

Regulations and other Acts

Gouvernement du Québec

O.C. 588-2019, 12 June 2019

Highway Safety Code
(chapter C-24.2)

Control of sound emissions produced by the exhaust system of motorcycles and mopeds

Regulation respecting the control of sound emissions produced by the exhaust system of motorcycles and mopeds

WHEREAS, under subparagraph 27.1 of the first paragraph of section 621 of the Highway Safety Code (chapter C-24.2), the Government may by regulation 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;

WHEREAS, under subparagraph 27.2 of the first paragraph of that section, the Government may by regulation 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;

WHEREAS, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 212 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), a draft Regulation respecting the sound emission control produced by the exhaust system of motorcycles and mopeds was published in Part 2 of the *Gazette officielle du Québec* of 27 March 2019 with a notice that it could be made by the Government on the expiry of 15 days following that publication;

WHEREAS, in accordance with section 212 of the Act to amend the Highway Safety Code and other provisions, the first regulation made under subparagraph 27.1 or subparagraph 27.2 of the first paragraph of section 621 of the Highway Safety Code comes into force on the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the control of sound emissions produced by the exhaust system of motorcycles and mopeds, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the control of sound emissions produced by the exhaust system of motorcycles and mopeds

Highway Safety Code
(chapter C-24.2, s. 621, 1st par., subpars. 27.1 and 27.2)

CHAPTER I DEFINITIONS

1. In this Regulation,

“dBA” (A-weighted decibel) means the value, in decibels, of the sound pressure level measured using the A-weighted frequency and defined in ISO Standard 1996-1: 2016 published by the International Organization for Standardization or ANSI/ASA Standard S1.4-2014 published by the American National Standards Institute and IEC Standard 61672-1: 2013 published by the International Electrotechnical Commission; (*dBA*)

“engine speed” or “rotational speed of the engine” means the rotational speed of the engine expressed in revolutions per minute (RPM); (*régime moteur*) (*vitesse de rotation du moteur*);

“method where the engine is idling” means the method that consists in measuring the sound level where the engine is running but the throttle is not activated; (*méthode où le moteur tourne au ralenti*)

“method where the engine runs at a constant speed” means the method that consists in maintaining, during measurement, the rotational speed of the engine at a determined value; (*méthode où le moteur tourne à vitesse constante*)

“method where the engine runs at a variable speed” means the method that consists in progressively increasing, during measurement, the rotational speed of the engine, from idle speed to a determined value; idle speed is where the engine is running but the throttle is not activated; (*méthode où le moteur tourne à vitesse variable*)

“series of measurements” means a set of measurements taken with the same sound level meter, on the same premises, on the same day, by the same peace officers and in similar conditions; that set of measurements may concern a number of motorcycles and mopeds. (*série de mesures*)

CHAPTER II

MAXIMUM SOUND EMISSION VALUES

2. The sound emission values that may be produced by a motorcycle’s or moped’s exhaust system above which no owner of the vehicle may drive the vehicle or allow it to be driven are determined according to the classes of road vehicles and measurement methods used, as indicated in the table below:

Classes of road vehicles and measurement methods	Values measured in dBA (A-weighted decibels)
methods where the engine runs at a constant or variable speed	100
motorcycle	
method where the engine is idling	92
methods where the engine runs at a constant or variable speed	90
moped	
method where the engine is idling	82

CHAPTER III

MEASUREMENT METHODS

3. The measurement of sound emissions produced by a motorcycle’s or moped’s exhaust system is carried out while the vehicle is stationary and the engine is running, at its operating temperature, by first applying the method where the engine runs at a constant speed.

If it is impossible to maintain the rotational speed of the engine as indicated in paragraph 4 of section 4, the measurement is carried out by applying the method where the engine runs at a variable speed.

If it is impossible to increase the rotational speed of the engine as indicated in paragraph 5 of section 4, the measurement is carried out by applying the method where the engine is idling.

CHAPTER IV

PROCEDURE FOR THE MEASUREMENT

4. When required to do so by a peace officer, the driver of a motorcycle or moped must help in measuring the sound emissions produced by the exhaust system of the driver’s vehicle by performing the following:

(1) in the case of a motorcycle with a transmission having a neutral position,

(a) sit on the vehicle’s seat;

(b) put the transmission in the neutral position;

(c) ensure the stability of the vehicle in the upright position;

(2) in the case of a motorcycle with an automatic transmission having no neutral position and a moped,

(a) let the vehicle rest on its centre stand;

(b) ensure the stability of the vehicle in the upright position;

(c) lift the back wheel from the ground so that it can turn freely;

(d) straddle the vehicle without sitting on it or, if the driver is unable to do so, stand beside the vehicle on the opposite side from where the measurement is carried out;

(3) in the case where the vehicle has a control system that may affect the sound emissions of the exhaust system, adjust the system in the position giving the maximum noise;

(4) where the measurement method where the engine runs at a constant speed is applied, activate the throttle of the vehicle in order to reach and maintain for at least 2 seconds the rotational speed of the engine to the value determined in section 6;

(5) where the measurement method where the engine runs at a variable speed is applied, activate the throttle of the vehicle in order to increase progressively for at least 2 seconds the rotational speed of the engine from the idle engine speed, up to the value determined in section 6;

(6) where the measurement method where the engine is idling is applied, let the engine of the vehicle idle.

5. Where the measurement method with the engine at a constant speed or the measurement method with the engine at a variable speed is applied, the rotational speed of the engine must be verified with an external tachometer that complies with the requirements described in paragraph 3 of section 9. If it is impossible to use an external tachometer, in particular because the environment or configuration of the vehicle does not allow it, the tachometer of the vehicle may be used.

6. For the purposes of paragraphs 4 and 5 of section 4, the value of the rotational speed of the engine to be reached is determined as follows:

(1) the rotational speed of the engine of a motorcycle with a transmission having a neutral position is, according to the number of cylinders:

Values expressed in revolutions per minute (RPM) according to the number of cylinders of the engine	
1, 2 or 6 cylinders	2,500 (\pm 250)
3 or 4 cylinders	5,000 (\pm 250)

(2) the rotational speed of the engine of a motorcycle with an automatic transmission having no neutral position and a moped is, according to the class of road vehicle:

Values expressed in revolutions per minute (RPM) according to the class of road vehicle	
motorcycle	4,000 (\pm 250)
moped	5,000 (\pm 250)

7. The measurement of sound emissions produced by a motorcycle's or moped's exhaust system is carried out using a sound level meter that complies with the requirements described in paragraph 1 of section 9.

8. The calibration of the sound level meter used to measure sound emissions produced by a motorcycle's or moped's exhaust system must be verified using a sound calibrator that complies with the requirements described in paragraph 2 of section 9 immediately before and after a series of measurements and, in the case where a series of measurements lasts more than 1 hour, it must also be verified so that not more than 1 hour has elapsed since the last verification.

CHAPTER V SOUND LEVEL METERS AND OTHER MEASURING INSTRUMENTS TO BE USED

DIVISION I TECHNICAL STANDARDS

9. Sound emissions produced by a motorcycle's or moped's exhaust system are measured using the following instruments:

(1) a class 1 sound level meter that complies with IEC Standard 61672-1: 2002 published by the International Electrotechnical Commission or a type 1 or type 2 sound level meter that complies with the requirements of ANSI Standard S1.4-1983 (R2006) (including amendment S1.4a-1985) published by the American National Standards Institute, having the A-frequency weighting and F-time weighting and having the capacity to memorize the maximum value of sound emissions happening during measurement;

(2) a class 1 sound calibrator that complies with IEC Standard 60942: 2003 published by the International Electrotechnical Commission or a class 1 sound calibrator that complies with the requirements of ANSI Standard S1.40-2006 published by the American National Standards Institute, allowing to calibrate the sound level meter. A pistonphone or the internal device of a sound level meter may not be used to calibrate a sound level meter;

(3) an external tachometer allowing measurement of the rotational speed of the engine having a precision of more or less 3% and equipped with a mechanical, electromagnetic or acoustic sensor.

DIVISION II VERIFICATION OF THE PROPER FUNCTIONING OF SOUND LEVEL METERS AND SOUND CALIBRATORS

10. The proper functioning of the sound level meters and sound calibrators described in Division I of this Chapter must be verified by a laboratory performing traceable calibrations at the intervals determined by the manufacturer. Failing the indication by the manufacturer of such verification, the proper functioning of those instruments must be verified as follows:

(1) for a sound level meter, in the 24 months preceding its last use;

(2) for a sound calibrator, in the 12 months preceding its last use.

CHAPTER VI
FINAL

11. This Regulation comes into force on 3 July 2019.

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Gouvernement du Québec

O.C. 602-2019, 19 June 2019

An Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Special provisions in respect of classes of employees designated under section 23 of the Act
— Amendment

Amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1), notwithstanding any inconsistent provision of the Act, except the provisions of Chapter VIII, the Government may establish special provisions with respect to classes of employees it designates;

WHEREAS the Government made the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2);

WHEREAS it is expedient to amend the provisions;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel, attached hereto, be made;

THAT sections 1 to 3 of the amendments come into force on the date of the making of the Order in Council enacting them;

THAT section 4 of the amendments come into force on 1 January 2020.

YVES OUELLET,
Clerk of the Conseil exécutif

Amendments to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel (chapter R-12.1, s. 23, 1st par.)

1. The Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2) is amended in section 33 by striking out the second paragraph.

2. Section 33.1 is revoked.

3. The following is inserted after section 33.1:

“**33.2.** Despite section 196.27 of the Act, employees covered by this Order in Council are not considered for the purposes of the compensatory amounts provided for in that section.

33.3. For the years 2018 to 2022 inclusively, Retraite Québec must establish, not later than 31 December of the year that follows each of those years, an annual compensatory amount to be paid by the employers not listed in Schedule IV to the Act. The annual compensatory amount is equal to the annual compensatory amount to be paid to the employees' contribution fund determined pursuant to the third paragraph of section 196.27 of the Act, subject to the application of section 196.28 of the Act, divided by the sum of the contributions of the employees who are members of the plan and that are not covered by this Order in Council paid by all employers, for the year concerned, which quotient is then multiplied by the sum of the contributions of the employees covered by this Order in Council paid by employers not listed in Schedule IV to the Act, for that same year.

The annual compensatory amount is apportioned among the employers not listed in Schedule IV to the Act proportionately to the ratio of the sum of the contributions of the employees covered by this Order in Council paid to Retraite Québec by an employer not listed in Schedule IV to the Act for a year concerned to the sum of the contributions of the employees listed in this Order in Council paid by all employers not listed in Schedule IV to the Act, for the same year.

Within 60 days after the date on which Retraite Québec determines the annual compensatory amount to be paid, it must send each employer not listed in Schedule IV to the Act a statement of account showing the compensatory amount attributable to the employer. Section 43 of