

(7) the six-month period provided for in section 146.16, to send to Retraite Québec a report on an actuarial valuation of a negotiated contribution plan;

(8) the 18-month period provided for in section 146.28, to send to Retraite Québec the recovery plan of a negotiated contribution plan;

(9) the 24-month period provided for in the first paragraph of section 146.37, to file with Retraite Québec an application for the registration of amendments covered by the recovery plan of a negotiated contribution plan;

(10) the six-month period provided for in section 161, to send to Retraite Québec an annual statement and cause to be prepared a financial report of the plan;

(11) the nine-month period provided for in the first paragraph of section 166, to call each member and beneficiary and the employer to attend an annual meeting;

(12) the 90-day period provided for in section 207.2, to send to Retraite Québec a termination report.

Every period prescribed by the Act as it read on 31 December 2009 under the first paragraph of section 64.1 of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 7) and every period prescribed by a regulation made under section 2 of the Act, that expires after 12 March 2020 but before 1 January 2021, and that concerns one of the obligations described in the first paragraph, with the necessary modifications, is also extended by three months.

DIVISION II DEFINED CONTRIBUTION PLAN

8. This Division applies to a defined contribution plan to which the Supplemental Pension Plans Act applies and a defined contribution plan to which a regulation made under section 2 of the Act applies.

This Division also applies to defined contribution provisions set out in a plan referred to in Division I.

9. Section 2 applies to the temporary cessation of benefits accrued under a plan referred to in section 8.

10. Contributions cease to be required as of the date on which the amendment becomes effective for that purpose or a notice intended to temporarily cease the accrual of benefits covered by a regulation made under section 2 of the Act becomes effective.

11. The periods provided for in the following provisions of the Act that expire after 12 March 2020 but before 1 January 2021, are extended by three months:

(1) the nine-month period provided for in section 112, to send to each member and beneficiary a summary of the provisions of the pension plan that were amended during the last fiscal year and a brief description of the rights and obligations arising therefrom and the annual statement;

(2) the six-month period provided for in section 161, to send to Retraite Québec an annual statement and cause to be prepared a financial report of the plan;

(3) the nine-month period provided for in the first paragraph of section 166, to call each member and beneficiary and the employer to attend an annual meeting;

(4) the 90-day period provided for in section 207.2, to send to Retraite Québec a termination report.

Every period prescribed by a regulation made under section 2 of the Act, that expires after 12 March 2020 but before 1 January 2021, and that concerns one of the obligations described in the first paragraph, with the necessary modifications, is also extended by three months.

12. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. Despite the foregoing, it has effect from 15 July 2020, except sections 5 and 6 that apply from 17 April 2020 and sections 7 and 11 that apply from 13 March 2020.

104519

Draft Regulation

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

Highway Safety Code
(chapter C-24.2)

Financial Administration Act
(chapter A-6.001)

Remunerated passenger transportation by automobile

Notice is hereby given, 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 (chapter T-11.2), that the Regulation respecting remunerated passenger transportation by automobile, appearing below, may be made by the Government on the expiry of 20 days following this publication.

The main purpose of the draft Regulation is to provide for the application of the Act respecting remunerated passenger transportation by automobile. It contains rules in addition to those set out in the Act for the authorization applications submitted for drivers, automobiles and transportation systems, and for registration as a dispatcher.

For drivers, the draft Regulation specifies the content of certain documents referred to in the Act, such as the driver's permit, the certificate of no judicial record and the judicial record list. It also sets the conditions that must be met for the authorization of an automobile and the situations that lead to cancellation of the authorization.

The draft Regulation specifies the contents of various registers and reports that must be kept or filed by an operator or dispatcher under the Act, and creates new registers and reports. It also sets the fees payable for obtaining or maintaining authorization as an operator, and for obtaining or maintaining registration as a dispatcher.

The terms and conditions for an application for the cancellation of authorization for a transportation system are specified, along with the information that must appear in the register of operators kept by the Commission des transports du Québec. Certain obligations are created for registered dispatchers.

The draft Regulation sets out various rules for the use of a qualified automobile, including rules on the accessories that must be installed on cars, pre-departure inspections, taximeters, the expenses that can be collected in addition to the fare for the trip, receipts, notices of defect with respect to an automobile, and compulsory mechanical inspections of automobiles. It also sets the conditions for recognition as a certified mechanic within the meaning of the Act respecting remunerated passenger transportation by automobile.

The conditions that an automobile used to transport disabled persons must meet to be an adapted automobile within the meaning of the Act are specified by the draft Regulation, as well as the maximum financial contribution for transportation that is exempted pursuant to the Act.

The draft Regulation sets minimum service standards for taxi services and rules governing the domelight with which a taxi must be equipped.

The draft Regulation sets out rules for the recovery of amounts payable pursuant to the Act and the rules for the collection of dues. It contains penal sanctions and monetary administrative penalties for offences under a provision of the Regulation.

Lastly, the draft Regulation contains various transitional rules to ensure a harmonious transition between the Act respecting transportation services by taxi (chapter S-6.01) and the Act respecting remunerated passenger transportation by automobile.

More specifically, the transitional provisions concern the validity of taxi driver's permits and taxi owner's permits until their replacement, recognition of training completed under the previous rules, and the issue of a temporary accessory.

The draft Regulation covers several types of enterprises, that is, qualified drivers, qualified automobile owners, operators and registered dispatchers, and associated enterprises such as mechanical workshops and enterprises that market taximeters or those that wish to develop geolocation applications. The economic impact of the draft Regulation on most of those enterprises is low and adapted to the size of the enterprises, considering the flexibility regarding the means to be used to comply with the various requirements. Enterprises that market geolocation devices recognized by the Minister and those designated as recipients of the geolocation data are exceptions and the cost of the regulatory requirements on the protection of information will be important for those enterprises.

Further information on the draft Regulation may be obtained by contacting Marie-Ève Lancup, Direction du conseil et du soutien aux partenaires, Direction générale du transport terrestre des personnes, Ministère des Transports; telephone: 418 646-0700, extension 22213; email: Marie-Eve.Lancup@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to the Minister of Transport at Projet.reglement@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,
Minister of Transport

Regulation respecting remunerated passenger transportation by automobile

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

Highway Safety Code
(chapter C-24.2, s. 618, pars. 8.8 and 13, s. 619.1 and s. 621, 1st par., subpars. 28, 29 and 32.1)

Financial Administration Act
(chapter A-6.001, s. 83.8)

CHAPTER I AUTHORIZED DRIVERS

DIVISION I AUTHORIZATION OF DRIVERS

1. In addition to the information required by section 12 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), applicants must indicate, in their authorization application, the file number of their driver's licence.

2. Authorization applications must be submitted to the Société de l'assurance automobile du Québec, except if the applicant is domiciled in the territory of the urban agglomeration of Montréal, in which case the authorization application must be submitted to Ville de Montréal or a body to which it delegates the powers conferred on the city under the second paragraph of section 212 of the Act.

3. If the fees for obtaining a driver's authorization and the amounts payable under the Highway Safety Code (chapter C-24.2) respecting licences related to the driving of road vehicles paid at the same time to the Société total \$48 or more, the person applying for the authorization may pay the total within 12 months following the issue of the authorization or within the period included between the date of issue and the date of expiry determined in section 9 according to the shortest period, by direct debit on the conditions set in sections 73.6, 73.7, 73.9 and 73.11 of the Regulation respecting licences (chapter C-24.2, r. 34)

(1) by replacing the words "licence holder" wherever they appear in sections 73.6 and 73.11 by the words "authorized driver";

(2) by replacing "A person to whom a driver's licence," in section 73.9 by "A person to whom a driver's authorization,";

(3) by replacing the words "section 73.5" wherever they appear in sections 73.7 and 73.11 by the words "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)";

(4) by replacing "the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code" in paragraph 12 of section 73.11 by "the driver's authorization is revoked".

4. If the fees payable to maintain a driver's authorization and the amounts payable under the Highway Safety Code (chapter C-24.2) respecting licences related to the driving of road vehicles paid at the same time to the Société total \$48 or more, the authorized driver may pay the total within 12 months following the date on which the fees are payable, by direct debit by choosing one of the schedules determined in section 73.7 of the Regulation respecting licences (chapter C-24.2, r. 34), by replacing "section 73.5" in that section by "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)".

An authorized driver who elects to pay by direct debit is subject to the rules set out in sections 73.6 and 73.11 of the Regulation respecting licences by replacing

(1) the words "licence holder" wherever they appear in sections 73.6 and 73.11 by the words "authorized driver";

(2) the words "section 73.5" wherever they appear in sections 73.7 and 73.11 by "section 9 of the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 1)";

(3) "the licence is revoked or suspended or the licence holder is prohibited from driving a road vehicle under section 93.1 of the Highway Safety Code" in paragraph 12 of section 73.11 by "the driver's authorization is revoked".

DIVISION II DRIVER'S PERMIT

5. An authorized driver's permit is issued as a plastic card containing

(1) the holder's file number and driver's number;

(2) the date on which it comes into effect and the date on which it expires;

(3) the holder's surname and usual given name;

(4) the name and, if any, the logo of the body that issued the permit; and

(5) the logo "Québec remunerated passenger transportation by automobile".

The photograph on the authorized driver's permit must be updated every 2 years, beginning on the date of the driver's birthday that occurs one year after the date on which authorization is granted by the Société.

Despite the first paragraph, a driver's permit that contains the word "temporary" is issued in paper form until a plastic permit is issued.

6. The holder of a driver's permit that is illegible or damaged or that contains erroneous information must apply for its replacement to the body that issued it.

On presentation of proof that a permit is illegible or damaged, has been destroyed, lost or stolen, or contains erroneous information, the body replaces it on payment of a fee.

DIVISION III CERTIFICATE OF NO JUDICIAL RECORD AND JUDICIAL RECORD LIST

7. The certificate of no judicial record and the judicial record list referred to in section 14 of the Act must contain

(1) to identify the person subject to the verification:

- (a) the person's name;
- (b) contact information;
- (c) date of birth;

(2) concerning the verification:

- (a) the name of the police force that conducted the verification;
- (b) the date on which it was conducted;
- (c) the result, that is,

i. an attestation that the data banks available to the police force do not contain information allowing to establish the presence of a finding of guilt, an indictment or a court order; or

ii. the judicial record list including the nature of any finding of guilt, indictment or court order and their date;

(3) to identify the representative of the police force that conducted the verification:

- (a) the representative's name;
- (b) badge number;
- (c) telephone number.

The documents must be signed by the representative of the police force that conducted the verification and indicate the date on which the document was signed.

8. The fees payable for the issue of a certificate of no judicial record or a judicial record list is \$73.80.

9. The obligation in section 64 of the Act applies to a driver beginning on the driver's birthday that occurs at least 1 year after the date on which authorization is granted. The driver may submit either of the documents required during the 3-month period that ends on that date.

DIVISION IV SUSPENSION AND WITHDRAWAL OF DRIVER AUTHORIZATION

10. When authorization is suspended for 6 months or more, the obligation in section 125 of the Act, requiring the driver to return the permit to the body that granted it, applies.

11. The notification to the automobile owner, required by section 126 of the Act if a driver's authorization is suspended or cancelled, may be sent by any means providing proof that notification has been sent.

CHAPTER II AUTHORIZED AUTOMOBILE

12. To be authorized, an automobile must, in addition to meeting the conditions set out in section 20 of the Act,

- (1) be of the sedan or station wagon type;
- (2) have a wheelbase of at least 261 cm or, in the case of an electric automobile, at least 256 cm;
- (3) be equipped by the manufacturer with at least 4 safety belts;
- (4) have a solid roof;
- (5) have no more than 350,000 km on the odometer;
- (6) be less than 10 years old, by model year; and
- (7) have at least 4 side doors.

The following automobiles may also be authorized if they meet the requirements in subparagraphs 2 to 6 of the first paragraph, and if they are equipped by the manufacturer to transport a maximum of 9 persons and if their net weight is under 3,500 kg:

(1) a van with a running board and 3 or 4 side doors, each with its own window; or

(2) a utility vehicle with 3 or 4 side doors and 4 drive wheels or a device allowing full traction.

Despite the second paragraph, an adapted automobile equipped with a wheelchair lift may have a net weight of up to 4,000 kg.

A limousine equipped by the manufacturer to transport a maximum of 9 persons, corresponding to the most luxurious make marketed by its manufacturer at the time, having a wheelbase of more than 280 centimetres and a net weight under 4,000 kg may also be authorized if it meets the requirements in subparagraphs 3 to 7 of the first paragraph.

13. An automobile that has more than 80,000 km on the odometer or that is 4 years old by model year must undergo the mechanical inspection referred to in section 20 of the Act.

The owner of the automobile must include the mechanical inspection certificate with the authorization application.

14. The authorization application must be submitted to the Société, except if the owner of the automobile concerned is domiciled in the territory of the urban agglomeration of Montréal, in which case the authorization application must be submitted to Ville de Montréal or a body to which it delegates the powers conferred on the city under the second paragraph of section 212 of the Act.

The application must be submitted using the form provided by the body with which the application is filed.

15. In addition to the information required by section 22 of the Act, the owner must indicate, in the authorization application,

(1) the vehicle identification number covered by the application;

(2) the file number of the driver's licence held by the owner of the automobile, if the owner is a natural person;

(3) the make, model, and model year of the automobile;

(4) the business number and file number at the Société, if the owner of the automobile is a partnership or legal person registered in the enterprise register;

(5) the fact that the owner holds a bus transport permit issued by the Commission des transports du Québec for the automobile covered by the application; and

(6) the fact that the automobile is equipped with a taximeter, domelight, alcohol ignition interlock device, real-time geolocation device or divider screen, or is adapted.

16. The owner of an authorized automobile must notify the body that granted the authorization, when the fees payable to maintain the authorization are paid, of any change concerning the information provided in the authorization application, except the kilometrage on the odometer.

17. For the purposes of the first paragraph of section 101 of the Act, the fees payable and the insurance contribution payable to maintain an authorization for an automobile must be paid every year, on the due date of the amounts payable to retain the right to drive the automobile determined in the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) pursuant to section 31.1 of the Highway Safety Code (chapter C-24.2). The fees may be paid during the 3-month period ending on that date.

Despite the first paragraph, if, when authorization is granted, no more than 3 months remain before the due date referred to in the first paragraph, the due date for the payment of the fees and insurance contribution is postponed for 12 months.

18. If the fees and the insurance contribution for obtaining an authorization related to an automobile and the amounts payable under the Highway Safety Code (chapter C-24.2) to retain the right to drive a registered road vehicle paid to the Société at the same time total \$48 or more, the person applying for the authorization may pay the total amount within 12 months following the date on which the authorization is issued or within the period included between the date of issue and the due date determined in section 17 according to the shortest period, by direct debit on the conditions set in sections 25.1, 25.2, 25.4 and 25.7 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) by replacing

(1) "road vehicle" in paragraph 2 of section 25.1 by "authorized automobile";

(2) "road vehicle" in paragraph 3 of section 25.1 by "authorized automobile";

(3) by replacing “the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation, the debit transactions continue to be made unless the owner informs the Société” in paragraph 13 of section 25.7 by “the authorization related to the automobile is revoked, the debit transactions continue to be made unless the owner of the automobile informs the Société”.

19. If the fees and the insurance contribution payable to maintain an authorization related to an automobile and the amounts payable under the Highway Safety Code (chapter C-24.2) to retain the right to drive a registered road vehicle paid to the Société at the same time total \$48 or more, the owner of the authorized automobile may pay the total amount within 12 months following the date on which the fees and insurance contribution are payable, by direct debit by choosing one of the schedules determined in section 25.2 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

A licence holder who elects to pay by direct debit is subject to the conditions set out in sections 25.1 and 25.7 of the Regulation respecting road vehicle registration by replacing

(1) “road vehicle” in paragraph 2 of section 25.1 by “authorized automobile”;

(2) “road vehicle” in paragraph 3 of section 25.1 by “authorized automobile”;

(3) “the owner of a road vehicle is prohibited from operating the vehicle or from putting it back into operation, the debit transactions continue to be made unless the owner informs the Société” in paragraph 13 of section 25.7 by “the authorization related to the automobile is revoked, the debit transactions continue to be made unless the owner of the automobile informs the Société”.

20. The owner of an authorized automobile must apply to replace any document certifying that the automobile is authorized that was issued to the owner and that has become illegible, is damaged or contains erroneous information, to the body that issued it.

On presentation of proof that the document is illegible or damaged, has been destroyed, lost or stolen, or contains erroneous information, the body replaces it on payment of a fee.

21. Authorization is cancelled by the organization that grants it when an authorized automobile is equipped with an alcohol ignition interlock device accredited by the Société.

CHAPTER III OPERATORS

DIVISION I

AUTHORIZATION OF A TRANSPORTATION SYSTEM

22. In addition to the information required by section 30 of the Act, a legal person that wishes to be the operator of a transportation system must present the following information in its authorization application:

- (1) the method or methods used to establish a fare;
- (2) the portion of the fare retained by the legal person;
- (3) the planned development of the fleet of registered automobiles it intends to deploy over a three-year period;
- (4) the availability of the material resources necessary to deploy a fleet of low-emission automobiles;
- (5) the regional characteristics of the planned service territory that it considers relevant to the target set for the number of low-emission automobiles registered with it;
- (6) its electronic address.

23. In addition to the documents referred to in section 31 of the Act, a legal person that wishes to operate a transportation system must include its non-consolidated financial statements in its authorization application.

If the legal person has not yet completed a fiscal year since beginning its activities, it must include in its application an opening balance sheet and forecasted financial statements for its first year of existence, showing that its financial objectives are based on reasonable and probable hypotheses. The documents must be prepared by a chartered professional accountant.

24. The authorization application must be submitted using the form available on the website of the Commission.

25. The fee charged by the Commission for examining an authorization application from an operator is \$1,500.

The duty payable to obtain an authorization for a transportation system is \$1,500.

DIVISION II

REGISTERS OF A TRANSPORTATION SYSTEM

26. The register kept pursuant to section 52 of the Act must include the following information for each automobile registered in the system:

- (1) the owner's name and contact information;
- (2) the record number entered in the automobile registration certificate;
- (3) the automobile's licence plate number;
- (4) the vehicle identification number;
- (5) the make, model and model year;
- (6) the kilometrage on the odometer when registering the automobile;
- (7) a statement of the presence of a taximeter or domelight;
- (8) a statement that it is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type;
- (9) a statement that compliance with the conditions listed in subparagraph 1 of the first paragraph of section 20 of the Act has been verified;
- (10) the date of registration;
- (11) the date on which the registration is struck off, if applicable.

27. The register kept pursuant to section 52 of the Act must include the following information for each driver registered in the system:

- (1) the driver's name and contact information;
- (2) the number of the driver's record entered on the driver's licence;
- (3) a statement that compliance with the conditions listed in paragraphs 1 to 5 of section 10 of the Act has been verified;
- (4) the date of registration;
- (5) the date on which the registration is struck off, if applicable.

28. The register pertaining to automobiles and drivers kept by the operator of a transportation system must be preserved for as long as the automobile or driver is registered with the operator and for 5 years following the cancellation of registration.

The register kept pursuant to section 52 of the Act must be preserved until the fifth year following the date on which the last entry made in the register is struck out.

29. The operator must keep a register of the trips completed by the drivers to whom the operator provides services for which the fare is calculated in accordance with section 93 of the Act. The register must contain the following information on each trip:

- (1) the date and time of the trip;
- (2) the amount billed to the customer; and
- (3) the amount paid to the driver who completed the trip.

The register, receipts and other supporting documents showing the amount paid to the driver for each trip completed for which the fare is calculated by a technological means in accordance with section 93 of the Act must be kept for 3 years.

30. The registers must be kept in electronic form. They must be available at all times at the operator's establishment in Québec.

The information contained in the register kept by the operator for registered automobiles and registered drivers must be shared with the Société on a daily basis using a technological means agreed on by the Société and the operator.

DIVISION III REPORTS AND MAINTAINING OF TRANSPORTATION SYSTEM AUTHORIZATION

31. The duties payable to maintain an authorization granted for a transportation system are \$1,500. They are payable by the operator on the anniversary of the date on which authorization was granted.

32. The operator of a transportation system must, on the anniversary of the date on which authorization for the system was granted, send to the Commission a report on its activities containing the following information:

- (1) the measures established to ensure compliance with the obligations set out in the second paragraph of section 77 of the Act;
- (2) the updating of its financial structure, if applicable; and
- (3) a list of the registered drivers who, to the best of its knowledge, have been prosecuted for an offence referred to in section 11 of the Act.

33. The operator must provide, with its annual report, a reproduction of its audited non-consolidated financial statements or its non-consolidated financial statements

with a review engagement report for the most recently completed fiscal year along with a copy of any document demonstrating the measures established to ensure compliance with the obligations set out in the second paragraph of section 77 of the Act, in particular any policy sent to its employees and subcontractors, where applicable, along with any undertaking they have signed.

34. The report demonstrating that the target set in section 161 of the Act has been achieved must be submitted on the anniversary of the date on which the authorization was issued to the operator. The report must contain the following information on each of the operator's registered automobiles:

- (1) the vehicle identification number;
- (2) the automobile's licence plate number;
- (3) the make, model and model year;
- (4) a statement that the automobile is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type; and
- (5) the number of days during the period covered by the report when the automobile was registered with the operator.

The report must also indicate the period covered by the report, the operator's identifier as issued by the Commission, and the operator's full contact information.

The report must be consistent with the model provided by the Commission on its website.

35. The operator must, each month, send, by technological means, a report to the Commission presenting the following information for the preceding month concerning each trip requested by a technological means that does not require the intervention of a natural person:

- (1) the date and time when each request was received;
- (2) the transportation mode for the trip, whether exclusive, adapted, or shared;
- (3) the file number entered on the driver's licence of the driver who made the trip;
- (4) the starting date and time;
- (5) the starting point;
- (6) the end date and time;

- (7) the destination;
- (8) the amount billed to the customer;
- (9) the amount paid to the driver;
- (10) with respect to the automobile used for the trip:
 - (a) the licence plate number;
 - (b) the vehicle identification number;
 - (c) the identifier of the automobile's owner;
 - (d) the make, model and model year;
 - (e) the vehicle type (adapted, accessible, limousine, sedan);
 - (f) whether or not it contains a taximeter;
 - (g) whether or not it contains a domelight;
 - (h) whether it is a low-emission automobile within the meaning of section 157 of the Act, or, if not, the automobile's engine type.

The report must specify the month of the report. It must also include the operator's identifier as issued by the Commission and must be consistent with the model provided by the Commission on its website.

36. The transportation system operator must keep for 3 years the information contained in the trip report referred to in the first paragraph of section 35 and make it available to the Société, at its request.

37. The transportation system operator must, every 3 months, send to the Minister of Transport, by a technological means, the following information concerning the trip requests that require the use of an adapted automobile:

- (1) the date and time of such request;
- (2) the date and time when a trip is requested;
- (3) the date and time of the start and end of the trip or an indication of the reason why such a trip did not occur, as the case may be.

Where the trip is requested using a technological means that does not require the intervention of a natural person, the operator must inform the Minister if the means is accessible to persons with a disability such as persons who are hearing impaired, deaf or mute.

DIVISION IV **OPERATOR'S INSURANCE CONTRIBUTION**

38. The operator's insurance contribution is payable monthly, within 30 days after the date of the bill sent by the Société.

DIVISION V **CANCELLATION AT THE OPERATOR'S REQUEST**

39. The Commission may cancel the authorization it has granted to a transportation system if, in addition to the conditions set out in section 137 of the Act, no application for the suspension or cancellation of the authorization under section 134 of the Act is pending and if the operator has notified the owners of the automobiles registered with it.

40. The operator must indicate, in its application, the grounds on which it is requesting cancellation by the Commission of authorization for the transportation system and the date on which the registered drivers ceased to offer remunerated transportation through the system. The operator must include, with the application, a copy of the notice sent to the drivers and owners of automobiles registered with it informing them that it is ceasing its activities.

The application for cancellation must be made using the form available on the Commission's website. The person completing the form must attest to the truthfulness of the information it contains.

DIVISION VI **REGISTER OF OPERATORS**

41. In addition to the information required by section 41 of the Act, the register of transportation system operators established by the Commission contains the following information:

(1) a statement that the operator has met the conditions set out in section 38 and can operate the transportation systems or a statement that the conditions have not been met and that the operator cannot operate the system;

(2) a list of the accessories used to identify an automobile as being part of the transportation system operated by the operator;

(3) the number of automobiles equipped with a taximeter, among the automobiles registered with the operator; and

(4) the target number of low-emission automobiles fixed for the operator by the Commission.

42. The operator of a transportation system must send, to the Commission, two specimens of each accessory it intends to provide to the owners of registered automobiles to identify them as being part of the system.

CHAPTER IV **DISPATCHER**

DIVISION I **REGISTRATION OF A DISPATCHER**

43. A dispatcher required to register with the Commission in accordance with section 85 of the Act must include the following information with its declaration:

(1) its name, the name it uses in Québec if different, its electronic address, the address of the dispatcher's head office and, if its head office is not in Québec, the address of its establishment in Québec;

(2) the boundaries of the territory served by the dispatch services provided; and

(3) its Québec business number, if it is an enterprise subject to registration pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(4) the planned growth of the authorized fleet of automobiles it intends to deploy over a 3-year period;

(5) the availability of the material resources necessary to deploy a fleet of low-emission automobiles; and

(6) the regional characteristics of the territory served by the dispatch services provided that it considers relevant to the target set for the number of low-emission automobiles registered with it.

44. The registration declaration must be made using the form available on the website of the Commission.

45. The dispatcher must pay fees of \$1,000 when registering with the Commission.

DIVISION II **OBLIGATIONS OF DISPATCHER**

46. A registered dispatcher must inform the Commission in writing when it becomes aware that a driver to whom it provides services has been prosecuted for an offence referred to in section 11 of the Act.

47. The registered dispatcher must, each year, on the anniversary of the date of its registration, pay fees of \$500 to maintain its registration.

48. For the purposes of section 88 of the Act, the interval at which a registered dispatcher must obtain from a driver to whom it provides services a reproduction of the document certifying that the automobile he or she uses to offer remunerated passenger transportation is authorized is 1 month after the time when the fees to maintain that authorization are payable in accordance with section 17.

The reproduction of the permit of any driver to whom the registered dispatcher provides services must be obtained within 6 months from the time when the driver must send to the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, either his or her certificate of no judicial record or his or her judicial record list in accordance with section 64 of the Act.

49. A registered dispatcher must keep a register of the trips made by the drivers to whom it provides services for which the fare is calculated in accordance with section 93 of the Act. The register must contain the following information for each trip:

- (1) the date and time of the trip;
- (2) the amount billed to the customer; and
- (3) the amount paid to the driver who completed the trip.

The register, receipts and other supporting documents showing the amount paid to the driver for each trip completed for which the fare is calculated by a technological means in accordance with section 93 of the Act must be kept for 3 years.

The register must be kept in electronic form. It must be available at all times at the dispatcher's establishment in Québec.

50. The report demonstrating that the target set in section 161 of the Act has been achieved must be sent on the anniversary of the date of the dispatcher's registration. The report must contain the following information on each automobile used by the drivers to whom the registered dispatcher provides services:

- (1) the vehicle identification number;
- (2) the licence plate number;
- (3) the make, model and model year;
- (4) a statement that the automobile is a low-emission automobile within the meaning of section 157 of the Act or, if not, the automobile's engine type; and

(5) the number of days during the period covered by the report when the automobile was part of the fleet available to the registered dispatcher.

The report must also indicate the period covered by the report, the dispatcher's identifier as issued by the Commission, and the dispatcher's full contact information.

The report must be consistent with the model provided by the Commission on its website.

51. The registered dispatcher must, each month, send, by a technological means, a report to the Commission presenting the following information for the preceding month concerning each trip requested by a technological means that does not require the intervention of a natural person:

- (1) the date and time when each trip request was received;
- (2) the transportation mode for the trip, whether exclusive, adapted, or shared;
- (3) the file number entered on the driver's licence of the driver who made the trip;
- (4) the starting date and time;
- (5) the starting point;
- (6) the end date and time;
- (7) the destination;
- (8) the amount billed to the customer;
- (9) the amount paid to the driver;
- (10) with respect to the automobile used for the trip:
 - (a) the licence plate number;
 - (b) the vehicle identification number;
 - (c) the identifier of the automobile's owner;
 - (d) the make, model and model year;
 - (e) the vehicle type (adapted, accessible, limousine, sedan);
 - (f) whether or not it contains a taximeter;
 - (g) whether or not it contains a domelight;

(h) whether it is a low-emission automobile within the meaning of section 157 of the Act, or, if not, the automobile's engine type.

The report must specify the month of the report. It must also include the dispatcher's identifier as issued by the Commission and must be consistent with the model provided by the Commission on its website.

52. The registered dispatcher must keep for 3 years the information contained in the trip report referred to in the first paragraph of section 51 and make it available to the Société, at its request.

53. A registered dispatcher must, every 3 months, send to the Minister of Transport, by a technological means, the following information concerning trip requests that require the use of an adapted automobile:

- (1) the date and time of such request;
- (2) the date and time when the trip is requested;
- (3) the date and time of the start and end of the trip or an indication of the reason why such a trip did not occur, as the case may be.

Where the trip is requested using a technological means that does not require the intervention of a natural person, the dispatcher must inform the Minister if the means is accessible to persons with a disability such as persons who are hearing impaired, deaf or mute.

CHAPTER V PROVISIONS GOVERNING THE USE OF A QUALIFIED AUTOMOBILE

DIVISION I ACCESSORY

54. The accessory that makes it possible to identify whether the automobile is being used to offer the remunerated passenger transportation mentioned in the second paragraph of section 26 and subparagraph 2 of the first paragraph of section 51 of the Act must be consistent with the model in Schedule I.

55. The owner of a qualified automobile must request the replacement of the accessory that was issued to the owner and that is illegible, damaged or that contains erroneous information.

On presentation of proof that the accessory is illegible or damaged, was destroyed, lost or stolen or contains incorrect information, the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, replaces the accessory on payment of fees.

56. The accessory provided by the operator to identify a registered automobile as being part of a transportation system must be affixed to the automobile, in the lower right corner of the rear window, in a way that does not impair the visibility of the accessory showing that the automobile is used to offer remunerated passenger transportation.

It can only be affixed to the automobile when it is being used to offer remunerated passenger transportation.

The design of the accessory and the materials of which it is made must allow it to be installed in accordance with the first paragraph.

DIVISION II GEOLOCATION DEVICE

57. For the purposes of section 21 of the Act, the data that a geolocation device must transmit, in addition to those required by that section, are as follows:

- (1) the file number entered on the driver's licence of the driver of the automobile at the time of the transmission;
- (2) the time stamp in universal time (UTC) and ISO 8601 format;
- (3) the speed and azimuth of the automobile.

58. The data listed in section 21 of the Act are transmitted as follows:

- (1) requests about the device are submitted via HyperText Transfer Protocol Secure (HTTPS);
- (2) the incoming and outgoing format for the REST-type application programming interface (API) is: JavaScript Object Notation (JSON);
- (3) they are presented in the model in Schedule II.

59. A person wishing to obtain recognition from the Minister for a geolocation device is responsible for applying for recognition to the Minister.

The application must include, in addition to the applicant's name and contact information,

- (1) a description of the device and its operation; and
- (2) a description of the way in which it is attached to the automobile.

60. An application for recognition for a geolocation device must include

(1) a report from an independent expert certifying that the device complies with section 21 of the Act;

(2) an undertaking by the applicant, firstly to guarantee that the device will comply with those provisions and secondly to notify the Minister without delay of any system failure and any harm to its integrity; and

(3) fees of \$500 for the examination of the application.

61. A person who has obtained recognition for a geolocation device from the Minister must, every 5 years, send to the Minister the report including a declaration from an independent expert certifying compliance of the device to section 21 of the Act.

Where applicable, the report must state any device failure and any harm to its integrity that occurred during the 5-year period provided for in the first paragraph, and measures taken to remedy either situation.

62. A person wishing to be designated by the Minister as a recipient referred to in section 72 of the Act is responsible for applying to the Minister for designation.

The application must include the name and contact information of the applicant, grounds for which the data the person is asking for are necessary for the person, and the boundaries of the territory for which the person requires the data.

63. A recipient's application for designation must include

(1) an undertaking from the applicant, firstly to guarantee that the data transmitted will be suitably protected at all times, and secondly to notify the Minister without delay of any failure that may harm the integrity of the protection;

(2) a report from an independent expert certifying that the applicant is able to comply with the provisions of the Act and this Regulation with respect to protection of the data transmitted and the guarantee given under paragraph 1; and

(3) fees of \$1,500 for the examination of the application.

64. The recipient designated by the Minister must, every 5 years, send to the Minister the report including a declaration from an independent expert certifying that the applicant is able to comply with the provisions of the Act and this Regulation with respect to protection of the data transmitted.

The report must state the use of the data and measures taken to ensure data protection. Where applicable, the report must state the failures that, during the period covered, harmed the integrity of the protection and the measures taken to remedy the failures.

DIVISION III BASIC INSPECTION

65. During the basic inspection conducted pursuant to section 55 of the Act, a qualified driver must inspect the following:

(1) the brake fluid level, which should never be under the level indicated by the manufacturer or, if not indicated, any more than 10 mm under the filler neck opening;

(2) the parking brake, which must be activated a number of times in order to check whether its cables are operating freely, and its compliance with regard to immobilization of the automobile and the activation of a dashboard indicator that lights up or turns off depending on whether the brake is applied or released;

(3) the automobile's headlights, lights and signals, including in particular low-beam headlights, turn-signal lights, emergency flashers and parking lights, which must be operational and securely fastened in the places provided for by the manufacturer, and their dashboard indicators, which must activate the electrical circuits enabling them to work at the intensity intended by the manufacturer;

(4) the tires, which must not show any wear, cracks, cuts or tears exposing the tire rib or the steel belt, have any bulges or abnormal deformities, or be affected by material or an object stuck in the tread or tire wall, which could cause a flat;

(5) the tire valves, which must not be worn, damaged, scraped or cut and the projecting part of which must be long enough to allow tires to be filled easily and tire pressure to be checked;

(6) the windshield wipers and windshield washer fluid, all of the components of which must be complete, properly adjusted and in good condition to ensure that they work effectively;

(7) the rearview mirror, which must be vertically and horizontally adjustable and remain in the desired position, be an adequate size and securely fastened and not have any sharp edges, the mirror of which should not be broken, cracked, tarnished or dull;

(8) the state of the dashboard indicators;

(9) if the automobile is equipped with a domelight, the fact that it is solidly fixed and operates correctly;

(10) if the automobile is powered exclusively by an electric motor, the battery's state of charge;

(11) in the case of an adapted automobile, the securement devices for a wheelchair, the wheelchair loading ramp or power lift platform must be in good condition to ensure that they work effectively.

66. The basic inspection report must contain the following information:

- (1) the date and time of the inspection;
- (2) the licence plate number of the automobile inspected;
- (3) the number of the accessory affixed to the automobile;
- (4) the name of the qualified driver and, if applicable, the number of the driver's permit of the driver;
- (5) a description of the defects noted during the inspection or a statement of the absence of defect;
- (6) the reason for which any dashboard indicator is lit; and
- (7) the reading from the automobile's odometer;
- (8) a statement that all the elements provided for in section 65 have been inspected.

If the automobile is powered exclusively by an electric motor, the report must indicate the battery's state of charge.

DIVISION IV **TAXIMETER**

67. The taximeter with which a qualified automobile is equipped must include a digital display that lights up when activated and allows customers sitting in the back seat to read the information it displays.

68. The taximeter must show a reading at all times that is in keeping with the rates in effect and may not vary by more than 1% in relation to the rates fixed by the Commission under section 95 of the Act.

The taximeter must, in addition, show a reading that includes the dues payable by the customer for the trip pursuant to section 287 of the Act.

69. The owner of an automobile equipped with a taximeter must ensure that the taximeter is sealed at all times. The holder must have the taximeter inspected and have a new seal affixed by the Commission at the holder's own expense

- (1) within 30 days of the effective date of a change in the rate fixed by the Commission;
- (2) immediately after the taximeter or taxi transmission is replaced, repaired or altered;
- (3) immediately after a change in the size of the tires on the drive wheels of the taxi; and
- (4) every 6 months.

70. When the fare for a trip is calculated by taximeter, the qualified driver must start the taximeter at the beginning of the trip and, unless the customer directs otherwise, stop it as soon as the taxi arrives at the destination.

For the purposes of this section, a trip begins when the customer gets into the automobile or when the customer explicitly asks the driver to wait for him or her.

If the taximeter becomes defective during a trip, the qualified driver must agree with the customer on the fare.

71. The owner of a registered automobile must inform the Commission in writing when a taximeter is added or removed.

DIVISION V **EXPENSES AND RECEIPT FOR A TRIP**

72. A qualified driver may require a customer to reimburse the following expenses:

- (1) expenses for the driver's meals or accommodation entailed by the trip and agreed upon with the customer prior to departure;
- (2) expenses involved in crossing a bridge or using a ferry;
- (3) highway toll expenses; and
- (4) expenses for the late cancellation of a trip request, provided that the customer has been informed in advance that the expenses may be charged.

73. A receipt must be given to each customer upon request. The receipt must include at least the following information:

- (1) the name of the person giving the receipt;
- (2) the date of the trip; and
- (3) the amount of the fare.

The receipt is given by the qualified driver who completes the trip. However, if the trip is requested by a technological means, the receipt is given by the operator or dispatcher who provides services to the driver who completes the trip.

DIVISION VI DEFECTIVE AUTOMOBILE

74. The notice of defect provided for in section 59 of the Act must be in writing and contain the following information:

- (1) the name of the owner of the automobile concerned by the notice;
- (2) the date of the notice;
- (3) the licence plate number of the automobile concerned by the notice;
- (4) a description of the defect noted; and
- (5) the name of the driver who noted the defect.

The notice must be in a form that provides proof of its transmission.

75. For the purposes of section 60 of the Act, a certified mechanic is a person who

- (1) holds a valid certificate of qualification issued by a parity committee under the Act respecting collective agreement decrees (chapter D-2) certifying that the person is a qualified journeyman mechanic or general road vehicle mechanic;
- (2) holds a vocational studies diploma in road vehicle mechanics and has 2 years' experience in road vehicle mechanism repair; or
- (3) has been employed for the last 5 years in the field of road vehicle mechanism repair, and has, for at least the last 3 years, been fully responsible for the work completed.

DIVISION VII MECHANICAL INSPECTION

76. The owner of a qualified automobile must submit it to the mechanical inspection mentioned in section 73 of the Act when the automobile's odometer reaches a reading of 80,000 km or when the automobile is 4 years old by model year, whichever occurs soonest. If the automobile underwent a mechanical inspection prior to its qualification, it must be submitted to a new mechanical inspection when the odometer reaches a reading 60,000 km higher than at that inspection, or when 12 months have elapsed since the inspection, whichever occurs soonest.

The mechanical inspection must then be repeated after every 60,000 km, as indicated by the odometer, or after 12 months have elapsed since the previous mechanical inspection, whichever occurs soonest.

An automobile over 8 years old, by model year, must also be submitted to a mechanical inspection every six months.

CHAPTER VI ADAPTED TRANSPORTATION

77. In an adapted automobile, all the spaces reserved for a wheelchair must be equipped with a device to secure the wheelchair in a face-forward position in the automobile. Any securement device for a wheelchair must allow for the securement of the wheelchair at 4 anchorage points secured to the floor.

78. The wheelchair loading ramp or power lift platform must provide access on the right side of the adapted automobile.

79. The work to adapt the automobile must be carried out by a person authorized to apply the national safety mark within the meaning of the Motor Vehicle Safety Act (S.C. 1993, c. 16).

80. The adapted automobile must be equipped with an automatic locking and unlocking device that can be activated from the driver's seat.

CHAPTER VII TAXIS

81. For the purposes of the second paragraph of section 144 of the Act, an automobile must be equipped with a taximeter to be presented as a taxi and an enterprise providing passenger transportation by automobile may only use the term "taxi" if it mostly dispatches automobiles equipped with a taximeter.

The first paragraph does not apply in a territory for which the Commission has determined, under subparagraph 2 of the first paragraph of section 138 of the Act, that an automobile is not required to be equipped with a taximeter.

82. A taxi driver may not refuse a trip unless the departure point is situated more than 50 km from the boundaries of the territory the driver serves or the destination of the trip is more than 50 km from the departure point.

83. Taxi drivers must afford clients the courtesy, comfort and safety required by their occupation.

84. Taxi drivers must help a passenger get in or out of the automobile safely if he or she notes that the passenger obviously needs assistance because of age, apparent state of health or a handicap.

85. The domelight with which a taxi is equipped must

- (1) be securely fastened to the roof of the automobile in such a way as to be visible;
- (2) be made of translucent material;
- (3) be equipped with an internal lighting device; and
- (4) allow the taxi to be recognized when it is in service.

The word “TAXI” may appear on the domelight to make it easier for customers wishing to hail an automobile to identify it.

CHAPTER VIII EXEMPTED TRANSPORTATION

86. For the purposes of section 166 of the Act, the total amount of the financial contribution cannot exceed \$0.54 per kilometer travelled during the transportation.

87. For the purposes of section 168 of the Act, the maximum amount paid for transportation offered by a single automobile is calculated by adding together the following amounts:

- (1) an indemnity of \$0.54 per kilometre travelled;
- (2) the parking fees incurred for the trip;
- (3) highway tolls;
- (4) fees for crossing a bridge or using a ferry.

CHAPTER IX COLLECTION OF DUES AND ADMINISTRATION OF DUES COLLECTED

88. Every business operator must, as the Minister’s mandatary, collect, for each trip the fare of which is determined pursuant to Chapter VII of the Act, the dues payable by the customer pursuant to section 287 of the Act when collecting the fare.

The dues must, if applicable, be indicated separately on any invoice, receipt or other document for the trip as well as in the operator’s registers. In addition, the dues must be identified by name, by an abbreviation or by another similar indication. No other statement about the dues may be used.

For the purposes of this chapter, “business operator” means the business operator of a taxi business within the meaning of the Act respecting the Québec sales tax (chapter T-0.1) registered in accordance with section 407 or 407.1 of that Act.

89. Despite section 88, the dues for a trip are collected on behalf of the business operator by the operator or the operator’s service supplier collecting the fare and that have entered into the agreement referred to in section 37 of the Act with the Minister of Finance.

The operator or, as the case may be, the service supplier acting on behalf of an business operator is considered to be, for the purposes of this Chapter, such a business operator.

The operator or, as the case may be, the service supplier is liable, solidarily with the business operator on whose behalf the operator or service supplier acts, for the obligations incumbent on them under this Chapter.

90. Every person who makes a technological means referred to in section 93 of the Act available to the public is required to ensure that the technological means allows a person requesting the trip to be informed of the amount of the dues payable before agreeing to the maximum fare for the trip.

91. Every business operator required to collect dues in accordance with the first paragraph of section 88 must be registered with the Minister.

To register, the business operator must provide to the Minister the following information by using the form available for that purpose on the website of the Ministère des Transports:

(1) its name, the name it uses in Québec if different, its electronic address, the address of its head office and, if its head office is not situated in Québec, the address of its establishment in Québec;

(2) its Québec business number, if it is an enterprise subject to registration pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) as the case may be:

(a) in the case of a qualified driver, the file number entered on the driver's licence;

(b) in the case of the owner of a qualified automobile, the file number entered on the document certifying the authorization of the automobile;

(c) in the case of a transportation system operator, including the operator's service supplier, or a dispatcher, their identifier number with the Commission;

(4) the time when the operator must produce the declaration referred to in the first paragraph of section 92.

92. Every business operator who collects dues in accordance with the first paragraph of section 88 must take into account the dues collected and, for each reporting period, at the time provided for in the sixth paragraph, report to the Minister the dues that the operator has or should have collected during the reporting period using the form in Schedule I, send the form to the Minister and, at the same time, remit the amount of the dues.

For the purposes of the first paragraph, and subject to the third paragraph, the business operator must send to the Minister, by using the form and payment slip available for that purpose on the website of the Ministère des Transports, the following information:

(1) registration number with the Minister;

(2) the reporting period concerned;

(3) for that period:

(a) the number of trips made; where applicable, specify the number of trips for each driver having made trips on behalf of the operator, including the file number entered on the driver's licence;

(b) the amount of the dues owed;

(c) the file number entered on the document certifying the authorization of each automobile used for the trips;

(d) for the operator or the operator's service supplier, the information on the identification of the drivers having made trips and the automobiles used for that purpose.

In the case of an operator or the operator's service supplier referred to in section 89, the information provided for in the second paragraph are sent to the Minister in the same form as that provided for in the agreement to ensure compliance with government requirements regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act.

The business operator must make a report even if no trip giving rise to the dues is made during a given reporting period.

For the purposes of this section, a "reporting period" is

(1) in the case of an operator or the operator's service supplier referred to in section 89, the period provided for in the agreement regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act;

(2) in other case, the operator's reporting period for the purposes of Title I of the Act respecting the Québec sales tax (chapter T-0.1).

For the purposes of this section, the time to report to the Minister the dues is

(1) in the case of an operator or the operator's service supplier referred to in section 89, the time provided for communicating the information in the agreement to ensure compliance with government requirements regarding taxation entered into with the Minister of Finance pursuant to section 37 of the Act;

(2) in other case, the time at which the operator must file the return provided for in Division IV of Chapter VIII of Title I of the Québec sales tax (chapter T-0.1).

93. Sections 447 and 449 of the Act respecting the Québec sales tax (chapter T-0.1) apply, with the necessary modifications, when an operator charges to or collects from a customer an amount of dues provided for in section 287 of the Act in excess of the dues that were collectible.

An operator who refunds or credits to a customer the entire fare paid for a trip must also refund or credit the dues collected for the trip.

94. A business operator who collects dues in accordance with the first paragraph of section 88 must, until the dues are remitted to the Minister in accordance with this Regulation, deposit the amount as soon as possible with an authorized deposit institution within the meaning of section 24.1 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) or with a bank.

The business operator must keep an account of the dues collected and interest generated, if any.

95. A business operator who collects dues in accordance with the first paragraph of section 88 is deemed to hold them in trust for the State, separately from the operator's patrimony and the operator's own funds, for remittance to the Minister in accordance with this Regulation.

Where dues that a business operator is deemed, pursuant to the first paragraph, to hold in trust for the State are not remitted to the Minister, an amount equal to the amount of dues collected is deemed, from the time the dues are collected, to be held in trust for the State, separately from the business operator's patrimony and the operator's own funds, and to form a separate fund not forming part of the operator's property, whether or not the amount has in fact been held separately from the operator's patrimony or own funds.

96. A business operator who fails to collect dues as the mandatary of the Minister in accordance with this Regulation becomes the debtor of the State for the amount of the dues.

97. A business operator who collects dues in accordance with the first paragraph of section 88 is bound to remit to the Minister, at the date specified in section 92, an amount equal to that which the operator must remit under that section.

The same obligation exists in respect of any amount that an operator, whether in good faith or in bad faith, collects, believing or claiming to act pursuant to this Regulation.

98. The Minister may determine or redetermine the amount of dues owed by a business operator pursuant to this Regulation and send to the operator a notice of claim in that respect, even if the operator had filed a report and made a remittance as provided for in section 92.

However, such a claim may not be made more than 3 years after the date on which the dues should have been remitted or the date on which the account was filed, whichever is later.

99. Every person who, as a mandatary of the Minister, refuses or fails to collect dues, keep accounts, file a report or make a remittance to the Minister in accordance with the provisions of this Regulation is liable to a fine of at least \$200 for each day the offence continues.

100. A customer is not bound to pay the dues provided for in section 287 of the Act for any trip completed prior to 1 January 2021.

101. Despite section 69, the owner of an automobile equipped with a taximeter must, before 1 January 2021, have the taximeter adjusted so that it indicates a reading that includes the dues payable by the customer pursuant to section 287 of the Act with respect to the trip.

CHAPTER X PROVISIONS APPLICABLE TO RECOVERY

102. The debtor of a recoverable amount is bound to pay the following recovery fees:

(1) \$50 for the certificate filed pursuant to section 205 of the Act; and

(2) \$175 for each measure taken to guarantee a debt under Title Three of Book Six of the Civil Code and for each execution measure taken under Book VIII of the Code of Civil Procedure (chapter C-25.01).

The fees form part of the recoverable amount.

CHAPTER XI

PENAL PROVISIONS AND MONETARY ADMINISTRATIVE PENALTIES

103. The following persons are guilty of an offence and liable to a fine of \$250 to \$750, in the case of a natural person, and to a fine of \$500 to \$1,500, in other cases:

(1) a qualified driver, operator or registered dispatcher who contravenes section 73;

(2) a taxi driver who contravenes any of sections 82, 83 and 84.

104. The owner of a qualified automobile equipped with a taximeter that is not compliant with section 67 is guilty of an offence and liable to a fine of \$500 to \$1,500, in the case of a natural person, and to a fine of \$1,000 to \$3,000, in other cases.

105. The following persons are guilty of an offence and liable to a fine of \$1,000 to \$5,000, in the case of a natural person, and to a fine of \$2,000 to \$10,000, in other cases:

- (1) a registered dispatcher who contravenes section 46;
- (2) the owner of a qualified automobile equipped with a taximeter that is not compliant with section 68;
- (3) the owner of a qualified automobile who contravenes section 69;
- (4) a qualified driver who contravenes the first or third paragraph of section 70;
- (5) the owner of a registered automobile who contravenes section 71.

106. A monetary administrative penalty of \$450 may be imposed on the operator of a transportation system who,

- (1) in contravention of section 26 or section 27, fails to enter all the required information in the register;
- (2) in contravention of section 29, fails to keep the prescribed register, fails to enter all the required information, or fails to keep the register and documents for the required time;
- (3) in contravention of section 33, fails to provide the required documents with the annual report;
- (4) in contravention of section 35, fails to send the report provided for in that section to the Commission;
- (5) in contravention of section 37, fails to send to the Minister the information required by that section;
- (6) in contravention of section 42, fails to send the accessories to the Commission as provided for in that section.

107. A monetary administrative penalty of \$450 may be imposed on a registered dispatcher who,

- (1) in contravention of section 49, fails to keep the prescribed register, fails to enter all the required information, or fails to keep the register and documents for the required time;
- (2) in contravention of section 51, fails to send the report provided for in that section to the Commission;

(3) in contravention of section 53, fails to send to the Minister the information required by that section.

108. A monetary administrative penalty of \$1,000 may be imposed on any person who fails to send either report provided for in sections 61 and 64.

109. The amount of a monetary administrative penalty that may be imposed by the Commission on an operator or registered dispatcher pursuant to section 162 of the Act is \$1,300 for each automobile short of the target.

CHAPTER XII AMENDING PROVISIONS

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

110. Section 24 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by striking out paragraph 11.

111. Division IV of Chapter IV, including section 109, is revoked.

112. Section 124 is amended by striking out “taxis.”

113. Section 139 is amended by striking out “taxis,” in the first paragraph.

REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

114. Section 3 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) is amended by replacing paragraph 4 by the following:

“(4) the vehicles referred to in subparagraph *c* of subparagraph 1 of the first paragraph of section 20 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) and the vehicles referred to in the third paragraph of section 73 of that Act.”

115. Section 6 is amended by striking out paragraphs 5 and 6.

116. The following is inserted after section 7.0.1:

“**7.0.2.** The vehicles referred to in the third paragraph of section 73 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2) are subject to the mechanical inspection at the intervals prescribed by the regulation made under that paragraph, where the kilometrage on the odometer or their age, determined based on the model year, exceeds the limits prescribed by that regulation.”

117. The Table in Schedule II is amended by striking out the line “Taxi.”

CHAPTER XIII TRANSITIONAL AND FINAL PROVISIONS

118. For the purposes of section 292 of the Act, Ville de Montréal or a body to which the city delegated its powers is deemed to be the body having granted the authorization for a driver if it has issued the taxi driver’s permit in effect on 9 October 2020.

119. The taxi driver’s permit takes the place of an authorized driver’s permit until the Société, Ville de Montréal or a body to which the city delegated its powers issues a new document.

120. Despite the provisions of paragraphs 2 and 4 of section 10 of the Act, until 9 January 2021, a person may be authorized as a driver without having completed the training provided for by regulation of the Minister and passed the examination on the subject matters covered by the training. The driver to whom such an authorization has been granted must, not later than 10 January 2021, send to the body that granted the authorization the documents provided for in paragraph 1 of section 13 of the Act, failing which the authorization is cancelled by operation of law as of that date.

The first paragraph also applies to the registration of a person as a driver with the transportation system operator referred to in section 299 of the Act. In that case, the documents provided for in paragraph 1 of section 13 of the Act must be sent to the operator not later than 10 January 2021, failing which the driver’s registration with the operator is cancelled by operation of law as of that date.

121. Until 31 March 2021, the automobiles attached, as of 9 October 2020, to a taxi owner’s permit under the Act respecting transportation services by taxi (chapter S-6.01) are deemed to be registered in accordance with the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

The obtention of a new registration and new licence plate of an automobile referred to in the first paragraph before 1 April 2021 is not considered as such for the purposes of paragraph 1 of section 2 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (chapter C-24.2, r. 27) where it results in particular from the change of the information on the use of the automobile under section 49 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

On payment of the fees payable, in the amount of \$17.40, the Société issues to the owner of an automobile referred to in the first paragraph the accessory provided for in the second paragraph of section 26 of the Act that makes it possible to identify whether the authorized automobile is being used to offer remunerated passenger transportation. Between 10 October 2020 and the issue of the accessory, the licence plate takes the place of an accessory.

122. Until 31 March 2021, the taxi owner’s permit takes the place of the document certifying that the automobile is authorized mentioned in the first paragraph of section 26 of the Act.

123. Until 10 October 2022, an automobile deemed to be authorized for the purposes of section 293 of the Act may be used to offer remunerated passenger transportation by automobile even if its odometer indicates more than 350,000 km provided that its model year is less than 10 years old.

An adapted automobile deemed to be authorized for the purposes of section 293 of the Act may be used to offer remunerated passenger transportation by automobile even if the wheelchair loading ramp or power lift platform allow access through the rear of the automobile.

124. Until 10 October 2022, an automobile used by a partner-driver as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) may be registered with an operator even if it has a wheelbase of less than 261 cm.

125. Until determined by regulation of the Société, the fees payable under the following provisions of the Act are fixed as follows:

(1) the fees payable for a driver’s authorization application under section 13 of the Act and to maintain that authorization under section 101 of the Act are

(a) \$16 where a certificate of no judicial record is filed with the application or sent pursuant to section 64 of the Act;

(b) \$121 where a judicial record list, other than entries provided for in any of paragraphs 1 and 2 of section 11 of the Act, is filed with the application or sent pursuant to section 64 of the Act;

(2) the fees payable for an authorization application relating to an automobile under section 23 of the Act and to maintain the authorization under section 101 of the Act are \$9.20, unless an accessory is issued at the time of the application, in which case the fees payable for the application are \$26.60;

(3) the fees payable under section 44 of the Act for an application for a certificate of no judicial record related to the aptitudes and conduct to be a driver are \$105;

(4) the fees payable for the formalities prescribed by government regulation that must be observed with the Société, Ville de Montréal or a body to which the city delegated its powers, as the case may be, provided for in the second paragraph of section 142 of the Act for

(a) replacing the permit issued pursuant to the first paragraph of section 18 of the Act are \$16;

(b) replacing the document certifying that the automobile is authorized, issued pursuant to the first paragraph of section 26 of the Act, are \$9.20;

(c) replacing the accessory issued pursuant to the second paragraph of section 26 of the Act are \$17.40.

126. The operator referred to in section 299 of the Act may, to fulfil the obligations provided for in subdivision 2 of division II of Chapter III of the Act, use the information and documents obtained as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) with respect to drivers who, on 9 October 2020, were registered with the remunerated passenger transportation service and the automobiles used by those drivers for remunerated passenger transportation.

127. The report that must be sent to the Commission by an operator referred to in section 299 of the Act must contain the following information and documents:

(1) the measures taken to comply with the obligations provided for in the second paragraph of section 77 of the Act, in particular those concerning compliance of the automobiles and registered drivers and that of the registers to be kept under the Act or this Regulation;

(2) a reproduction of its audited non-consolidated financial statements or its non-consolidated financial statements with a review engagement report for the most recently completed fiscal year;

(3) the method or methods used to establish a fare;

(4) the portion of the fare retained by the operator.

The report must be sent to the Commission before 31 March 2021.

128. A person who, on 9 October 2020, is a taxi transportation service intermediary as defined in subparagraph 2 of the first paragraph of section 2 of the Act respecting transportation services by taxi (chapter S-6.01) is, for the purposes of the Act, considered to be a registered dispatcher provided that the person files with the Commission a declaration in accordance with section 85 of the Act not later than 30 October 2020.

The first paragraph no longer applies to the person who is registered with the Commission or whose declaration is refused by the Commission.

129. Until 10 October 2021, an operator is not required to send the report provided for in section 35. The same applies to a registered dispatcher for the report provided for in section 51.

130. The duties payable to the Minister under section 3 of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3) that have not been spent on 9 October 2020 are credited to the Land Transportation Network Fund established under section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) and remain dedicated to the financing of the modernization of transportation services by taxi.

131. The body to which Ville de Montréal has delegated its powers is deemed to be a recipient designated by the Minister under section 72 of the Act. The body must send to the Minister, not later than 9 April 2021, the information and documents provided for in the second paragraph of section 62 and section 63 of this Regulation that must be filed with a designation application.

132. Among the qualified automobiles that are not exempted under section 308 of the Act, only those to which applied, on 9 October 2020, sections 62.5 to 62.7 of the By-law concerning taxi transportation (RCG 10-009) made by Ville de Montréal, as they read on that date, must be equipped with a real-time geolocation device recognized by the Minister.

Every real-time geolocation device that such an automobile is equipped with, if it complies with that By-law, is deemed to be recognized by the Minister under section 21 of the Act.

This section ceases to have effect on 10 October 2021.

133. The territories for which a taxi need not be equipped with a taximeter determined by the Commission under subparagraph 7 of the first paragraph of section 79 of the Act respecting transportation services by taxi (chapter S-6.01) remain in force until they are replaced or revoked by territories determined by the Commission under subparagraph 2 of the first paragraph of section 138 of the Act.

134. This Regulation comes into force on 10 October 2020, except the following provisions, which come into force on 10 October 2022:

- (1) paragraphs 3, 4 and 5 of section 22;
- (2) paragraph 8 of section 26;
- (3) section 34;
- (4) paragraph 4 of section 41;
- (5) paragraphs 4, 5 and 6 of section 43;
- (6) section 50.

SCHEDULE I

(Article 54)

ACCESSORY

Loi concernant le transport rémunéré de personnes par automobile

Numéro d'identification du véhicule (NIV)

9999999999999999

Accessoire

Gouvernemental

Provisoire

Date d'émission : 9999-99-99

Numéro d'accessoire : AAAAAA

En Service

Québec 

----- Pliez-ici -----

SCHEDULE II*(Article 58)***DATA* REFERRED TO IN SECTION 21
OF THE ACT**

Data	Description
Operator	The name of the dispatcher or operator if applicable
Automobile registration number	Alphanumerical code between 2 and 7 characters
Adapted automobile	Is the automobile adapted within the meaning of section 4 of the Act?
Driver's licence number	Numerical code issued by the Société de l'assurance automobile du Québec or the driver's identification number with the transportation system operator
Time stamp	Universal time (UTC) according to the ISO 8601 format
Position of the automobile	The latitude and longitude of the automobile
Status of the automobile	Status from among the following: available, occupied, out of service and not available — Available – the automobile is available for a transportation request — Occupied – the automobile has a client on board — Out of service – the automobile is not connected — Not available – the automobile is connected, but cannot receive transportation requests
Speed of the automobile	The actual speed of the automobile (in km/h)
Azimuth	The orientation of the automobile (360°)

* The data must be sent according to the programming specifics of the designated recipient.

Draft Regulation

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

Training of qualified drivers

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 303 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), that the Regulation respecting the training of qualified drivers, appearing below, may be made by the Minister on the expiry of 20 days following this publication.

The draft Regulation regulates the training to be completed by a person and the examination the person will then have to pass to be a qualified driver offering remunerated passenger transportation by automobile, either by being authorized as such by the Société de l'assurance automobile du Québec, or by being registered with the operator of a transportation system authorized by the Commission des transports du Québec.

The draft Regulation specifies the subjects, in addition to those already prescribed by the Act, covered by the basic training that every qualified driver will have to complete as well as the conditions of the training. The training will mostly pertain to the legal framework applicable to remunerated passenger transportation by automobile, safety, transportation of persons with disabilities and customer service.

The draft Regulation also determines the conditions for the examination that will evaluate the level of knowledge of the subjects studied as part of the basic training, in particular by setting the pass mark at 75%.

In addition, the draft Regulation determines the conditions and content of the advanced training on the transportation of persons with disabilities that will have to be completed, under section 153 of the Act, by qualified drivers who wish to use an adapted automobile for the transportation of persons with disabilities. The advanced training will cover in particular the types of customers covered and the types of deficiencies and disabilities, the legal framework applicable to the transportation of persons with disabilities and their rights, the characteristics and particularities of an adapted automobile as well as the operation of its equipment and the procedures applicable in case of emergency.