

CONSIDERING the first paragraph of section 303 of the Act respecting remunerated passenger transportation by automobile, which provides that any first regulation comes into force on 10 October 2020 despite section 17 of the Regulations Act;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation respecting the transmission of information and the multiplication factor of the fare, attached to this Order, is hereby made.

Québec, 29 September 2020

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting the transmission of information and the multiplication factor of the fare

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2, ss. 82, 89 and 94)

DIVISION I TRANSMISSION OF INFORMATION BY OPERATORS AND DISPATCHERS

1. For the purposes of sections 82 and 89 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) and subject to section 2, transportation system operators and registered dispatchers must send to the Commission des transports du Québec and to the Minister of Transport, on 1 March of each year, a report on the information concerning the starting points and destinations of trips. The report must, for the preceding year, include

(1) the monthly number of trips provided by the drivers registered with the operators or by those to whom the dispatchers provide services; and

(2) the municipalities that are the starting points and destinations of the trips provided during the year concerned.

For the purposes of the first paragraph, operators and dispatchers must use the appropriate report model available on the website of the Commission des transports du Québec and enter the number of their identifier with the Commission.

2. Transportation system operators or registered dispatchers who are required to send to the Commission des transports du Québec either of the monthly reports referred to in sections 35 and 51 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) are deemed to have sent the report provided for in section 1 to the Commission and to the Minister of Transport.

DIVISION II MULTIPLICATION FACTOR OF THE FARE

3. For the purposes of the second paragraph of section 94 of the Act respecting remunerated passenger transportation by automobile, the multiplier determined by the Minister is 1.5.

DIVISION III TRANSITIONAL AND FINAL

4. Transportation system operators and registered dispatchers are required to send the report provided for in section 1 as of 1 March 2022, for trips provided since 10 October 2021.

5. This Regulation comes into force on 10 October 2020.

104655

M.O., 2020

Order number 2020-19 of the Minister of Transport dated 6 October 2020

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2)

Regulation respecting the training of qualified drivers

THE MINISTER OF TRANSPORT,

CONSIDERING paragraphs 2 and 4 of section 10 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), which provide that the Minister of Transport may establish by regulation subjects, other than safety and transportation of persons with disabilities, and the training conditions, as well as the conditions and content of the examination on the subject matters to be covered by the training;

CONSIDERING the second paragraph of section 153 of the Act, which provides that the conditions and content of the advanced training on the transportation of persons with disabilities and of the examination are established by regulation of the Minister of Transport;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 15 July 2020, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile, of a draft Regulation respecting the training of qualified drivers with a notice that it could be made by the Minister of Transport on the expiry of 20 days following that publication;

CONSIDERING the first paragraph of section 303 of the Act respecting remunerated passenger transportation by automobile, which provides that any first regulation comes into force on 10 October 2020 despite section 17 of the Regulations Act;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting the training of qualified drivers, attached to this Order, is hereby made.

Québec, 6 October 2020

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting the training of qualified drivers

An Act respecting remunerated passenger transportation by automobile (chapter T-11.2, ss. 10, 13, 153 and 303)

DIVISION I DEFINITIONS

1. In this Regulation, unless the context indicates otherwise,

(1) “adapted automobile” means an automobile intended for the transportation of persons with disabilities that meets the conditions of section 4 of the Act;

(2) “qualified driver” means a driver referred to in section 8 of the Act;

(3) “Act” means the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);

(4) “Minister” means the Minister of Transport.

DIVISION II TRAINING OF QUALIFIED DRIVERS

§1. Basic training

2. To be a qualified driver, a person must, in accordance with paragraphs 2 and 4 of section 10 of the Act, have completed training of not less than 15 hours and have passed an examination on the subject matters covered by that training.

For the purposes of this Regulation, that training is called “basic training”.

3. The subjects covered by the basic training are

(1) the legal framework applicable to remunerated passenger transportation by automobile, in particular the obligations of qualified drivers, the provisions related to geolocation and those governing the determination of the fare for a trip and other costs that may be required from the customers;

(2) safety;

(3) transportation of persons with disabilities; and

(4) customer service, including notions of ethics, courtesy and comfort.

4. The pass mark of the examination provided for in section 2 is 75%.

A person who fails the examination may take it again 30 days after receiving the result. In the case of a second failure, the person must again complete the basic training to be admissible to again undergo the examination.

§2. Advanced training on the transportation of persons with disabilities

5. The advanced training on the transportation of persons with disabilities that a qualified driver must have completed, under section 153 of the Act, to offer remunerated passenger transportation by adapted automobile is not less than 18 hours.

That training is complementary to the basic training.

6. Advanced training on the transportation of persons with disabilities covers the following subjects:

(1) the types of customers covered and the types of deficiencies and disabilities;

(2) the legal framework applicable to the transportation of persons with disabilities and their rights;

(3) the characteristics and particularities of an adapted automobile and the operation of its equipment;

(4) the procedures applicable in case of emergency.

7. The pass mark of the examination on that training that the qualified driver must pass under section 153 of the Act is 75%.

The second paragraph of section 4 applies in case of failure of the examination on the advanced training on the transportation of persons with disabilities, with the necessary modifications.

DIVISION III TRAINER AND CERTIFICATE

8. The training provided for in Division II, including examinations, is prepared and provided by a vocational training centre within the meaning of section 97 of the Education Act (chapter I-13.3) that has entered into an agreement for that purpose with the Minister.

The training and examinations must be accessible on the Internet, except any practical component that may be included in the advanced training on the transportation of persons with disabilities provided for in section 5 and that requires the physical presence of the persons.

9. A person who wishes to complete any of the training and examinations provided for in Division II must provide to the vocational training centre the supporting documents required for identification.

10. The vocational training centre must issue to every person who has completed any of the training and examinations provided for in Division II a document certifying the completion and indicating the date of issue.

11. For the purposes of paragraph 1 of section 13 of the Act, the documents certifying that a person has completed the basic training and passed the examination mentioned in section 2 are valid for a period of 3 years as of the date of issue.

Despite the first paragraph, for the purposes of paragraphs 2 and 4 of section 10 and paragraph 1 of section 13 of the Act, the documents certifying that a qualified driver has completed the basic training and passed the examination referred to in those provisions remain valid for as long as the person remains a qualified driver.

In addition, the certificate obtained by a person whose authorization as a driver has been revoked, at the driver's request, under subparagraph 5 of the first paragraph of section 122 of the Act, remains valid for a period of 3 years as of the date of revocation. The same applies to a person whose registration as a driver with a transportation system operator has been struck off at the person's request.

DIVISION IV TRANSITIONAL AND FINAL

12. Every person who has held a taxi driver's permit after 9 October 2017 is deemed to hold the document provided for in section 10 certifying that the person has completed the basic training and passed the examination. The same applies to

(1) every partner-driver registered on 9 October 2020 with the holder of a taxi transportation service intermediary's permit who was authorized to offer remunerated passenger transportation by automobile as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3);

(2) the person who, on 9 October 2020, held a certificate of competence issued under the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation on the island of Montréal (chapter S-6.01, r. 2.01).

The second and third paragraphs of section 11 apply to every person referred to in the first paragraph, with the necessary modifications. Despite the foregoing, the document that establishes that a person has been the holder of a taxi driver's permit or a certificate of competence or was a partner-driver takes the place of the documents to be filed with an authorization application made to the Société d'assurance automobile du Québec under paragraph 1 of section 13 of the Act.

The first paragraph does not apply to the first application for authorization or registration if it is made after 9 October 2023.

13. Until 10 April 2021 and despite section 153 of the Act, a person who, on 9 October 2020, holds a taxi driver's permit may drive an adapted automobile without having completed the advanced training on the transportation of persons with disabilities provided for in section 5 of this Regulation and having passed the examination on that training. Sections 154 and 155 of the Act do not apply to those drivers up to that date.

In addition, despite section 5, the advanced training on the transportation of persons with disabilities that the person referred to in the first paragraph must complete to offer remunerated passenger transportation by adapted automobile is for a period of 7 hours to the extent that that person complies with either of the following conditions as of 9 October 2020:

(1) the person has undergone, in the last 5 years and in addition to the training on the transportation of persons with disabilities provided for in section 25.2 of the Taxi Transportation Regulation (chapter S-6.01, r. 3), as it read on 9 October 2020, further training, provided by or on behalf of a public body, and having the characteristics and particularities of a vehicle accessible to persons with disabilities referred to in subparagraph 3 of the second paragraph of section 22 of that Regulation;

(2) the person holds a taxi owner's permit attached to a vehicle mentioned in subparagraph 1 and certifies being one of the drivers.

The first paragraph of section 7 applies to an examination on the training provided for in the second paragraph of this section. A person who fails the examination may not benefit again from the relief provided for in that paragraph.

14. This Regulation comes into force on 10 October 2020.

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