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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 90  
(2004, chapter 27)

## **An Act to amend the Act respecting off-highway vehicles**

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**Introduced 16 December 2004**  
**Passage in principle 16 December 2004**  
**Passage 16 December 2004**  
**Assented to 17 December 2004**

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**Québec Official Publisher**  
**2004**

## **EXPLANATORY NOTES**

*The purpose of this bill is to exclude, for a limited time, certain legal proceedings arising from the operation of an off-highway vehicle.*

*Furthermore, the bill contains a provision concerning certain regulations that may be made under the Act respecting off-highway vehicles before 1 January 2005.*

## Bill 90

### AN ACT TO AMEND THE ACT RESPECTING OFF-HIGHWAY VEHICLES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Act respecting off-highway vehicles (R.S.Q., chapter V-1.2) is amended by inserting the following section after section 87:

**“87.1.** No legal action founded on neighbourhood disturbances or any other damage relating to noise, odours or other contaminants may be brought for facts occurring between 16 December 2001 and 1 May 2006, if the alleged damage is due to the operation of a vehicle to which this Act applies in places authorized under this Act or a regulation under this Act.

Legal action against the operator or owner of an off-highway vehicle alleged to have contravened a provision of this Act or a regulation under this Act is, however, admissible.”

**2.** The Regulations Act (R.S.Q., chapter R-18.1) does not apply to a regulation made by the Government under section 46 of the Act respecting off-highway vehicles before 1 January 2005. Such a regulation may come into force on the day it is made, and it must be published in the *Gazette officielle du Québec*.

**3.** This Act comes into force on 16 December 2004.