

Regulations and other Acts

Gouvernement du Québec

O.C. 1046-2020, 7 October 2020

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

Regulation respecting remunerated passenger transportation by automobile

WHEREAS, under paragraph 3 of section 4 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), a government regulation may prescribe any other condition that an automobile must comply with to be adapted;

WHEREAS, under paragraph 3 of section 12 of the Act, a government regulation may prescribe any other information that must appear in a driver's authorization application;

WHEREAS, under the second paragraph of section 14 of the Act, the Government prescribes, by regulation, the form of the documents police forces in Québec are required to issue to a person requesting it and the fees payable for their issue;

WHEREAS, under the second paragraph of section 18 of the Act, a government regulation determines the content of the driver's permit as well as its form and the intervals at which the photograph of the driver must be updated;

WHEREAS, under subparagraphs *c* and *d* of subparagraph 1 of the first paragraph of section 20 of the Act, a government regulation prescribes the limits of the kilometrage indicated on the odometer of the automobile and its age, determined based on the model year, making the mechanical inspection mandatory as well as the other conditions that an automobile must comply with to be authorized by the Société de l'assurance automobile du Québec;

WHEREAS, under subparagraph 2 of the first paragraph of section 21 of the Act, a government regulation prescribes the conditions for transmitting data and any other data to be transmitted by a real-time geolocation device;

WHEREAS, under paragraph 3 of section 22 and section 23 of the Act, a government regulation determines any other information that the owner must include in the authorization application relating to the automobile and any other document that the owner must file with the application;

WHEREAS, under the second paragraph of section 26 of the Act, a government regulation prescribes the accessory issued to the owner by the Société de l'assurance automobile du Québec to visibly identify whether the authorized automobile is being used to offer remunerated passenger transportation;

WHEREAS, under paragraph 7 of section 30 and paragraphs 6 and 7 of section 31 of the Act, a government regulation may determine any other information that an applicant must submit in the authorization application relating to the proposed transportation system, any other document that the applicant must file with the application and the fees for examining the application and the duties;

WHEREAS, under subparagraph 3 of the first paragraph of section 41 of the Act, a government regulation may prescribe any other information that the register of transportation system operators must include for each of them;

WHEREAS, under subparagraph 3 of the first paragraph of section 44 of the Act, a government regulation may prescribe any other information that applicants must submit in their application filed under section 43 of the Act;

WHEREAS, under the second paragraph of section 50 of the Act, the Government determines, by regulation, the terms of payment for the insurance contribution determined under section 151.3.1 of the Automobile Insurance Act (chapter A-25), including the date on which it becomes payable and the intervals at which it must be paid;

WHEREAS, under the second paragraph of section 51 of the Act, a government regulation may prescribe the nature of an accessory referred to in subparagraph 1 of the first paragraph of the section and characteristics;

WHEREAS, under section 52 of the Act, a government regulation prescribes the information contained in the register that must be kept by a transportation system operator pertaining to registered drivers and automobiles, and prescribes the conditions and procedures for keeping and preserving the register, for sharing the information it contains and for access to it;

WHEREAS, under the third paragraph of section 55 of the Act, a government regulation prescribes the procedures for the basic inspection of the automobile provided for in the first paragraph of the section and the content of the document showing that such inspection was conducted;

WHEREAS, under the second paragraph of section 59 of the Act, a government regulation prescribes the form and content of the notice to the owner of the qualified automobile provided for in the first paragraph of the section;

WHEREAS, under the second paragraph of section 60 of the Act, a government regulation prescribes the conditions to be met for a person to be a certified mechanic;

WHEREAS, under the first paragraph of section 64 of the Act, a government regulation prescribes the date from which authorized drivers must, every two years, send either their certificate of no judicial record or their judicial record list issued by a police force under section 14 of the Act;

WHEREAS, under section 68 of the Act, a government regulation may determine the terms and conditions according to which, when using an automobile registered with a transportation system operator to offer remunerated passenger transportation, registered drivers must affix to the automobile the accessory required to identify it as being part of the system;

WHEREAS, under the third paragraph of section 73, a government regulation may prescribe the intervals at which the owner of the automobile must submit the automobile to the mechanical inspection provided for in subparagraph *c* of subparagraph 1 of the first paragraph of section 20 of the Act;

WHEREAS, under the first paragraph of section 80 of the Act, a government regulation prescribes the content of a report of activities and the manner and frequency at which transportation system operators must send the report to the Commission des transports du Québec;

WHEREAS, under the first paragraph of section 85 of the Act, a government regulation determines the form and content of the declaration that every dispatcher must file with the Commission des transports du Québec;

WHEREAS, under subparagraph 3 of the first paragraph of section 87 of the Act, a government regulation may determine any other information that a register of the dispatchers registered with the Commission des transports du Québec must contain for each of them;

WHEREAS, under the second paragraph of section 88 of the Act, a government regulation prescribes the intervals at which a registered dispatcher must obtain a reproduction of the documents provided for in the first paragraph of the section;

WHEREAS, under section 91 of the Act, a government regulation may prescribe fees that a driver may require a customer to pay in addition to the fare calculated in accordance with Chapter VII of the Act;

WHEREAS, under the first paragraph of section 101 of the Act, a government regulation prescribes the date and intervals at which the fees and contribution for the authorization relating to an automobile are payable as well as the other collection conditions for the fees and, if applicable, for the contribution;

WHEREAS, under section 102 of the Act, the Government determines, by regulation, the duties payable annually to maintain an authorization granted for a transportation system by the Commission des transports du Québec and the regulation specifies the date on which the duties are payable and the other collection conditions;

WHEREAS, under subparagraph 5 of the first paragraph of section 122 of the Act, a government regulation may prescribe any other situation in which the Société de l'assurance automobile du Québec cancels an authorization it has granted to a driver;

WHEREAS, under the first paragraph of section 125 of the Act, a government regulation prescribes the period of suspension or cancellation of an authorization granted by the Société de l'assurance automobile du Québec to a driver beyond which the driver must return the permit to the Société;

WHEREAS, under section 126 of the Act, a government regulation prescribes the conditions on which drivers who use an authorized automobile they do not own to offer remunerated passenger transportation must, if their authorization is suspended or cancelled by the Société de l'assurance automobile du Québec, notify the owner of the authorized automobile without delay;

WHEREAS, under paragraph 3 of section 127 of the Act, a government regulation may prescribe any other situation for which the Société de l'assurance automobile du Québec cancels an authorization it has granted in respect of an automobile;

WHEREAS, under paragraph 4 of section 137 of the Act, a government regulation may prescribe any other condition that must be met for the cancellation by the Commission des transports du Québec of an authorization it has granted for a transportation system where the operator requests it in writing;

WHEREAS, under subparagraphs 1 to 5, 8 and 9 of the first paragraph of section 142 of the Act, in addition to the regulatory powers conferred on it by the Act, the Government may, by regulation,

— establish any rule applicable to the collection of duties or other sums payable under the Act, and to the interest and penalties payable in case of non-payment;

— determine the terms and conditions for filing authorization applications under the Act and the terms applicable to cancellation applications, including the use of specific forms;

— determine the terms and conditions for filing authorization applications under the Act and the terms applicable to cancellation applications, including the use of specific forms;

— determine the terms and conditions for sending any document required by the Act and those for replacing a permit, other document or accessory issued under the Act, in particular if it has been damaged, lost or stolen, as well as those for updating it;

— prescribe the fees payable for any formality prescribed by regulation;

— establish the terms and conditions for manufacturing, operating and maintaining taximeters, and require that taximeters be inspected and sealed at the intervals the Government specifies;

— determine the registers a person or group must keep, prescribe the conditions for keeping and preserving them, for sharing the information they contain and for access to them, and determine their form and content;

— prescribe the documents and information that must be provided to the passengers, the clientele, the Minister of Transport, the Commission des transports du Québec, a public body exercising a jurisdiction conferred on it by law as regards shared transportation, or the Société de l'assurance automobile du Québec by any person or group carrying on an activity governed by the Act, and determine their form and content as well as the conditions relating to their preservation and transmission;

WHEREAS, under the second paragraph of section 144 of the Act, a government regulation prescribes the minimum services standards for making a taxi available to the public to represent an automobile as a taxi or use a name that includes the term taxi to designate an enterprise providing passenger transportation by automobile;

WHEREAS, under the first paragraph of section 145 of the Act a government regulation prescribes the characteristics of a domelight with which a taxi must be equipped and the domelight installation rules;

WHEREAS, under the first paragraph of section 161 of the Act, a government regulation prescribes the time and procedure according to which operators of an authorized transportation system and registered dispatchers must send a report on achievement of the target applicable under section 158 of the Act and the content of the report;

WHEREAS, under the second paragraph of section 162 of the Act, a government regulation determines the amount of the monetary administrative penalty that the Commission des transports du Québec may impose on an operator or a dispatcher for each year in which the operator or dispatcher does not achieve the applicable target and for each automobile short of that target;

WHEREAS, under paragraphs 1 and 4 of section 166 of the Act, a government regulation determines the maximum total amount of the financial contribution received by a driver for the transportation to be exempted under the Act;

WHEREAS, under paragraph 5 of section 168 of the Act, a government regulation prescribes the maximum amount of the sum paid for carpooling;

WHEREAS, under section 188 of the Act, Government may, in a regulation made under the Act, in particular specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them;

WHEREAS, under section 206 of the Act, a government regulation determines the cases in which and the conditions under which a debtor is required to pay a recovery charge;

WHEREAS, under section 288 of the Act, the Government determines, by regulation, the conditions for the recovery of the dues provided for in section 287 of the Act;

WHEREAS, under the third paragraph of section 299 of the Act, a government regulation prescribes the form and content of the report that the operator is required to make to the Commission des transports du Québec on the measures that are necessary, if such is the case, to ensure that the system is compliant with the standards applicable to it;

WHEREAS, under the second paragraph of section 303 of the Act, any first regulation that is necessary for the purposes of the Act may prescribe any transitional measures required to carry out the Act;

WHEREAS, under section 83.8 of the Financial Administration Act (chapter A-6.001), a fee may be set to fund a particular public service or a set of public services delivered in particular by a body, provided the law does not otherwise confer the power to set that fee;

WHEREAS, under paragraphs 8.8 and 13 of section 618 of the Highway Safety Code (chapter C-24.2), the Government may by regulation determine during what periods the payment in particular of the additional duties exigible under section 31.1 of the Code concerning a registered road vehicle must be made according, among other things, to the class or sub-class of road vehicles to which it belongs, and determine classes of registration plates according in particular to the use of road vehicles;

WHEREAS, under section 619.1 of the Highway Safety Code, the Government may fix, by regulation, the duties exigible for obtaining the registration of a road vehicle and the duties exigible under section 31.1 of the Code, on the basis of one or more of the factors provided for in section 619.1;

WHEREAS, under subparagraphs 28, 29 and 32.1 of the first paragraph of section 621 of the Highway Safety Code, the Government may by regulation in particular determine what road vehicles are subject to mechanical inspection under paragraph 11 of section 521 of the Code, prescribe the frequency, standards and procedures of the mechanical inspection, and determine the minimum standards to be met by a preventive maintenance program intended to stand in place of mandatory mechanical inspection;

WHEREAS, 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, a draft Regulation respecting remunerated passenger transportation by automobile was published in Part 2 of the *Gazette officielle du Québec* of 15 July 2020 with a notice that it could be made by the Government on the expiry of 20 days following that publication;

WHEREAS, under the first paragraph of section 303 of the Act respecting remunerated passenger transportation by automobile, any first regulation that is necessary for the purposes of the Act comes into force on 10 October 2020 despite section 17 of the Regulations Act;

WHEREAS it is expedient to make the Regulation respecting remunerated passenger transportation by automobile with amendments;

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

THAT the Regulation respecting remunerated passenger transportation by automobile, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

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)

Financial Administration Act (chapter A-6.001)

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.

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 (*insert the reference to the Compilation of Québec Laws and Regulations*)”;

(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 (*insert the reference to the Compilation of Québec Laws and Regulations*)”.

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 (*insert the reference to the Compilation of Québec Laws and Regulations*)”;

(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 at least 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 Société.

On presentation of proof that a permit is illegible or damaged, has been destroyed, lost or stolen, or contains erroneous information, the Société 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 Société 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 a low-emission automobile, at least 256 cm;

(3) be equipped by the manufacturer with at least 4 safety belts;

(4) be equipped with a seat belt extender compatible with the automobile's seat belts;

(5) have a solid roof;

(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;

(2) a utility vehicle with 3 or 4 side doors.

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 at least 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, using the form provided by the Société.

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 Société, 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 Société.

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

21. Authorization is cancelled by the Société 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.

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;
- (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;
- (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 a driver or owner of an automobile the operator registers, 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;
- (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, 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. Each month, the operator must send to the Commission, by technological means, a report 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 the request was received;
- (2) the transportation mode for the trip, whether exclusive, by adapted automobile, or shared transportation;
- (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 type of automobile (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 covered, include the operator's identifier as issued by the Commission and 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.

An operator using a technological means that does not require the intervention of a natural person to dispatch trip requests must inform the Minister if the means is accessible to persons with a disability.

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;
- (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;

(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 fleet of authorized 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;

(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 to which it provides services.

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 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;

(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;

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

The report must also indicate the period covered, 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. Each month, the registered dispatcher must send to the Commission, 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 the request was received;
- (2) the transportation mode for the trip, whether exclusive, by adapted, automobile or shared transportation;
- (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 type of automobile (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 covered, include the dispatcher's identifier as issued by the Commission and 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.

A dispatcher using a technological means that does not require the intervention of a natural person to dispatch trip requests must inform the Minister if the means is accessible to persons with a disability.

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 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) the seat belt extender must be in good condition and easily accessible if necessary;

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

(11) the real-time geolocation device recognized by the Minister, which must work effectively;

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

(13) 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;

(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 for using a ferry;

(3) highway toll expenses or expenses for crossing a bridge;

(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.

DIVISION VI DEFECTIVE AUTOMOBILE

73. 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;

(5) the name of the driver who noted the defect.

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

74. 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

75. 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 TRANSPORTATION BY ADAPTED AUTOMOBILE

76. In an adapted automobile, all the spaces reserved for a person in 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.

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

78. 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).

79. 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

80. 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.

81. 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.

82. 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

83. 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.

84. 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 or fees for crossing a bridge;
- (4) fees for using a ferry.

CHAPTER IX COLLECTION OF DUES AND ADMINISTRATION OF DUES COLLECTED

85. Every business operator must, as the Minister's mandatory, 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 for that trip 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) that must be registered in accordance with section 407 or 407.1 of that Act.

86. Despite section 85, 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.

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.

87. 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.

88. Every business operator required to collect dues in accordance with the first paragraph of section 85 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 89.

89. Every business operator who collects dues in accordance with the first paragraph of section 85 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 86, 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 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 86, the period provided for in the agreement regarding taxation entered into pursuant to section 37 of the Act;

(2) in other cases, 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 86, the time provided for communicating the information in the agreement to ensure compliance with government requirements regarding taxation entered into pursuant to section 37 of the Act;

(2) in other cases, 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).

90. 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.

91. A business operator who collects dues in accordance with the first paragraph of section 85 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.

92. A business operator who collects dues in accordance with the first paragraph of section 85 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.

93. 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.

94. A business operator who collects dues in accordance with the first paragraph of section 85 is bound to remit to the Minister, at the date specified in section 89, 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.

95. 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 89.

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.

96. 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.

97. A customer must not pay the dues provided for in section 287 of the Act for any trip completed prior to 1 January 2021. No person may, before that date, require that a customer pay the dues.

98. 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 from that date pursuant to section 287 of the Act with respect to the trip.

CHAPTER X RECOVERY

99. 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;

(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

100. 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) the holder of a driver's permit who contravenes the first paragraph of section 6;
- (2) the owner of an authorized automobile who contravenes the first paragraph of section 20;
- (3) the owner of a qualified automobile who contravenes the first paragraph of section 55;
- (4) a qualified driver, operator or registered dispatcher who contravenes section 97;
- (5) a taxi driver who contravenes any of sections 81;
- (6) the owner of a taxi, when the domelight with which the taxi is equipped is not compliant with the first paragraph of section 82 or is not installed in accordance with that paragraph.

101. 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.

102. 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.

103. 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.

104. 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.

105. 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.

106. 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

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

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

109. Section 124 is amended by striking out “taxis,”.

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

REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

111. 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.”.

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

113. 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.”.

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

CHAPTER XIII TRANSITIONAL AND FINAL PROVISIONS

115. A person who, on 9 October 2020, is the holder of a certificate of competence issued under the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation on the island of Montréal (chapter S-6.01, r. 2.01) is deemed to be a driver authorized by the Société under paragraph 1 of section 8 of the Act, as of 10 October 2020.

The person referred to in the first paragraph must, not later than 10 January 2021, provide either his or her certificate of no judicial record or his or her judicial record list issued by a police force under section 14 of the Act.

116. The taxi driver’s permit takes the place of an authorized driver’s permit until the Société issues a new document.

Until 10 January 2021, the same applies to a certificate of competence issued under the Pilot project concerning permits and training of certain drivers providing remunerated passenger transportation on the island of Montréal.

117. 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.

118. 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.

119. 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.

120. Until 10 January 2021, despite any provision to the contrary, drivers who, on 9 October 2020 were registered with a remunerated passenger transportation service referred to in the second paragraph of section 298 of the Act and the automobiles used by those drivers for remunerated passenger transportation are deemed to be qualified.

121. Despite paragraph 4 of the first paragraph of section 12, until 1 April 2021, an automobile is not required to be equipped with a seat belt extender.

122. 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.

123. 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.

124. Despite the third paragraph of section 73 of the Act

(1) when an automobile deemed to be authorized under section 293 of the Act exceeds a limit provided for in section 75, its owner is not required to submit it to the mechanical inspection provided for in subparagraph *c* of subparagraph 1 of the first paragraph of section 20 of the Act before the date that occurs 1 year after the most recent mechanical inspection to which it was submitted before 10 October 2020;

(2) when an automobile meets the following conditions, its owner is not required to submit it to the mechanical inspection before 10 May 2021:

(a) the automobile is used by a driver who, on 9 October 2020, was registered with a remunerated passenger transportation service as part of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S-6.01, r. 2.3);

(b) on 10 October 2020 the automobile was exceeding the limit provided for in section 13 or 75.

As long as the owner of such an automobile is not required to submit it to the mechanical inspection, despite subparagraph *a* of paragraph 1 of section 170 of the Act, a qualified driver may use the automobile to offer

remunerated passenger transportation, despite section 56 of the Act; the driver, in such case, is not required to have possession of the most recent mechanical inspection certificate referred to in that section.

The automobile referred to in subparagraph 2 of the first paragraph may be registered with the operator referred to in section 299 of the Act without having first been submitted to the mechanical inspection.

125. 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.

126. The Société must, before 6 December 2020, send the accessory provided for in the second paragraph of section 26 of the Act to the owner of an automobile used by a driver who, on 9 October 2020, was registered with a remunerated passenger transportation service subject to the notice provided for in the first paragraph of section 298 of the Act.

Until that date, despite section 71 of the Act, the owner of the automobile is not required to make the accessory available to the qualified driver using the automobile to offer remunerated passenger transportation; similarly, despite section 54 of the Act, the driver is not required to affix the accessory to the automobile.

The same applies to the drivers and automobiles deemed to be qualified under section 120.

127. 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.

128. 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.

129. 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.

130. 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.

131. 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.

132. 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.

133. Any agreement referred to in section 5 of the Pilot project concerning remunerated passenger transportation services requested exclusively using a mobile application (chapter S 6.01, r. 2.3) entered into between the holder of a taxi transportation service intermediary's permit and the Agence du revenu du Québec is extended until 31 December 2020, unless a new agreement is entered into between the parties pursuant to section 37 of the Act.

134. 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.

135. 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.

136. Until the requirements introduced by section 59 of the Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18) apply, 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;
- (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.

137. Despite section 255 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), the provisions of the Act respecting transportation services by taxi (chapter S-6.01), as they read on 9 October 2020, continue to apply to penal proceedings instituted before 10 October 2020 before the municipal court of Montréal.

138. 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

Québec  Accessoire gouvernemental provisoireNuméro
d'accessoire **Loi concernant le transport rénuméré de personnes par automobile**

Numéro d'identification du véhicule (NIV) :

Date d'émission (Année-Mois-Jour) :

En service

▲ Pliez ici ▲**Ce document doit :**

- être apposé à l'intérieur du véhicule, sur la lunette arrière, côté chauffeur;
- demeurer lisible et en bon état.

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	Alphanumeric 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.

M.O., 2020**Order number 2020-18 of the Minister of Transport dated 29 September 2020**

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

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

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 82 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2), which provides that the Minister of Transport determines by regulation the form and content and the intervals at which transportation system operators must send the Commission des transports du Québec and the Minister of Transport the information concerning the starting points and destinations of the trips provided by the drivers registered with the operators;

CONSIDERING the first paragraph of section 89 of the Act, which provides that the Minister of Transport determines by regulation the form and content and the intervals at which the registered dispatcher must send the Commission des transports du Québec and the Minister of Transport the information concerning the starting points and destinations of the trips provided by the drivers to whom the dispatcher provides services;

CONSIDERING the second paragraph of section 94 of the Act, which provides that a fare calculated in accordance with section 93 of the Act may not exceed the price obtained by applying a rate determined by the Minister from among the rates fixed by the Commission des transports du Québec under the second paragraph of section 95 of the Act, multiplied by a multiplier, not exceeding three, prescribed by regulation of the Minister, in the situations provided for in subparagraph 1 of the second paragraph of section 94 of the Act;

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