

Regulations and other Acts

M.O., 2013

Order number 2013-17 of the Minister of Transport dated 18 December 2013

Highway Safety Code
(chapter C-24.2)

Access to public roads for low-speed vehicles

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 633.1 of the Highway Safety Code (chapter C-24.2), which provides that the Minister of Transport may, by order and after consultation with the Société de l'assurance automobile du Québec, restrict or prohibit, for up to 180 days, the use on public highways of any model or class of vehicle that endangers the safety of persons and property;

CONSIDERING the first paragraph of that section, which provides that any interested party may submit comments to the person designated in the order within 90 days after its publication in the *Gazette officielle du Québec*;

CONSIDERING the first paragraph of that section, which provides that, at the expiry of 180 days, the Minister may, by order, make the restriction or prohibition permanent;

CONSIDERING the first paragraph of that section, which provides that a restriction or prohibition under that paragraph comes into force on the date the order is published in the *Gazette officielle du Québec*;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec*, on 17 July 2013, of Minister's Order 2013-09 concerning access to public roads by low-speed vehicles;

CONSIDERING section 20 of that Minister's Order, which provides that any interested person could submit comments before 15 October 2013, to the person designated therein;

CONSIDERING the fourth paragraph of section 633.1 of the Highway Safety Code, which provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under that section;

CONSIDERING that comments were received following the publication of Minister's Order 2013-09 in the *Gazette officielle du Québec*;

CONSIDERING that the Société de l'assurance automobile du Québec was consulted on the proposed order by the Minister of Transport and expressed the opinion that low-speed vehicles do not currently provide adequate protection for their occupants and also endanger the safety of road users;

CONSIDERING that, as part of its Transportation Electrification Strategy 2013-2017, the Government is working on a new legal framework that would place emphasis on the safety of occupants and that of other road users with a view to allowing low-speed vehicles to travel on certain public roads as of 2014;

CONSIDERING that the legal framework is not applicable yet and that it is expedient to permanently prohibit access to public roads for low-speed vehicles, subject to the exceptions provided for;

ORDERS AS FOLLOWS:

DIVISION I GENERAL

1. For the purposes of this Order, a low-speed vehicle means a vehicle defined as such in the Motor Vehicle Safety Regulations (C.R.C., chapter 1038) and that bears the compliance label required by those Regulations.

2. Access to public roads is prohibited for low-speed vehicles.

Those vehicles must be registered for off-road driving with a licence plate that bears the prefix V in accordance with the Regulation respecting road vehicle registration (chapter C-24.2, r. 29).

3. Despite section 2, access to public roads is authorized for low-speed vehicles that are registered in the pilot project implemented by Minister's Order 2008-07 dated 20 June 2008 (G.O. 2, 2566), amended by Minister's Order 2011-09 dated 17 June 2011 (G.O. 2, 1397) and ending on 17 July 2013, which have a licence plate as passenger vehicles with limited area of operation bearing the prefix "C" in accordance with the Regulation respecting road vehicle registration.

In such a case, the rules in sections 4 to 19 of this Order apply.

DIVISION II **TRAFFIC RULES**

4. The traffic of low-speed vehicles is restricted to public roads in zones where the posted maximum speed limit is not greater than 50 km/h, provided that the public road is not an expressway or a limited access highway; despite the foregoing, low-speed vehicles may cross the roadway of a public road where the authorized maximum speed is greater than 50 km/h at an intersection where traffic lights or stop signs are present or at a traffic circle.

5. On a roadway with 2 or more lanes of traffic in the same direction, low-speed vehicles must travel in the same direction as traffic and in the far right lane, except

(1) if they are making a left turn; or

(2) if the lane on the far right is reserved for other types of vehicles, is obstructed or closed to traffic, in which case they must be driven in the lane next to the far right lane.

6. Drivers of low-speed vehicles who are about to change lanes must, using the turn-signal lights, signal their intention over a sufficient distance so as not to endanger their safety and the safety of other users and ensure that they can perform the manoeuvre without risk.

7. Drivers of low-speed vehicles may not travel on a public road where the incline is 15% or greater.

8. Low-speed vehicles must travel with their headlights on at all times if they are not equipped with daytime running lights.

In all cases, their headlights must be on in daytime if the weather conditions so require.

9. No low-speed vehicle is allowed to tow a trailer or semi-trailer.

10. Any offence against the provisions of sections 4 to 9 renders the offender liable to a fine of \$100 to \$200.

DIVISION III **DRIVER'S LICENCE**

11. To drive a low-speed vehicle, a person must hold a class 5 driver's licence.

A driver who does not hold such a licence is liable to a fine of \$300 to \$360.

12. A peace officer who has reasonable grounds to believe that a person is driving a low-speed vehicle without holding the licence prescribed may immediately, at the owner's expense and on behalf of the Société, seize and impound the vehicle for a period of 30 days.

Sections 209.3 to 209.26 of the Highway Safety Code (chapter C-24.2) apply to vehicle seizure under the first paragraph, with the necessary modifications.

DIVISION IV **EQUIPMENT**

13. Subparagraphs 2, 7, 9 and 10 of the first paragraph of section 215 and sections 221, 258 and 274 of the Highway Safety Code do not apply to a low-speed vehicle.

14. For the purposes of subparagraph 3.1 of the first paragraph of section 215 of the Highway Safety Code, a low-speed vehicle must be equipped with at least 1 red reflector at the rear of the vehicle.

For the purposes of subparagraph 8 of the first paragraph of the same section, the requirement that a low-speed vehicle be equipped with 1 red side lamp on each side, as far to the rear as practicable, does not apply to low-speed vehicles.

15. A low-speed vehicle must be equipped with

(1) a triangle orange slow moving vehicle warning sign, with a dark red reflective edge, complying with Standard ANSI/SAE S276.6 published in January 2005 by the American Society of Agricultural Engineers and placed on the left side of the vehicle's central axis;

(2) a sign "MAXIMUM 40 km/h" in a contrasting color with letters at least 5 cm high, which must be placed on the rear of the vehicle to indicate its maximum speed;

(3) a proximity warning system: a warning system that emits an intermittent noise when the vehicle is in movement in the vicinity of a pedestrian or cyclist and intended to signal the vehicle's presence provided its sound level is less than the warning system referred to in section 254 of the Highway Safety Code;

(4) a 13 cm by 18 cm information notice complying with Schedule A and that specifies the vehicle's operation rules, which must be installed inside the vehicle so it is visible to its occupants;

(5) a defrost system;

(6) a heating system;

- (7) a 3-point seat belt;
- (8) a 17-character identification number; and
- (9) doors.

16. Any offence against the provisions of paragraph 1 or 2 of section 15 renders the vehicle owner liable to a fine of \$30 to \$60.

Any offence against the provisions of paragraph 3 or 4 of section 15 renders the vehicle owner liable to a fine of \$100 to \$200.

DIVISION V

ROAD SIGNS AND SIGNALS

17. The letters “VBV” that appear on a road sign indicate that the message is aimed at the driver of a low-speed vehicle.

18. The person in charge of the maintenance of a public road may post a sign on the road to convey the message shown in Schedule B, to prohibit a low-speed vehicle from travelling on that road.

The person in charge of the maintenance of a public road may also post a sign on the road in question to convey the message shown in Schedule C and indicate the direction in which the vehicle must travel, requiring the driver of a low-speed vehicle to travel in the direction indicated on the road sign.

19. If a road sign installed under section 18 is not complied with, the vehicle driver is liable to a fine of \$100 to \$200.

DIVISION VI

FINAL

20. This Order comes into force on 13 January 2014.

SYLVAIN GAUDREAU,
Minister of Transport

SCHEDULE A

AVERTISSEMENT
Véhicule à circulation restreinte

- Ce véhicule ne respecte pas toutes les exigences de sécurité des véhicules de promenade.
- Ce véhicule est soumis à des règles particulières de circulation.

Chemins interdits	
Règles	Chemins obligatoires
<p style="font-size: small;">Classe 5 Phares allumés Klaxon de proximité À l'arrière</p>	
<p>Interdiction de croiser un chemin de plus de 50 km/h, sauf à une intersection où il est régi par :</p>	<p>Voie de droite, sauf pour virage à gauche, ou si voie réservée, obstruée ou fermée</p>
Interdiction d'enlever ou d'altérer cette vignette	

SCHEDULE B



SCHEDULE C

