) determine the amount of the fee exigible for proficiency examinations;

(4.1) fix the amount of the fee exigible from the date it may determine for replacing a registration certificate, registration plate, validation sticker, temporary registration certificate or detachable registration plate;

(5) determine the amount of the fee exigible for the replacement of a registration certificate, a temporary registration certificate, a registration plate, a detachable registration plate, a sticker or a licence, in particular where it is illegible or damaged or has been destroyed, lost or stolen or where it contains inaccurate information;

(6) *(subparagraph repealed)*;

(7) determine the amount of the fee exigible for the issue of a special permit;

(7.1) determine the amount of the fee exigible for the replacement of a special permit and for the issue of a duplicate of such a permit;

(8) determine the amount of the fee exigible for the affixing of an identification number to a road vehicle;

(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;

(8.2) determine the amount of the fee exigible for the issue of a certificate of authorization to use a flashing green light;

(9) determine, according to the various road vehicles that are subject to mechanical inspection, the amount of the fee exigible for the mechanical inspection performed by it;

(9.1) determine the amount of the fee for the photometric inspections it carries out;

(10) determine the amount of the fee exigible for the issue of a certificate of mechanical inspection, photometric inspection certificate or inspection sticker;

(10.1) determine the amount of the fee exigible for the examination of an application to participate in a preventive maintenance program;

(10.2) determine the amount of the fee exigible for the preventive maintenance program sticker;

(10.3) determine the amount of the fee exigible for the communication of information to any person who applies therefor;

(11) provide, subject to the conditions it determines, cases of exemption from or reduction of certain exigible fees it determines;

(12) permit, subject to the conditions it establishes, that the identifying mark of the Société be engraved, lithographed or printed on the documents it determines, other than a document referred to in section 550, and

substituted for the signature of a person designated under section 17.1 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011);

(13) determine, according to the nature of the objects, the cases where an object confiscated or taken, in accordance with this Code, from its owner may be returned to him;

(13.1) fix the amount of the fee exigible from the person who, at the time of the seizure, was the owner of the road vehicle, for the management of the vehicle disposal record;

(14) *(subparagraph repealed)*;

(15) fix the amount of the fee exigible in respect of any mode of payment or any transaction rejected by a financial institution;

(15.1) fix the amount of the recovery fee and the interest rate in respect of the sums it is responsible for collecting under this Code or another Act and establish rules for calculating the fee and the interest;

(16) fix the amount of the fee exigible from persons authorized to conduct the inspection of road vehicles under section 520;

(16.1) fix the amount of the fee exigible from persons appointed to make the technical appraisal of road vehicles under section 546.1;

(16.2) determine the amount of the fee payable by persons authorized to carry out the photometric inspection of windows of road vehicles under section 520.2;

(17) fix the amount of the fee exigible for obtaining the approval of the Société for the purposes of section 214;

(18) fix the amount of the fee exigible for any exchange of data relating to the carrying out of this Code with any legal person established in the public interest or for a private interest;

(19) fix the photography fee payable by a person who does not hold a driver's licence upon authentication by the Société of that person's application for renewal of registration with the Régie de l'assurance maladie du Québec;

(20) *(subparagraph repealed)*;

(21) determine the fees for the review of a decision to suspend a licence or the right to obtain a licence for a period of 30, 60 or 90 days.

The fees prescribed under subparagraphs 3 and 5 of the first paragraph may vary according to the form in which the licence is issued or according to whether or not the licence bears the photograph of the holder.

1986, c. 91, s. 624; 1987, c. 94, s. 95, s. 96; 1990, c. 19, s. 11; 1990, c. 83, s. 231; 1993, c. 42, s. 31; 1992, c. 61, s. 166; 1995, c. 6, s. 13; 1996, c. 56, s. 138; 1999, c. 89, s. 53; 1999, c. 66, s. 27; 2001, c. 29, s. 17; 2002, c. 29, s. 71; 2004, c. 2, s. 72; 2004, c. 34, s. 27; 2007, c. 40, s. 78; 2008, c. 14, s. 87; 2010, c. 34, s. 90; 2015, c. 4, s. 41; 2018, c. 7, s. 165; 2018, c. 18, s. 31.

625. The regulations made under subparagraphs 9 to 10.2, 12, 13 and 16 to 16.2 of the first paragraph of section 624, and the regulations made under subparagraph 11 of the first paragraph of that section where they concern cases of exemption from or reduction of fees determined under those subparagraphs, are subject to government approval.

1986, c. 91, s. 625; 1990, c. 19, s. 11; 2013, c. 16, s. 62.

CHAPTER III

POWERS OF MUNICIPALITIES

626. A municipality may by by-law or, where the law so authorizes, by ordinance

(1) determine classes of non-motorized vehicles that are subject to registration and determine the amount of the registration fee exigible according to such classes;

(2) require every resident of its territory who owns a non-motorized vehicle subject to registration that he registers such vehicle;

(3) provide for the issue of a certificate evidencing the registration of a non-motorized vehicle and require the holder to carry the certificate when using the vehicle the municipality may, on the conditions it determines, appoint persons it authorizes to collect on its behalf the sums payable for the registration of non-motorized vehicles and to perform any other operation it indicates, and may determine the amount and mode of their remuneration;

(4) prescribe the minimum and maximum speed limits for road vehicles in its territory, which may be different for different locations except on public highways maintained by the Minister of Transport or on which the Minister of Transport has erected traffic signs in accordance with section 329;

(5) prohibit all vehicular traffic, with or without exception, on the roads it indicates and, where appropriate, for the period it fixes, provided that the prohibition is indicated by traffic signs or traffic officers;

(6) locate taxi stands and stops for buses and minibuses;

(7) establish safety zones for pedestrians, and require and regulate their use;

(8) establish rules regulating the direction of road vehicle traffic and the meeting and passing of road vehicles on public highways maintained by it provided that such rules are compatible with the provisions of this Code relating to those matters;

(9) establish rules regulating the movement of convoys on public highways maintained by it;

(10) regulate the speed of road vehicles in parks or cemeteries under its control or prohibit the use of road vehicles in the lanes of parks or cemeteries provided that the speed limit or prohibition is clearly indicated by means of signs conspicuously placed at the entrance to the park or cemetery and along the lanes;

(11) prohibit or restrict the movement of all or certain road vehicles in the vicinity of schools, facilities maintained by an institution operating a hospital centre or a residential and long-term care centre contemplated in the Act respecting health services and social services (chapter S-4.2) and hospital centres contemplated in the Act respecting health services and social services for Cree Native persons (chapter S-5);

(12) take the necessary measures to prevent or relieve traffic congestion;

(13) determine the annual amount it may require for the erection of commercial tourist information signs on a public highway maintained by it;

(14) permit, in compliance with the conditions and limits prescribed by section 73 of the Act respecting off-highway vehicles (chapter V-1.3), off-highway vehicles or certain types of off-highway vehicles to be operated on all or part of a public highway it maintains;

(15) regulate the laying out of reserved lanes for emergency vehicles in the vicinity of buildings subject to Chapter III of the Building Act (chapter B-1.1) and prohibit the parking in those lanes of any other vehicle, even without the consent of the owner of the building;

(16) permit bicycles to travel against the traffic, under the conditions it determines, on all or part of a one-way traffic lane of a public highway it maintains, provided such permission is clearly shown by signs or signals at the intersections of the traffic lane;

(17) authorize, on all or part of a road it maintains, the supervisor in front of a snowblower to travel in a road vehicle;

(18) determine the zones where free play is permitted and any applicable restrictions on traffic, safety rules and prohibitions respecting free play or any other condition; and

(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.

Regional county municipalities shall exercise the regulatory powers provided for in this section only in regional parks.

Any by-law or ordinance passed under subparagraph 14 of the first paragraph shall, within 15 days after it is passed, be sent to the Minister of Transport. The Minister of Transport may disallow all or part of the by-law or ordinance at any time. In such a case, the by-law or ordinance or the part of either that is disallowed ceases to have effect on the date a notice of disallowance is published in the *Gazette officielle du Québec* or on any later date specified in the notice. The Minister shall notify the municipality of his decision as soon as possible.

1986, c. 91, s. 626; 1990, c. 83, s. 232; 1992, c. 21, s. 125; 1992, c. 54, s. 62; 1995, c. 3, s. 1; 1994, c. 23, s. 23; 1995, c. 25, s. 10; 1996, c. 60, s. 79; 1998, c. 40, s. 146; 2005, c. 6, s. 196; 2006, c. 12, s. 26; 2007, c. 40, s. 79; 2010, c. 34, s. 91; 2017, c. 13, s. 79; 2018, c. 7, s. 166; 2020, c. 26, s. 134.

627. Notwithstanding any contrary or inconsistent provision of a general law or special Act, every by-law, resolution or, where the law so authorizes, every ordinance passed or issued by a municipality relating to the means or systems of vehicular transport under the jurisdiction of the Commission des transports du Québec, vehicle construction, heavy vehicle traffic, the traffic of vehicles carrying dangerous substances and the use of vehicles elsewhere than on public highways must, in order to have effect, be approved by the Minister of Transport.

This section does not apply to remunerated passenger transportation by automobile governed by the Act respecting remunerated passenger transportation by automobile (chapter T-11.2).

1986, c. 91, s. 627; 1987, c. 94, s. 97; 1990, c. 83, s. 233; 1996, c. 60, s. 80; 1998, c. 40, s. 147; 2006, c. 12, s. 27; 2007, c. 40, s. 80; 2019, c. 18, s. 245.

628. The Minister of Transport may approve the whole or only a part of a by-law, resolution or ordinance referred to in section 627. He may also withdraw all or part of any approval given under that section. In such a case, the by-law, resolution or ordinance or part thereof from which approval has been withdrawn ceases to have effect on the date fixed in a notice of the withdrawal of approval published in the *Gazette officielle du Québec*.

The Minister of Transport may remove any sign or signal relating to a by-law, resolution or ordinance which he has not approved or from which he has withdrawn approval, and replace those signs or signals by signs or signals he deems appropriate.

1986, c. 91, s. 628; 1990, c. 83, s. 234; 1999, c. 40, s. 55.

628.1. *(Repealed).*

2000, c. 64, s. 29; 2008, c. 14, s. 88; 2017, c. 13, s. 80.

TITLE XIV

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

629. The Minister of Transport or the Société may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in this Code.

An agreement under this section may exempt any person from the application of part of this Code.

The Société shall be responsible for the implementation of such an agreement.

1986, c. 91, s. 629; 1990, c. 19, s. 11; 1996, c. 56, s. 139.

630. An agreement under section 629 may also provide that a penalty under this Code becomes applicable in the case of an indictable offence or an offence for which a number of demerit points is prescribed by regulation on a conviction by a court of a jurisdiction that is a party to the agreement for a substantially equivalent offence.

The penalty prescribed in the case of failure to pay fine following conviction for an offence under this Code may also be rendered applicable by such an agreement with respect to conviction for a substantially equivalent offence.

The agreement must include descriptions of the offences and applicable penalties.

1986, c. 91, s. 630; 1990, c. 4, s. 220.

631. The Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629. The publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to a regulation under this section.

1986, c. 91, s. 631.

632. Any person convicted by a court of the jurisdiction that is a party to an agreement under section 629 may apply to a judge of the Court of Québec for a ruling on the applicability of the penalty prescribed for the offence for which he was convicted.

Sections 561 to 573, adapted as required, apply to an application under this section.

1986, c. 91, s. 632; 1988, c. 21, s. 66.

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.

1986, c. 91, s. 633; 1990, c. 19, s. 11; 1990, c. 83, s. 235; 1996, c. 56, s. 140; 2018, c. 7, s. 167.

633.1. After consultation with the Société, the Minister may, by order, restrict or prohibit, for up to 180 days, the use on public highways of any model or class of vehicle that endangers the safety of persons and property. The order must state that any interested party may submit comments to the designated person within 90 days after its publication in the *Gazette officielle du Québec*. At the expiry of 180 days, the Minister may, by order, make the restriction or prohibition permanent. A restriction or prohibition under this paragraph comes into force on the date the order is published.

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 and its regulations.

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) and its regulations.

Pilot projects are conducted for a period of up to three years, or five years when they relate to autonomous vehicles, 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 \$200 or more than \$3,000.

The publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under this section. An order under the second or third paragraph is published in the *Gazette officielle du Québec*.

2007, c. 40, s. 81; 2008, c. 14, s. 89; 2018, c. 7, s. 168.

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 specified by the Minister. The Minister may prescribe any rule, applicable when using the exemption, that ensures an equivalent level of safety in the Minister's opinion. The publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to such an order.

2007, c. 40, s. 81.

634. The Minister of Transport may classify public highways for the purposes of this Code.

1986, c. 91, s. 634.

634.1. The Police Force and each of its members have exclusive jurisdiction to enforce the rules of this Code on an autoroute, subject to the jurisdiction assigned

(1) by the Minister of Public Security to a municipal police force serving a municipality traversed by an autoroute;

(2) to members of a municipal police force providing services to a municipality traversed by an autoroute where the members use the autoroute to travel in the exercise of their functions;

(3) to highway controllers pursuant to section 519.67.

1996, c. 73, s. 16; 2002, c. 29, s. 72.

634.2. The only peace officers who may be authorized by the prosecutor to issue a statement of offence in relation to an offence under the rules of this Code committed on an autoroute are those referred to in section 634.1

1996, c. 73, s. 16; 2002, c. 29, s. 73.

634.3. Photo radar devices and red light camera systems 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 of the first paragraph, the Ministers may take into account such factors as the accident potential of the highway.

Any order made under subparagraph 3 of the first paragraph is published in the *Gazette officielle du Québec*.

2007, c. 40, s. 82; 2012, c. 15, s. 28; 2018, c. 7, s. 169.

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.

2018, c. 7, s. 170.

635. *(Repealed).*

1986, c. 91, s. 635; 1992, c. 61, s. 167.

636. Every peace officer recognizable as such at first sight may, in the performance of his duties under this Code, agreements entered into under section 519.65 and the Act respecting owners, operators and drivers of

heavy vehicles (chapter P-30.3), require the driver of a road vehicle to stop his vehicle. The driver must comply with this requirement without delay.

1986, c. 91, s. 636; 1987, c. 94, s. 98; 1990, c. 83, s. 236; 1998, c. 40, s. 148; 2005, c. 39, s. 52; 2008, c. 14, s. 90.

636.1. *(Repealed).*

1990, c. 83, s. 237; 1996, c. 56, s. 141; 1998, c. 40, s. 149; 2003, c. 8, s. 6; 2006, c. 3, s. 35; 2008, c. 14, s. 91.

636.2. A peace officer who, in the performance of his duties under this Code, the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3), the Automobile Insurance Act (chapter A-25) or the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) has reasonable grounds to believe that an offence has been committed under this Code, under the Act respecting owners, operators and drivers of heavy vehicles, under section 186 of the Automobile Insurance Act or under a provision of the Criminal Code referred to in section 180 of this Code may, without the owner's permission, take possession of the road vehicle, drive that vehicle and impound it at the expense of the owner or operator of a heavy vehicle, as the case may be.

1990, c. 83, s. 237; 1996, c. 56, s. 142; 1998, c. 40, s. 150; 2005, c. 39, s. 52.

636.3. The person to whom custody of an impounded road vehicle has been entrusted in accordance with sections 536 and 636.2 shall act with care and prudence.

The custodian is entitled to retain the road vehicle until all towing and impounding charges have been paid.

Where a road vehicle impounded by a highway controller has not been claimed 40 days after the date of impoundment, the Société shall dispose of it in accordance with the rules set out in sections 209.17 to 209.22.3, substituting 'impounding' for 'seizure', with the necessary modifications, in sections 209.17 and 209.22.

1999, c. 66, s. 28; 2010, c. 34, s. 92.

637. A peace officer is authorized to confiscate and remit to the Société any unauthorized plate or unauthorized validation sticker, any plate to which is affixed an unauthorized sticker or any unauthorized inspection sticker or unauthorized identification sticker.

For the purposes of the first paragraph,

(1) an unauthorized plate is a plate referred to in section 34 or issued for a road vehicle other than the vehicle to which it is attached;

(2) an unauthorized validation sticker is a sticker referred to in section 34 or issued for a vehicle other than the vehicle carrying the place to which it is affixed;

(3) *(subparagraph repealed);*

(4) an unauthorized inspection sticker is a sticker referred to in section 538.1;

(5) an unauthorized identification sticker is a sticker that may be confused with an identification sticker issued by the Société pursuant to section 11 or by any other competent administrative authority.

1986, c. 91, s. 637; 1990, c. 19, s. 11; 1990, c. 83, s. 238; 2002, c. 29, s. 74; 2008, c. 14, s. 92.

637.1. A peace officer is authorized to seize and destroy any permit or licence where the permit or licence or a class thereof is suspended or cancelled.

When confiscating a licence or a permit, the peace officer shall issue a receipt to the person in possession of the licence or permit and shall then remit the licence or permit to the Société.

1990, c. 83, s. 238; 1996, c. 56, s. 143; 2015, c. 4, s. 42.

637.2. The Société and a peace officer are authorized to confiscate a licence that has been falsified, or issued, reproduced or used in a fraudulent manner, or a lost or stolen licence.

2008, c. 14, s. 93.

638. Every peace officer who, in accordance with this Code, confiscates or takes an object from its owner shall immediately inform the Société of the name and address of the person who was in possession of the object.

1986, c. 91, s. 638; 1990, c. 19, s. 11.

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.

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.

2002, c. 29, s. 75; 2008, c. 14, s. 94; 2018, c. 7, s. 171.

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.

2018, c. 7, s. 172.

639. If the nature of the object confiscated or taken allows it, except in the case contemplated in the second paragraph of section 252, the Société may, subject to the conditions and in the cases prescribed by regulation, return the object to its owner if he files an application therefor within 90 days after the date the object was confiscated or taken. The object is returned at the owner's expense.

1986, c. 91, s. 639; 1988, c. 68, s. 19; 1990, c. 19, s. 11.

640. The Société shall dispose of every object confiscated or taken at the expiry of a period 90 days following the date it was confiscated or taken.

1986, c. 91, s. 640; 1987, c. 94, s. 99; 1990, c. 19, s. 11.

641. The public servants of the Sûreté du Québec designated by the Director General of the Sûreté du Québec to carry out the provisions of this Code are peace officers responsible for its application with respect to driving schools and the following road vehicles:

- (1) a motor vehicle used by a driving school for instruction purposes;
- (2) a bus, a minibus, a commercial vehicle, a taxi and a combination of road vehicles;

(3) a vehicle used for the transportation of permanently attached equipment and provided with a load space;

(4) a vehicle designed mainly to do specific work and permanently equipped for that purpose;

(5) a vehicle equipped to refuel, repair or tow road vehicles;

(6) a motor vehicle owned by a farmer and used for the transportation of agricultural products or materials necessary for their production.

1986, c. 91, s. 641.

642. The owner of a stolen road vehicle is required to give immediate notice of the theft of his vehicle and, as the case may be, of its recovery, to the Société.

A peace officer, on being informed of the theft of a road vehicle, must do what is necessary to inform the Société.

1986, c. 91, s. 642; 1990, c. 19, s. 11.

643. The owner of a road vehicle who contravenes the first paragraph of section 642 is guilty of an offence and is liable to a fine of \$100 to \$200.

1986, c. 91, s. 643; 1990, c. 4, s. 212.

643.1. *(Repealed).*

1990, c. 83, s. 239; 2008, c. 14, s. 95.

643.2. Every driver who contravenes section 636 is guilty of an offence and is liable to a fine of \$300 to \$600.

Every driver of a heavy vehicle who contravenes section 636 is guilty of an offence and is liable to a fine of \$700 to \$2,100.

1990, c. 83, s. 239; 1998, c. 40, s. 151; 2002, c. 29, s. 76; 2008, c. 14, s. 96.

644. Every person who makes, permits or tolerates the fraudulent use of a document issued by the Société is guilty of an offence and is liable to a fine of \$300 to \$600.

1986, c. 91, s. 644; 1990, c. 19, s. 11; 1990, c. 4, s. 212.

644.1. Every person who knowingly uses or discloses information transmitted by the Société pursuant to the second paragraph of section 610 is guilty of an offence and is liable to a fine of \$300 to \$1,000.

1990, c. 83, s. 240.

644.2. Every person who knowingly retains beyond the period prescribed in the third paragraph of section 610 information transmitted by the Société pursuant to the second paragraph of the said section is guilty of an offence and is liable to a fine of \$300 to \$1,000.

1990, c. 83, s. 240.

644.3. The holder of a licence issued by the Société must notify the Société of the theft or loss of the licence.

A peace officer who has been notified of the theft of a licence issued by the Société must notify the Société of the theft.

2008, c. 14, s. 97.

644.4. Every licence holder who contravenes the first paragraph of section 644.3 is guilty of an offence and is liable to a fine of \$100 to \$200.

2008, c. 14, s. 97.

645. *(Repealed).*

1986, c. 91, s. 645; 1990, c. 4, s. 212; 1996, c. 60, s. 81.

645.1. *(Repealed).*

1987, c. 94, s. 100; 1990, c. 4, s. 212; 1998, c. 40, s. 152.

645.2. *(Repealed).*

1988, c. 68, s. 20; 1990, c. 4, s. 221; 1996, c. 60, s. 81.

645.3. Every person who contravenes a regulation under paragraph 2.1 of section 621 is guilty of an offence and is liable to a fine of \$100 to \$200.

1990, c. 83, s. 241.

Not in force

645.4. Every person who contravenes a regulation under paragraph 20.4 of section 621 is guilty of an offence and is liable to a fine of \$100 to \$200.

1990, c. 83, s. 241.

646. Every driver of a heavy vehicle who contravenes a regulatory provision the violation of which constitutes an offence under subparagraph 8 of the first paragraph of section 622 is guilty of an offence and is liable to a fine of \$90 to \$270, \$175 to \$525 or \$350 to \$1,050 according to the seriousness of the offence as determined by regulation.

The person who offers dangerous substances for transport, the owner or operator of a heavy vehicle and the carrier of dangerous substances who contravenes a regulatory provision the violation of which constitutes an offence under subparagraph 8 of the first paragraph of section 622 is guilty of an offence and is liable to a fine of \$175 to \$525, \$350 to \$1,050 or \$700 to \$2,100 according to the seriousness of the offence as determined by regulation.

1986, c. 91, s. 646; 1987, c. 94, s. 101; 1990, c. 4, s. 212; 1999, c. 66, s. 29.

647. Any fine prescribed under a by-law or ordinance passed under subparagraphs 4, 5 and 8 of the first paragraph of section 626 must be equal to the fine prescribed by this Code for an offence of the same nature.

The fine must be \$175 to \$525 where the offence prescribed by a municipal by-law made under paragraph 5 of the said section involves a truck or tool vehicle.

1986, c. 91, s. 647; 1999, c. 66, s. 30; 2017, c. 13, s. 81.

648. The sums collected under this Code are paid into the Consolidated Revenue Fund, within the time and according to the terms and conditions fixed by the Minister of Finance, except

(1) the fines belonging to the prosecuting municipality or Native entity;

(1.1) the costs relating to proceedings brought before a municipal court that belong to the municipality in which the court has jurisdiction;

(1.2) *(paragraph repealed)*;

(1.3) *(paragraph repealed)*;

(1.4) *(paragraph repealed)*;

(2) the sums placed at the disposal of the Société in accordance with sections 151 to 151.3 of the Automobile Insurance Act (chapter A-25) and section 23 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011);

(3) the fees prescribed by regulation of the Société under this Code;

(3.1) the fees collected by the Société pursuant to a government regulation under subparagraphs 1 and 2 of the first paragraph of section 155 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(3.2) the part of the costs remitted to a prosecuting party under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant under article 223 of the said Code;

(4) the part of the fines allocated by the Government to the Société;

(5) the amounts collected by the Société under an agreement made with any government, any department of such government or any public body and the amounts received pursuant to section 24 of the Act respecting transport infrastructure partnerships (chapter P-9.001);

(6) the portion, fixed by agreement between the Société and the Minister of Finance, of the registration duties of vehicles carrying goods or persons received by the Société during its fiscal year that represents all or part of the costs borne by the Société in that fiscal year, minus the fees collected, in exercising its jurisdiction pursuant to Title VIII.2 of this Code and managing the activities related to registration, permits and licences provided for in this Code;

(7) for each fiscal year of the Government, one-half of the additional duties and acquisition duties collected monthly in respect of road vehicles of a class determined by regulation that are equipped with an engine with a displacement determined by regulation, until the sum paid into the Consolidated Revenue Fund reaches \$30,000,000, and the full amount of the duties for the remainder of the fiscal year;

(8) *(paragraph repealed)*;

(9) *(paragraph repealed)*;

(10) *(paragraph repealed)*.

1986, c. 91, s. 648; 1987, c. 94, s. 102; 1990, c. 19, s. 10; 1990, c. 19, s. 11; 1990, c. 83, s. 242; 1992, c. 61, s. 168; 1999, c. 66, s. 31; 2003, c. 5, s. 14; 2004, c. 35, s. 45; 2000, c. 49, s. 27; 2008, c. 14, s. 98; 2007, c. 40, s. 83; 2008, c. 14, s. 98; 2009, c. 48, s. 24; 2010, c. 20, s. 42; 2010, c. 34, s. 93; 2010, c. 33, s. 26; 2011, c. 18, s. 114; 2015, c. 4, s. 43; 2016, c. 7, s. 87.

648.1. *(Repealed)*.

1991, c. 32, s. 168; 2010, c. 20, s. 43; 2010, c. 33, s. 27; 2011, c. 18, s. 115.

648.2. For the purposes of section 194, the Government, every municipality and every Native entity having entered into an agreement under the second paragraph of section 597 must deduct from the amount corresponding to the total of the fines and fees they have respectively collected and for which a notice

provided for in article 365 of the Code of Penal Procedure (chapter C-25.1) was sent to the Société, an amount corresponding to the product obtained by multiplying the amount fixed by regulation of the Government by the number of notices they have sent to the Société, pursuant to article 365 of the Code of Penal Procedure. The terms and conditions for the payment of these sums shall be set by the Société.

Where the total of the sums paid to the Société by the Government, municipalities and Native entities under the first paragraph over the course of one year is lower than the costs borne by the Société for the purposes of section 194 over the course of the same year, the difference is carried forward to the following year for payment. Where the total of these sums is higher than these costs, the difference is deducted from the costs borne the following year.

2003, c. 5, s. 15; 2009, c. 26, s. 24; 2010, c. 34, s. 94.

648.3. *(Repealed).*

2004, c. 35, s. 46; 2016, c. 7, s. 88.

648.4. Despite section 648, the Minister of Transport and the Société de l'assurance automobile du Québec shall agree on the dates and terms of payment into the Consolidated Revenue Fund of the duties fixed by regulation and revalorized, if applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25), and the additional duties the Société collects under

(1) subparagraphs 3, 5 and 6 of the first paragraph of section 21, except the registration duties collected for snowmobiles, all-terrain vehicles and other off-highway vehicles governed by the registration regulations, except the portion of the registration duties for vehicles carrying goods or persons referred to in subparagraph 6 of the first paragraph of section 648;

(2) the first and fourth paragraphs of section 31.1, except the duties collected for the right to operate a snowmobile, an all-terrain vehicle and any other off-highway vehicle governed by the registration regulations, except the portion of the registration duties for vehicles carrying goods or persons referred to in subparagraph 6 of the first paragraph of section 648;

(3) the first paragraph of section 69;

(4) section 93.1; and

(5) *(this subparagraph ceased to have effect on 11 February 2019).*

Despite subparagraphs 1 and 2 of the first paragraph, the portion of the duties that is not paid into the Consolidated Revenue Fund under paragraph 7 of section 648 is paid to the Société de financement des infrastructures locales du Québec.

The sums paid into the Consolidated Revenue Fund under this section are credited to the Land Transportation Network Fund established by paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).

2010, c. 20, s. 44; 2010, c. 33, s. 27; 2011, c. 18, s. 116; 2013, c. 16, s. 151; 2016, c. 7, s. 89; 2010, c. 20, s. 82; 2020, c. 26, s. 135.

649. Every municipality is required to transmit, to the Société, within 90 days of the end of each year, a detailed report recording for the past year the accidents, within the meaning of section 167, that have occurred in its territory and the offences that entailed the collection of sums of money under paragraph 1 of section 648.

1986, c. 91, s. 649; 1990, c. 19, s. 11.

650. The Minister of Transport is responsible for the carrying out of this Code, except the provisions respecting traffic supervision coming under the jurisdiction of the Minister of Public Security and the provisions respecting proceedings for offences coming under the jurisdiction of the Attorney General.

1986, c. 91, s. 650; 1988, c. 46, s. 24.

651. The licences, permits, certificates and registration plates issued under the Highway Safety Code (chapter C-24.1) and the dealer's licences issued under the Highway Code (chapter C-24) are deemed to have been issued under this Code.

1986, c. 91, s. 651; 1987, c. 94, s. 103.

652. The proficiency certificates issued under the Highway Safety Code (chapter C-24.1) become driver's licences of the class appropriate for the driving of a moped.

1986, c. 91, s. 652.

653. For the purposes of section 204, every person convicted of an offence under any of sections 142 to 142.3 of the Highway Safety Code (chapter C-24.1) is deemed to have been convicted of an offence contemplated in section 147 for a contravention of the first paragraph of section 127 or an offence under any of sections 148 to 150 of this Act.

1986, c. 91, s. 653.

654. Demerit points attributable to an offence committed before 1 December 1987 are counted as demerit points for the purposes of the cancellation of a licence or for a suspension of the right to obtain a licence under this Code.

1986, c. 91, s. 654.

655. In any Act or statutory instrument, any reference to the Highway Code (chapter C-24) or to the Highway Safety Code (chapter C-24.1) is a reference to the corresponding provision of this Code.

1986, c. 91, s. 655.

656. Every agreement entered into with any government, any department of such a government or any agency under the Highway Code (chapter C-24) or under the Highway Safety Code (chapter C-24.1) remains in force to such extent as it is compatible with this Code.

1986, c. 91, s. 656.

657. The certificates of exemption for medical reasons issued under section 454 of the Highway Safety Code (chapter C-24.1) are valid for a period of two years from 18 December 1986 or, as the case may be, for the shorter period indicated on the certificate.

1986, c. 91, s. 657.

658. The provisions of Division III of Chapter II of Title VIII relating to the obligation to wear the seat belt or other safety device will apply only from the date fixed by the Government in respect of the back seat passengers of a vehicle.

1986, c. 91, s. 658.



The provisions of Division III of Chapter II of Title VIII of this Code relating to the obligation to wear the seat belt or other safety device will apply from 1 January 1990 in respect of the back seat passengers of a vehicle. Order in Council 1878-89 dated 6 December 1989, (1989) 121 G.O. 2, 4695.

659. The judge of the Provincial Court who held the office of president of the Transport Tribunal on 1 June 1982 shall retain, for himself or his widow, his rights to the pension of a chief judge.

1986, c. 91, s. 659.

660. The power to recognize new driving schools granted to specific bodies approved under section 62 is suspended. The suspension ends on 16 January 2012.

Despite the first paragraph, an organization approved under section 62 may recognize a driving school if it considers that there is an insufficient number of driving schools in the territory for which the recognition is requested.

1986, c. 91, s. 660; 1988, c. 68, s. 21; 1990, c. 83, s. 243; 2008, c. 14, s. 99; 2009, c. 55, s. 3; 2010, c. 34, s. 95.

661. *(Amendment integrated into c. A-25, s. 1).*

1986, c. 91, s. 661.

662. *(Amendment integrated into c. A-25, s. 151).*

1986, c. 91, s. 662.

663. *(Amendment integrated into c. A-25, s. 195).*

1986, c. 91, s. 663.

664. *(Amendment integrated into c. A-25, s. 197).*

1986, c. 91, s. 664.

665. *(Amendment integrated into c. P-40.1, s. 156).*

1986, c. 91, s. 665.

666. *(Amendment integrated into c. P-40.1, s. 158).*

1986, c. 91, s. 666.

667. *(Amendment integrated into c. P-40.1, s. 322).*

1986, c. 91, s. 667.

668. *(Amendment integrated into c. R-4, s. 2).*

1986, c. 91, s. 668.

669. *(Amendment integrated into c. R-4, s. 15.1).*

1986, c. 91, s. 669.

670. *(Omitted).*

1986, c. 91, s. 670.

671. *(Omitted).*

1986, c. 91, s. 671.

672. Every regulation under the Highway Code (chapter C-24) or the Highway Safety Code (chapter C-24.1) remains in force until it is replaced or repealed by a regulation under this Code.

1986, c. 91, s. 672.

673. *(Omitted).*

1986, c. 91, s. 673.

674. The provisions of the Highway Code (chapter C-24) and of the Highway Safety Code (chapter C-24.1) are replaced by the corresponding provisions of this Code to the extent indicated in the orders made under section 676 of chapter 91 of the statutes of 1986.

All other provisions of the Highway Code (chapter C-24) and of the Highway Safety Code (chapter C-24.1) are repealed from the date fixed by the Government.

1986, c. 91, s. 674.

675. Paragraphs 8 to 12 of section 618, paragraphs 10 to 16, 18 to 20 and 22 of section 619, paragraphs 1 and 2 of section 624, and sections 662 and 663 have effect from 3 September 1985.

1986, c. 91, s. 675.

676. *(Omitted).*

1986, c. 91, s. 676.

REPEAL SCHEDULES

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 91 of the statutes of 1986, in force on 1 March 1987, is repealed, except sections 670, 671 and 676, effective from the coming into force of chapter C-24.2 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), sections 1 to 10, 12 to 75, 81 to 83, 85 to 104, 107 to 116, 127 to 142, 146 to 150, 167 to 179, 187, 188, paragraphs 1 and 3 of section 189, sections 190, 191, 195 to 206, 210 to 331, 333 to 387, 390 to 412, 415 to 495, 497 to 520, paragraphs 4 and 7 to 11 of section 521, sections 522 to 617, 620 to 623, 625 to 638, 640 to 649, 651 to 653, 655, 657 to 659, 661, 664, 665, 668 and 669 of chapter 91 of the statutes of 1986, in force on 1 September 1987, are repealed effective from the coming into force of the updating to 1 September 1987 of chapter C-24.2 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), sections 11, 76 to 80, 105, 106, 117 to 126, 143 to 145, 151 to 166, 180, the first paragraph of section 181, sections 182 to 186, 192, 193, 207 to 209, 388, paragraphs 1, 2, 3 and 6 of section 521, sections 639, 654, 656, 666 and 667 of chapter 91 of the statutes of 1986, in force on 1 March 1988, are repealed effective from the coming into force of the updating to 1 March 1988 of chapter C-24.2 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), section 84, the second paragraph of section 181, paragraph 2 of section 189, sections 194, 413 and 414 of chapter 91 of the statutes of 1986, in force on 1 March 1989, are repealed effective from the coming into force of the updating to 1 March 1989 of chapter C-24.2 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), paragraph 5 of section 521 of chapter 91 of the statutes of 1986, in force on 1 September 1990, is repealed effective from the coming into force of the updating to 1 September 1990 of chapter C-24.2 of The Revised Statutes.

