

7.2 No permit is prescribed, in respect of a carrier whose principal place of business is situated in the Newfoundland part of Labrador, to transport sand, earth, stone, bituminous concrete including planed asphalt and recyclable and non-recyclable asphalt, snow and ice:

- (1) within the limits of region 9; or
- (2) between the Newfoundland part of Labrador and region 9.

7.3 No permit is prescribed, in respect of a carrier whose principal place of business is situated on the northern peninsula of Newfoundland, to the municipality of Wiltondale inclusive, to transport sand, earth, stone, bituminous concrete including planed asphalt and recyclable and non-recyclable asphalt, snow and ice in the municipalities of Blanc-Sablon and Bonne-Espérance.

7.4 To benefit from an exception provided for in sections 7.1, 7.2 or 7.3, all the following conditions must be met:

- (1) the road vehicle used and, in the case of a combination of road vehicles, the tractor and semi-trailer must have been registered in the name of the carrier, before 1 December 1997, in the province where it has its principal place of business;
- (2) the carrier has no place of business in Québec; and
- (3) the carrier registered with the Commission by identifying the vehicles it uses in Québec and paid the registration fees of \$71.

The carrier registered with the Commission in accordance with subparagraph 3 of the first paragraph is subject to the same rights and obligations as the holder of a bulk trucking permit in respect of the rates and tariffs for bulk trucking.”

2. The Regulation is amended by substituting the following for section 12:

“**12.** A holder of a bulk trucking permit is authorized to provide the following bulk trucking services, whatever the point of origin or the final destination of the good transported and whether or not the route is situated, in whole or in part, in the region to which the permit refers:

- (1) the transport of wood for veneer and timber sawn across the grain or along the grain;
- (2) the transport of a bulk material referred to in Group 3; and

(3) the transport of a bulk material referred to in Groups 1 or 7 to a plant in order to be processed.”

3. Section 35 is amended by adding the following paragraph:

“The rate and tariff standards for bulk trucking do not apply to the following bulk trucking services:

- (1) the transport of a bulk material referred to in Group 3; and
- (2) the transport of a bulk material referred to in Groups 1 or 7 to a plant in order to be processed.”

4. Section 48 is amended by inserting the following paragraph after the second paragraph:

“For the purposes of the first paragraph, a carrier registered with the Commission in accordance with subparagraph 3 of the first paragraph of section 7.4 may become a member of the brokerage service of the place where it is authorized to carry out bulk trucking without having a place of business there.”

5. This Regulation comes into force on 1 January 1998.

1945

Gouvernement du Québec

O.C. 1722-97, 17 December 1997

Highway Safety Code
(R.S.Q., c. C-24.2)

Reciprocal commercial vehicle registration agreements

— Certain American States — Amendment

Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements

WHEREAS under section 6 of the Highway Safety Code (R.S.Q., c. C-24.2), every road vehicle must be registered except a vehicle exempt from registration under the Code;

WHEREAS the existence of similar legislation in other states has the effect of multiplying the registration duties and costs related to the use of vehicles for international transport;

WHEREAS it is expedient to allow for greater flexibility in the operation of fleets of vehicles by not requiring that carriers obtain registration from each jurisdiction in which they travel;

WHEREAS reciprocal agreements in this respect favour the free travel of persons and the free flow of merchandise between Québec and certain American States;

WHEREAS under section 629 of the Highway Safety Code (R.S.Q., c. C-24.2) amended by section 139 of Chapter 56 of the Statutes of 1996, the Société de l'assurance automobile du Québec may, according to law, enter into an agreement with any government, department or body respecting any matter referred to in the Code;

WHEREAS under section 24 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-21.1), no public agency may, without the prior written authorization of the Minister of International Relations, conclude any agreement with a foreign government or any of its departments;

WHEREAS the Minister of International Relations authorized the Société de l'assurance automobile to sign an agreement with the Government of the State of Montana;

WHEREAS under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of that Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a regulation;

WHEREAS the Gouvernement du Québec made the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and certain American States in order to give effect to agreements in that respect;

WHEREAS it is expedient to amend the Regulation to give effect to the agreement concluded between the Société de l'assurance automobile du Québec and the Government of the State of Montana, replacing the agreement concluded before between the Gouvernement du Québec and the government of that state;

WHEREAS under section 18 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may come into force at the expiry of a shorter period than the one provided for in section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying such a coming into force shall be published with the Regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such a coming into force for the Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and certain American States, attached to this Order in Council:

- since the agreement concluded before shall come to an end on 31 December 1997, following the serving of a notice of termination, it is expedient for the new agreement to come into force on 1 January 1998 to avoid a legal vacuum;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Reciprocal Commercial Vehicle Registration Agreement between the Société de l'assurance automobile du Québec and the Government of the State of Montana take effect;

THAT the Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and certain American States, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and certain American States⁽¹⁾

Highway Safety Code
(R.S.Q., c. C-24.2, s. 631)

1. The Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement

¹ The Regulation respecting reciprocal commercial vehicle registration agreements between the Gouvernement du Québec and certain American States (Order in Council 2232-84 dated 3 October 1984) was last amended by Order in Council 513-97 dated 16 April 1997 (1997, G.O. 2, 1791). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

du Québec and certain American States, made by Order in Council 2232-84 dated 3 October 1984, is amended by substituting Schedule 30 attached to this Regulation for Schedule 30.

I. This Regulation comes into force on 1 January 1998.

SCHEDULE 30

AGREEMENT

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE STATE OF MONTANA

RESPECTING COMMERCIAL VEHICLE REGISTRATION

THE GOUVERNEMENT DU QUÉBEC,

hereinafter referred to as Québec,

AND

THE GOVERNMENT OF THE STATE OF MONTANA,

hereinafter referred to as Montana,

The two governments being also hereinafter referred to as the party jurisdictions,

WISHING to allow properly registered commercial vehicles of each party jurisdiction to operate in the other party jurisdiction so long as such commercial vehicles have met all requirements imposed by law;

SEEKING to provide a system of commercial vehicle registration through such means as is consistent with each party jurisdiction's laws and needs;

RECOGNIZING the need to maximize uniformity for registrants and the party jurisdictions by employing the terms of the International Registration Plan to the extent possible under a bilateral agreement;

AGREE TO THE FOLLOWING:

ARTICLE 1 DEFINITIONS

For the purposes of this agreement:

“administrator” means the party jurisdiction official in charge of registration of commercial vehicles.

“apportionable fee” means any periodic recurring fee required for licensing or registering commercial vehicles, such as, but not limited to registration fees, license or weight fees.

“base jurisdiction” means the party jurisdiction where the registrant has an established place of business, where mileage is accrued by the fleet and where operational records of such fleet are maintained or are available.

“commercial vehicle” means a bus, truck, truck-tractor, road tractor, trailer, semitrailer or a combination thereof having a gross vehicle weight of 26 000 lbs (11 794 kg) or more used for the transportation of persons or property for-hire, compensation, profit or in furtherance of a commercial enterprise.

“fleet” means one or more commercial vehicles.

“in-jurisdiction miles” means the total number of miles operated by a fleet of proportionally registered commercial vehicles in a party jurisdiction during the preceding year.

“inter-jurisdictional transportation” means transportation originating in two or more jurisdictions or transportation originating in one jurisdiction and passing through one or more jurisdictions for delivery in another jurisdiction.

“intra-jurisdictional transportation” means transportation originating at any point or place within a jurisdiction and destined to any other point or place within the same jurisdiction, regardless of the itinerary or highway followed.

“jurisdiction” means a state, territory or possession of the United States, the District of Columbia, or a state or province of a country.

“operational records” means documents supporting miles travelled in each jurisdiction and total miles travelled, such as, but not limited to fuel reports, trip sheets and logs.

“preceding year” means the period of twelve consecutive months immediately prior to July 1 of the year immediately preceding the commencement of the regis-

tration or license year for which proportional registration is sought.

“registrant” means a person, firm or corporation in whose name or names a commercial vehicle is properly registered.

“semitrailer” means a non-motorized commercial vehicle with a loading space and that is maintained in a horizontal position by the commercial vehicle towing it.

“total miles” means the total number of miles operated by a fleet of proportionally registered commercial vehicles in all jurisdictions during the preceding year.

“trailer” means a non-motorized commercial vehicle with a loading space and that can maintain itself in a horizontal position.

ARTICLE 2 PURPOSE AND SCOPE

2.1 A commercial vehicle properly registered and displaying a license plate issued by Montana is exempt from vehicle registration and license plate requirements in Québec for inter-jurisdictional transportation operations in Québec. Although Québec may at any time initiate in writing to the State of Montana that certain commercial vehicles must proportionally register with Québec.

2.2 A commercial vehicle properly registered and displaying a license plate issued by Montana is subject to vehicle registration and license plate requirements in Québec for intra-jurisdictional transportation operations within Montana.

2.3 A commercial vehicle properly registered and displaying a license plate issued by Québec is subject to vehicle proportional and license plate requirements as provided in this agreement for inter-jurisdictional and intra-jurisdictional transportation operations in Montana.

2.4 A commercial vehicle that is not fully or proportionally registered is subject to trip permit requirements.

ARTICLE 3 APPLICATION FOR PROPORTIONAL REGISTRATION

3.1 An applicant for proportional registration shall file an application with the administrator in lieu of registration under other applicable statutes.

Québec commercial vehicle operators must file an application with the Montana Department of Transpor-

ation, Motor Carrier Services Division, P.O. Box 4639, Helena, MT 59604-4639.

Montana commercial vehicles must be properly registered and display a license plate issued by Montana.

3.2 An application for proportional registration shall be filed on a date as determined by the administrator.

This application shall, at the time and in the manner required by the administrator, be supported by the payment of the registration fees in the amount determined in Article 4 of this agreement.

3.3 The application shall contain the number of power units, with such commercial vehicle description and uniform mileage schedule as may be required by the administrator.

3.4 After receiving its proportionate fees, the administrator shall supply any necessary identification plates and prepare registration cards, listing on the front of the registration cards the weight for which registered and other necessary information.

In the case of buses and other commercial vehicles that are not charged according to a GVW weight, “Qual” or “Unldn” will be sufficient.

3.5 Identification plates and registration cards are subject to cancellation and revocation in the event of erroneous issuance or if any fees remain unpaid.

3.6 Fees must be paid within thirty (30) days following the date of the billing notice or a ten (10) percent penalty may be assessed to the total bill.

If payment is not received within thirty (30) days following the date of the second billing notice, the entire account will be cancelled.

3.7 Operational records must be maintained by the registrant and shall be available upon request by the administrator.

ARTICLE 4 FEES FOR PROPORTIONAL REGISTRATION

4.1 The registration fee for proportional registration shall be determined as follows:

A. Divide the in-jurisdiction miles by total miles generated during the preceding year.

B. Determine the total fees required under the laws of each jurisdiction for full registration of each commer-

cial vehicle at the regular annual or applicable fees, or for the unexpired portion of the registration year.

C. Multiply the sum obtained under paragraph B. of this Section by the quotient obtained under paragraph A. of this Section.

4.2 This agreement does not waive any right to fees or taxes charged or levied in connection with the ownership or operation of commercial vehicles other than apportionable fees as defined herein. All other fees and taxes shall be paid to each jurisdiction in accordance with the laws thereof.

ARTICLE 5 REGISTRATION OF COMMERCIAL VEHICLES

5.1 The administrator shall register commercial vehicles upon application and payment of the registration fees as provided in Articles 3 and 4. Payment of additional fees for each commercial vehicle so registered may be required by the administrator in an amount provided by statute or regulation for issuance of a plate.

A registration card shall be issued for each commercial vehicle registered by the administrator and the card shall appropriately identify the commercial vehicle for which it is issued, the weight and classification of fee for which registered according to the application and payment furnished by the applicant. Such registration card shall be carried at all times in or upon the commercial vehicle for which it has been issued.

5.2 Commercial vehicles registered as provided in Section 5.1 of this Article shall be deemed fully registered for inter-jurisdictional and intra-jurisdictional transportation operations provided the registrant has proper authority from the appropriate regulatory agency or is exempt from regulation by the regulatory agency.

5.3 There shall be no minimum vehicle fees for any commercial vehicle, except for statutory fees or fees for issuance of identification or filing of applications.

ARTICLE 6 REGISTRATION OF ADDITIONAL FLEET COMMERCIAL VEHICLES

6.1 Commercial vehicles acquired by the registrant after the commencement of the registration year and added to the proportionally registered fleet shall be registered by applying the mileage percentage used in the original application for such fleet for such registration period to the regular registration fees due with respect to such commercial vehicles for the remainder of the registration year.

6.2 Applications for additional fleet commercial vehicles shall be filed and processed in the same manner as the original application.

ARTICLE 7 REGISTRATION OF LEASED COMMERCIAL VEHICLES

7.1 Proportional registration for leased commercial vehicles may be accomplished in one of the following procedures:

A. The owner (lessor) may be the registrant and the commercial vehicle may be registered in the name of such owner. The allocation of fees shall be according to the operational records of such owner. The identification plates and registration card shall be the property of the owner (lessor); or

B. The lessee may be the registrant at the option of the owner (lessor) and the commercial vehicle may be registered by the carrier, but in both the owner's (lessor) name and that of the carrier as lessee, with the allocation of fees according to the records of the carrier (lessee). The identification plates and registration card shall be the property of the lessee. Should an owner, registered pursuant to this Section, leave the fleet of the lessee, the lessee may proceed in accordance with Article 9.

ARTICLE 8 NEW OPERATIONS

8.1 Initial application for proportional registration shall state the mileage data in all jurisdictions for the preceding year with respect to such commercial vehicle. If no operations were conducted with such commercial vehicle during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in each of the jurisdictions.

8.2 The registrant shall determine the in-jurisdiction and total mileage to be used in computing the proportional registration fee for the commercial vehicle.

8.3 The administrator may adjust the estimate in the application if the administrator is not satisfied with its correctness.

ARTICLE 9
WITHDRAWAL OF FLEET COMMERCIAL
VEHICLES, CREDITS, REFUNDS,
REPLACEMENT COMMERCIAL VEHICLES
AND ACCOUNTING

9.1 If the registrant is replacing a commercial vehicle for one withdrawn from the fleet on the same supplement and such commercial vehicle is of the same like vehicle category as that replaced, the registrant shall file a supplemental application with the administrator. The administrator shall, in accordance with the provisions of Section 6.2, issue a new registration card.

When a replacement commercial vehicle is of a greater weight or requires a larger registration fee, the registrant shall file a new registration with the administrator in the manner set forth in Article 6 for the registration of additional fleet commercial vehicles.

9.2 If an account becomes delinquent, a letter will be sent to the carrier and the base jurisdiction.

This agreement is established to assure that all means legally allowed shall be utilized to collect the past due amount.

ARTICLE 10
PRESERVATION OF RECORDS AND AUDIT

10.1 A registrant whose application for proportional registration has been accepted shall preserve the records on which it is based for a period of the three preceding years plus the current year.

Such records shall be made available to the administrator at his request for audit as to accuracy of computation, payments, and assessments for deficiencies or allowances for credits, during the normal business hours of the day.

10.2 If a registrant fails to make records available to the administrator upon proper request or if a registrant fails to maintain records from which his true liability may be determined, the administrator may, thirty (30) days after written demand for an availability of records or notification of insufficient records, impose an assessment of liability based on the administrator's estimate of the true liability of such registrant as determined from information furnished by the registrant, information gathered by the administrator at his own instance, information available to the administrator concerning operations by similar registrants and such other pertinent information as may be available to the administrator.

ARTICLE 11
AUDITS

The administrator may audit the registrants as to authenticity of mileage figures derived from operational records and registrations and at such time and frequency as determined by the administrator.

ARTICLE 12
ASSESSMENT CLAIMS UNDER AUDIT

12.1 Upon audit, the administrator shall assess for any deficiency found to be due. No assessment for deficiency or claim for refund may be made for any period for which records are no longer required.

12.2 Assessment based on audit, interest on assessments, refunds, or any other amounts including auditor's per diem and travel expenses shall be made in accordance with the statutes of each jurisdiction involved with the audit of a registrant.

ARTICLE 13
ADMINISTRATION

13.1 The Société de l'assurance automobile du Québec and the Department of Transportation of Montana are the administrators of this agreement and, in this capacity, undertake to develop the forms and procedures necessary to administer this agreement.

13.2 Each administrator shall provide the other with any information or documents necessary to facilitate the administration of this agreement. Such information shall include notification of any legislative or regulatory changes which may affect the terms of this agreement.

13.3 The provisions of this agreement shall remain in force, with appropriate changes, when any amendment to the laws or regulations of either party jurisdiction does not substantially affect these provisions.

ARTICLE 14
MISCELLANEOUS PROVISIONS

14.1 This agreement replaces any previous agreement entered into by the party jurisdictions regarding a matter referred to in this agreement.

This agreement shall not affect any other agreement signed between one of the party jurisdictions and a non-signatory party to this agreement.

14.2 This agreement does not invalidate any provision of a law or regulation in force within the territory of either party jurisdiction regarding a matter referred to in this agreement.

14.3 Either party jurisdiction may withdraw from this agreement by written notice to the other party.

Such withdrawal shall take effect on the thirtieth (30th) day following the mailing date of such notice or any subsequent date agreed upon between the party jurisdictions.

If the agreement is terminated within a registration year in which renewal billings have been mailed, the agreement will remain in effect until the expiration of the current registration year or upon the approval of both party jurisdictions, whichever is first.

14.4 The provisions of this agreement shall come into force on a date agreed upon by the party jurisdictions, after the required internal formalities are completed.

Signed at Québec this 11 day of December 1997. Signed at Helena MT this 16 day of May 1997

In duplicate in the English and French languages each text being equally authentic.

FOR THE GOUVERNEMENT DU QUÉBEC OF THE STATE OF MONTANA

Art. 629 et 631 L.R.Q., c. C-24.2

Ministre des Transports

Administrator

Art. 20 et 24 L.R.Q., c M-21.1

Ministre des Relations internationales

Président-directeur général de la Société de l'assurance automobile du Québec

1946

M.O., 1997

Minister's Order number 97-05 of the Minister of Health and Social Services to designate breast cancer detection centres dated 16 December 1997

The Minister of Health and Social Services,

CONSIDERING that it is expedient to designate breast cancer detection centres under subparagraph *b.3* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29);

ORDERS:

1. That, as of 14 January 1998, the following breast cancer detection centres be designated for the Québec City region:

Clinique radiologique Audet
1000, chemin Sainte-Foy, appartement 208
Québec (Québec)
G1S 2L6

Clinique radiologique Saint-Louis
3230, chemin Saint-Louis
Sainte-Foy (Québec)
G1W 1S2

Clinique de radiologie Saint-Pascal
1900, rue Mailloux, suite 110
Québec (Québec)
G1J 5B9

Clinique radiologique de la Capitale
4225, 4^e Avenue Ouest, suite 1
Charlebourg (Québec)
G1H 6P3

2. That, as of 26 January 1998, the following breast cancer detection centres be designated for the Chaudière-Appalaches region:

Centre hospitalier de la région de l'Amiante
1717, Notre-Dame Nord
Thetford Mines (Québec)
G6G 2V4

Centre hospitalier Beauce-Etchemin
1500, 18^e Rue
Saint-Georges (Québec)
G5Y 4T8

Clinique radiologique de Lévis
4975, boulevard de la Rive-Sud
Lévis (Québec)
G6V 4Z5

Clinique radiologique Sainte-Croix
6350, Principale, C.P. 370
Sainte-Croix (Québec)
G0S 2H0

Québec City, on 16 December 1997

JEAN ROCHON,
Minister of Health and Social Services

1957