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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 100  
(2016, chapter 22)

**An Act to amend various legislative  
provisions respecting mainly  
transportation services by taxi**

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**Introduced 12 May 2016  
Passed in principle 8 June 2016  
Passed 10 June 2016  
Assented to 10 June 2016**

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## EXPLANATORY NOTES

*This Act modifies the framework for regulating transportation services by taxi in Québec but maintains the principle of a single legal regime for such services.*

*The Act specifies the remunerated passenger transportation services that are not taxi transportation services subject to the Act respecting transportation services by taxi.*

*The Government is granted the power to determine the number of servicing areas and the territory of each one, as well as the maximum number of taxi owner's permits that the Commission des transports du Québec may issue in each area. The Government may also set the additional annual duties payable to obtain, maintain or renew the taxi owner's permits it specifies. Those duties are paid into the Land Transportation Network Fund and are allocated to financing the modernization of transportation services by taxi.*

*Holders of a taxi transportation service intermediary's permit have new obligations. They must, at all times, provide taxi transportation service request distribution services throughout the territory of each servicing area they serve. They must also provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit. Lastly, the holder of a taxi transportation service intermediary's permit must make a by-law on the standards of conduct and ethics which the holder must uphold and with which the holders of a taxi owner's permit and holders of a taxi driver's permit to whom the holder provides services must also comply.*

*The Commission des transports du Québec is required to set the basic rate structure that applies for all servicing areas and is given the power to set special rates which may vary depending on the servicing area and the categories of transportation services. The rate structure set by the Commission may also vary based on the day or time of day when the transportation service is provided. In addition, a fare may differ from the rates set by the Commission according to the technological means used to request the taxi transportation service, to the extent and on the conditions prescribed by government regulation.*

*The Act grants new inspection and inquiry powers to persons responsible for ascertaining compliance with the Act and the regulations. Provision is also made for new penal and administrative penalties for non-compliance with the Act, such as suspending the driver's licence of a person providing taxi transportation services without holding the appropriate licence or permit, and seizing the automobile the person is driving.*

*The Taxi Industry Advisory Panel is abolished.*

*The Act alters the scope of pilot projects that may be authorized by ministerial order in particular to provide that any such project may apply to holders of a taxi transportation services intermediary's permit, may have different standards and rules than those prescribed by the laws or regulations under the Minister's administration and must comply with the principle of equity toward holders operating under any permit at the time the pilot project is implemented.*

*The Act also contains safety measures for cyclists. The Highway Safety Code is amended to increase fines for dooring, and the minimum distance that a motor vehicle must keep when passing a bicycle is specified.*

*Lastly, consequential amendments and transitional measures are made.*

**LEGISLATION AMENDED BY THIS ACT:**

- Highway Safety Code (chapter C-24.2);
- Act respecting the Ministère des Transports (chapter M-28);
- Act respecting transportation services by taxi (chapter S-6.01);
- Transport Act (chapter T-12).

**REGULATION AMENDED BY THIS ACT:**

- Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32).



## Bill 100

### AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MAINLY TRANSPORTATION SERVICES BY TAXI

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING TRANSPORTATION SERVICES BY TAXI

**1.** Section 1 of the Act respecting transportation services by taxi (chapter S-6.01) is amended

(1) by replacing “to passenger transportation, for remuneration, by automobile and more particularly establishes a framework for” by “to”;

(2) by inserting “, ensure supply management of taxi transportation services that takes into consideration the public’s needs” after “services offered”.

**2.** Section 2 of the Act is amended by replacing paragraph 2 by the following:

“(2) “taxi transportation service intermediary” means any person who provides, by any means, publicity, taxi transportation service request distribution or other similar services to holders of a taxi owner’s permit or holders of a taxi driver’s permit;

“(3) “transportation services by taxi” or “taxi transportation services” means any passenger transportation service by automobile, for remuneration, except

(a) carpooling provided on a portion or all of a same route, provided that

i. the automobile used is a passenger vehicle within the meaning of section 4 of the Highway Safety Code (chapter C-24.2),

ii. the driver decides on the final destination, and taking passengers on board is incidental to the driver’s reason for making the trip, and

iii. the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the expenses incurred in using the automobile, the total amount of which may not exceed the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1) for use of the employee’s personal vehicle;

(b) school transportation provided for in the Education Act (chapter I-13.3), the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), the Act respecting private education (chapter E-9.1) or the General and Vocational Colleges Act (chapter C-29) and transportation of students of an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);

(c) transportation provided by a volunteer driver under the control of a humanitarian organization recognized by the Ministère de la Santé et des Services sociaux as part of one of its support or assistance programs, provided that

i. the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the expenses incurred in using the automobile as set by the organization's board of directors, the total amount of which may not exceed the amount determined by government regulation, and

ii. the organization keeps a permanent register of trips which, for each trip provided, identifies the driver, the client and any accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(d) transportation provided by a social economy enterprise funded by a government program to offer assistance services to clients such as seniors, persons who are handicapped or ill or persons with decreasing independence, provided that the enterprise keeps a permanent register of trips which, for each trip provided, identifies the driver, the client and any accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(e) transportation provided to an impaired person by a volunteer driver under the control of a non-profit organization or legal person or by a driver remunerated by an enterprise, provided that

i. the impaired person's automobile is also driven to the destination,

ii. the transportation is provided by the volunteer driver without any intent of deriving pecuniary gain, and

iii. the non-profit organization or legal person or enterprise concerned keeps a permanent register of trips which, for each trip provided, identifies the driver, the customer and the accompanying person, and indicates the date, the pick-up point, the distance travelled and the destination;

(f) courtesy transportation provided by a driver remunerated by an enterprise, and offered free of charge to its customers;

(g) transportation provided for the purpose of community assistance to help or accompany a person, provided that the transportation is offered for a financial contribution limited, regardless of the number of passengers on board, to the

expenses incurred in using the automobile, the total amount of which may not exceed the amount determined by government regulation;

(h) passenger transportation for baptisms, weddings or funerals or passenger transportation in antique automobiles over 30 years old; and

(i) transportation by ambulance or hearse.

The Minister shall publish on the department's website the amount of the allowance granted to an employee of a department or body whose personnel is appointed in accordance with the Public Service Act for use of the employee's personal vehicle and the amount determined by government regulation."

**3.** Section 3 of the Act is repealed.

**4.** Section 4 of the Act is amended by replacing “, for remuneration, passenger transportation by automobile,” by “taxi transportation services”.

**5.** Section 5 of the Act is amended

(1) by striking out the second paragraph;

(2) by inserting “, or two or more customers in accordance with section 6.1,” after “that customer” in the third paragraph;

(3) by adding the following paragraph at the end:

“Despite the first paragraph, if the automobile used for taxi transportation is completely electrically propelled, the Commission des transports du Québec may authorize the holder of the taxi owner's permit to own the number of additional completely electrically propelled automobiles that the Commission determines to ensure that the permit holder can continue to offer services while the batteries are being recharged.”

**6.** The Act is amended by inserting the following sections after section 5:

**“5.1.** The Government shall determine the number of servicing areas and the territory of each one.

The Minister shall publish the decision on the department's website.

**“5.2.** The taxi owner's permit issued to serve a servicing area is deemed, on the effective date of a decision by the Government under section 5.1, to have been issued to serve the servicing area determined by the Government that covers all of the territory of the servicing area indicated in the permit on that date.

If the servicing area determined by the Government covers only a portion of that territory, the taxi owner's permit is deemed to have been issued to serve the servicing area that the Government determines."

**7.** Section 6 of the Act is amended by replacing "delimited by the Commission" in the first paragraph by "determined by the Government".

**8.** The Act is amended by inserting the following section after section 6:

**"6.1.** The holder of a taxi owner's permit may offer to transport two or more passengers who have separately requested a trip to the same destination or to several destinations on the same route, provided that the trip was requested by a technological means allowing each customer to agree in advance to share the cost of the trip."

**9.** Section 10 of the Act is amended by replacing "that may be issued under section 10.1" in the first paragraph by "set under section 10.1".

**10.** Section 10.1 of the Act is replaced by the following section:

**"10.1.** The Government may, for each servicing area it specifies, set the maximum number of taxi owner's permits that may be issued by the Commission according to any categories of services the Government identifies and on any conditions it determines."

**11.** Section 32 of the Act is amended by replacing "order" in the first and second paragraphs by "ministerial order".

**12.** Section 33 of the Act is replaced by the following section:

**"33.** A taxi transportation service intermediary's permit shall be issued for a maximum period of five years and may not be assigned or transferred. It may be renewed on the expiry of the period for which it was issued.

Section 21 applies to a taxi transportation service intermediary's permit.

For the purposes of the second paragraph, joining a cooperative does not constitute an acquisition of interest."

**13.** Section 34 of the Act is amended by replacing the first paragraph by the following paragraph:

"Only a holder of a taxi transportation service intermediary's permit may, by any means, provide holders of a taxi owner's permit and holders of a taxi driver's permit with publicity, taxi transportation service request distribution or other similar services in a servicing area covered by a ministerial order made under section 32."



**14.** Section 34.1 of the Act is replaced by the following section:

**“34.1.** The holder of a taxi transportation service intermediary’s permit must, within six months after the date the permit is issued, make a by-law on the standards of conduct and ethics which the holder must uphold and with which the holders of a taxi owner’s permit and holders of a taxi driver’s permit to whom the holder provides services must also comply. The by-law must include the minimum standards prescribed by government regulation.

If the Government makes amendments to its regulation, the holder of a taxi transportation service intermediary’s permit must, within six months after those amendments come into force, make any necessary amendments to the by-law.

The holder of a taxi transportation service intermediary’s permit must publish the by-law on the holder’s website and transmit a copy to the Commission without delay. The same applies for any amendment to the by-law.”

**15.** Section 34.2 of the Act is amended, in the second paragraph,

(1) by replacing subparagraph 2 by the following subparagraphs:

“(2) fails to make the by-law referred to in section 34.1 or the necessary amendments to it, to publish the by-law or any such amendments on the intermediary’s website or to transmit the by-law or any such amendments to the Commission within the prescribed time;

“(2.1) fails to apply the by-law the intermediary made under section 34.1;”;

(2) by replacing “data collection and conservation” in subparagraph 3 by “the collection, keeping and transmission of information” and by striking out “, conduct and ethics,” in that subparagraph.

**16.** Section 50 of the Act is amended by replacing “call” by “taxi transportation service request”.

**17.** Section 55 of the Act is amended by replacing “an inspector appointed under section 66” by “a person authorized to act as an inspector or investigator”.

**18.** The Act is amended by inserting the following sections after section 59:

**“59.1.** The holder of a taxi transportation service intermediary’s permit must, at all times, provide taxi transportation service request distribution services throughout the territory of any servicing area served by the holder.

**“59.2.** The holder of a taxi transportation service intermediary’s permit is required, on the conditions prescribed by regulation, to collect and keep information on the hours of work performed by the holders of a taxi driver’s permit to whom the holder provides services, the type, number, duration and

distance of trips, the zones served and taxi stands, and any other similar matter determined by regulation.

The holder must, at the Commission's request, transmit the information to the Commission.

**“59.3.** The holder of a taxi transportation service intermediary's permit is required to provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit.”

**19.** Section 60 of the Act is amended

(1) by replacing the first paragraph by the following paragraphs:

“The Commission shall set the applicable rates for transportation services by taxi after a public hearing.

The Commission shall set the basic rate structure that applies for all servicing areas. It may also set special rates, which may vary from one area to another or according to the category of services provided.

Any rate structure referred to in the second paragraph may vary according to the day or time of day when the service is provided.

After a special hearing, the Commission may also set, for specialized transportation services by taxi, rates that may vary according to requests made by certain holders of taxi owner's permits providing specialized services.”;

(2) by inserting “and on the Commission's website” at the end of the second paragraph.

**20.** Section 62 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “A fare agreed upon with a customer, even if it differs from the rates fixed by the Commission, shall not be regarded as a discount” in the second paragraph by “A fare may be agreed upon with a customer, even if it differs from the rates set by the Commission”;

(3) by adding the following paragraph at the end:

“A fare may also differ from the rates set by the Commission according to the technological means used to make the taxi transportation service request, to the extent and on the conditions determined by government regulation.”

**21.** The heading of Chapter VIII of the Act is replaced by the following heading:

“INSPECTION, INQUIRY, SEIZURE AND SUSPENSION”.

**22.** Section 66 of the Act is amended by replacing “and any employee of a municipal or supramunicipal authority responsible for” by “or any employee authorized by a municipal or supramunicipal authority entrusted with”.

**23.** Section 67 of the Act is amended, in the first paragraph,

(1) by striking out “, any person specially authorized by the Minister and any peace officer” in the introductory clause;

(2) by replacing “of a non-profit organization or legal person that transports persons who are intoxicated or of a humanitarian organization organizing volunteer passenger transportation by automobile,” in subparagraph 1 by “ of an organization, of a non-profit legal person or of an enterprise referred to in section 2”;

(3) by replacing “and providing” in subparagraph 3 by “if the person has reasonable grounds to believe that the automobile is being used to provide”.

**24.** The Act is amended by inserting the following sections after section 67:

“**67.1.** Any peace officer, any person specially authorized by the Minister or any employee authorized by a municipal or supramunicipal authority entrusted with the administration of this Act may act as an investigator for the purposes of this Act and the regulations.

“**67.2.** A person authorized to act as an inspector or investigator may not be prosecuted for acts in good faith in the exercise of inspection or inquiry functions.”

**25.** Section 71 of the Act is amended

(1) by replacing “Any peace officer may, in the course of an inspection under section 67, immediately seize an automobile if the peace officer” in the introductory clause of the first paragraph by “Any person authorized to act as an inspector or investigator, as the case may be, may immediately seize an automobile if the person”;

(2) by inserting the following paragraph after the first paragraph:

“The security required under subparagraphs 1 and 2 of the first paragraph is equal to the amount of the fine prescribed for the offence.”;

(3) by replacing “A peace officer” in the second paragraph by “A person”;

(4) by replacing “minimum period of 60 days” in the third paragraph by “period of 30 days for a second offence and 90 days for a subsequent offence”.

**26.** The Act is amended by inserting the following sections after section 71:

**“71.1.** A peace officer or an employee authorized for that purpose by a municipal or supramunicipal authority entrusted with the administration of this Act who has reasonable grounds to believe that a person is contravening paragraph 2 of section 117 shall immediately suspend, on behalf of the Société, for a period of seven days,

(1) the licence referred to in section 61 of the Highway Safety Code (chapter C-24.2) that the person holds; or

(2) if the person does not hold such a licence, the person’s right to obtain one.

The suspension period is increased to 30 days for a second offence and 90 days for a subsequent offence in the case of a person who was convicted of an offence under paragraph 2 of section 117 during the 10 years before the suspension.

**“71.2.** A person whose licence or right to obtain a licence has been suspended in accordance with section 71.1 may have the suspension lifted by a judge of the Court of Québec acting in chambers in civil matters after the person establishes that he or she did not contravene paragraph 2 of section 117.

**“71.3.** Sections 202.6.1 and 202.7, the second paragraph of section 209.11 and section 209.12 of the Highway Safety Code (chapter C-24.2) apply in the case of a licence suspension under section 71.1, with the necessary modifications.

**“71.4.** In the case of a person whose licence or right to obtain a licence has been suspended in accordance with section 71.1, the peace officer or authorized employee shall immediately seize the automobile and impound it on behalf of the Société and at the owner’s expense for a period equivalent to the period of the licence suspension.

**“71.5.** Sections 209.3 and 209.10 of the Highway Safety Code (chapter C-24.2) apply to a seizure under section 71.4, with the necessary modifications.

**“71.6.** The owner of the seized automobile may, on the authorization of a judge of the Court of Québec acting in chambers in civil matters, recover the automobile

(1) if the owner was not the driver of the automobile and could not reasonably have foreseen that the driver of the automobile would contravene paragraph 2 of section 117; or

(2) if the owner was the driver of the automobile and establishes that he or she did not contravene paragraph 2 of section 117.

If the person concerned in subparagraph 2 of the first paragraph obtains release from seizure, the Société shall lift the suspension of the licence or of the right to obtain a licence imposed under section 71.1.

The second paragraph of section 209.11 and sections 209.11.1 to 209.17 of the Highway Safety Code (chapter C-24.2) apply with the necessary modifications.

**“71.7.** The suspension of a driver’s licence or of the right to obtain one under section 71.1 constitutes a penalty for the purposes of sections 105 and 106 of the Highway Safety Code (chapter C-24.2).”

**27.** Chapter IX of the Act is repealed.

**28.** Section 79 of the Act is amended by striking out subparagraphs 4 and 8 of the first paragraph.

**29.** Section 80 of the Act is amended by striking out the second sentence of the first paragraph.

**30.** Section 82 of the Act is amended by adding the following paragraph at the end:

“The Commission may, on its own initiative or on request, order the Société to withdraw, from a person who has offered or provided a taxi transportation service without holding the permit or licence required under this Act, the right to maintain in operation the automobile used for that purpose. The procedure established under section 35 of the Transport Act applies.”

**31.** The Act is amended by inserting the following section after section 83:

**“83.1.** The Société and any municipal or supramunicipal authority entrusted with the administration of this Act shall make available to the Commission any information the Commission requires in order to make a decision in a matter that is before the Commission or that is referred to the Commission under this Act.”

**32.** Section 88 of the Act is amended, in the first paragraph,

(1) by striking out subparagraph 1;

(2) by inserting the following subparagraphs after subparagraph 1:

“(1.01) determining the maximum amount of the financial contribution that may be required for remunerated passenger transportation services by automobile

under subparagraph i of subparagraph c of paragraph 3 of section 2 and subparagraph g of paragraph 3 of section 2;

“(1.1) setting, for each servicing area the regulation specifies, the maximum number of permits that may be issued by the Commission, identifying categories of services and prescribing conditions;”;

(3) by adding “, including the obligation for the holder of a taxi driver’s permit to comply with the assessment measures prescribed by regulation” at the end of subparagraph 2;

(4) by striking out subparagraph 2.1;

(5) by inserting the following subparagraphs after subparagraph 2.1:

“(2.2) fixing, for any period the Government determines, the additional annual duties payable to obtain, maintain or renew the taxi owner’s permits it specifies, the amount of which may vary according to the servicing area, the categories of services identified and the conditions prescribed under subparagraph 1.1 or the number of permits held by a same holder;

“(2.3) prescribing conditions relating to the collection, keeping and transmission of information under section 59.2 and conditions relating to the making of internal by-laws as well as standards for services rendered to handicapped persons;”;

(6) by replacing subparagraph 15 by the following subparagraphs:

“(15) determining the conditions that a permit holder must comply with when entering into a contract that is referred to in the first paragraph of section 62 and that allows the holder to disregard the rates set by the Commission;

“(15.1) prescribing in which cases and on what conditions a fare may differ from the rate structure set by the Commission according to the technological means used to request taxi transportation services;”;

(7) by inserting the following subparagraph after subparagraph 16:

“(16.1) determining the cases in which the holder of a taxi owner’s permit must equip the holder’s automobile with an electronic payment terminal, for debit or credit cards, which issues a transaction receipt and prescribing the obligations of the holder and of holders of a taxi driver’s permit with respect to the use of such a terminal;”.

**33.** Section 89 of the Act is amended by replacing “15 to 17” in the first paragraph by “15 and 16 to 17”.

**34.** Section 89.1 of the Act is amended

(1) by replacing “that is a holder of a taxi owner’s permit issued under this Act or a business partner of such a holder to offer” in the first paragraph by “that is a holder of a taxi owner’s permit or a taxi transportation service intermediary’s permit issued under this Act, or a business partner of such a holder, to offer or provide”;

(2) by inserting “or any other Act or regulation whose administration falls under the Minister’s responsibility” after “in this Act and the regulations” in the first paragraph;

(3) by replacing “or fostering the development of the taxi transportation services industry, all in compliance with the applicable privacy protection rules” in the first paragraph by “, ensuring supply management of taxi transportation services that takes into consideration the public’s needs or fostering the development of the taxi transportation services industry, all in compliance with the principle of equity toward holders operating under any permit at the time the pilot project is implemented and with the applicable privacy protection rules”;

(4) by replacing the third paragraph by the following paragraph:

“The details of the pilot project must be published on the department’s and the Commission’s websites at least 20 days before its implementation.”

**35.** The Act is amended by inserting the following section after section 89.1:

**“89.2.** A decision or regulation made by the Government under section 5.1 or 10.1 must be the subject of a prior public consultation by the Commission des transports du Québec at the Minister’s request.”

**36.** Section 107 of the Act is amended by striking out “the second paragraph of” in paragraph 2.

**37.** Section 112 of the Act is amended by adding the following paragraph at the end:

“(3) fails to collect or keep information as required under section 59.2 or to transmit such information to the Commission at the Commission’s request.”

**38.** The Act is amended by inserting the following section after section 112:

**“112.1.** Every holder of a taxi transportation service intermediary’s permit is guilty of an offence and liable to a fine of \$500 to \$1,500 who

(1) fails to provide, at all times, taxi transportation service request distribution services throughout the territory of each servicing area the holder serves; or

(2) fails to provide all persons having requested a trip with a means enabling them to assess the quality of the services rendered by the holder of a taxi driver's permit."

**39.** Section 117 of the Act is replaced by the following section:

**"117.** The following are guilty of an offence and liable to a fine of \$2,500 to \$25,000 in the case of a natural person and \$5,000 to \$50,000 in other cases:

(1) anyone who offers taxi transportation services without holding a taxi owner's permit;

(2) anyone who offers or provides taxi transportation services without holding a driver's licence of the appropriate class and a taxi driver's permit;

(3) despite the suspension of his or her driver's licence or of the right to obtain one under section 71.1, anyone who operates an automobile while under a penalty as provided by section 71.7;

(4) anyone who offers to lease an automobile with the services of a driver who does not hold a taxi driver's permit; and

(5) anyone who fails to return his or her taxi driver's permit to the Société or the municipal or supramunicipal authority that issued it, or refuses to immediately hand over the permit to a peace officer who demands it, when the permit has been suspended or revoked."

**40.** Section 118 of the Act is replaced by the following sections:

**"118.** Anyone who, without holding a taxi transportation service intermediary's permit, provides publicity, taxi transportation service request distribution or other similar services in a servicing area covered by an order made under section 32 is guilty of an offence and liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$10,000 to \$100,000 in other cases.

**"118.1.** For the purposes of sections 117 and 118, when determining the amount of the fine, the judge shall take into consideration such factors as

(1) the seriousness of the harm or the risk of harm to human safety;

(2) the duration of the offence;

(3) the repetitive nature of the offence;

(4) the foreseeable character of the offence or the failure to follow recommendations or warnings to prevent it;

(5) whether the offender acted intentionally or was reckless or negligent;



(6) the revenues and other benefits derived by the offender from the offence;  
and

(7) the offender's past conduct.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

**“118.2.** Division III of Chapter XIII of the Code of Penal Procedure (chapter C-25.1) applies, with the necessary modifications, to the recovery of an amount payable by a person found guilty of an offence under section 117 or 118.”

**41.** The Act is amended by inserting the following section after section 120:

**“120.1.** The minimum and maximum amounts of fines under Chapter XIII are doubled for a second offence and tripled for any subsequent offence.”

**42.** The Act is amended by inserting the following after section 127:

#### **“CHAPTER XIII.1**

##### **“GENERAL PROVISION**

**“127.1.** The Commission shall pay the additional annual duties referred to in subparagraph 2.2 of the first paragraph of section 88 into the Land Transportation Network Fund established under paragraph 1 of section 12.30 of the Act respecting the Ministère des Transports (chapter M-28).”

##### **AMENDING PROVISIONS**

##### **HIGHWAY SAFETY CODE**

**43.** Section 189 of the Highway Safety Code (chapter C-24.2) is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) the Commission des transports du Québec, pursuant to section 35 or 40 of the Transport Act (chapter T-12) or the second or fifth paragraph of section 82 of the Act respecting transportation services by taxi (chapter S-6.01), orders the Société to withdraw a person's right to maintain a road vehicle in operation;”.

**44.** Section 341 of the Code is replaced by the following section:

**“341.** No driver of a road vehicle may pass a bicycle within the same traffic lane unless the driver may do so safely, after reducing the vehicle's speed and ensuring that a reasonable distance can be kept between the vehicle and the bicycle during the manoeuvre.

A reasonable distance is 1.5 metres on a road where the maximum authorized speed limit is more than 50 km/h or 1 metre on a road where the maximum authorized speed limit is 50 km/h or less.”

**45.** Section 506 of the Code is amended by replacing “428 to 432” by “428, 429, 431, 432”.

**46.** Section 510 of the Code is amended by inserting “430,” after “427,” in the first paragraph.

#### ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

**47.** Section 12.30 of the Act respecting the Ministère des Transports (chapter M-28) is amended by adding the following subparagraph after subparagraph *h* of paragraph 1:

“(i) the modernization of transportation services by taxi;”.

**48.** Section 12.32 of the Act is amended by inserting the following paragraph after paragraph 2.11:

“(2.12) the sums paid by the Commission des transports du Québec under section 127.1 of the Act respecting transportation services by taxi (chapter S-6.01); and”.

**49.** Section 12.32.1 of the Act is amended

(1) by inserting the following paragraph after the fourth paragraph:

“The sums referred to in paragraph 2.12 of section 12.32 are allocated to financing the modernization of transportation services by taxi referred to in subparagraph *i* of paragraph 1 of section 12.30.”;

(2) by replacing “third and fourth” in the fifth paragraph by “third, fourth and fifth”.

#### TRANSPORT ACT

**50.** Section 36 of the Transport Act (chapter T-12) is amended by replacing the third paragraph by the following paragraph:

“Nor does the first paragraph apply to a person who provides carpooling within the meaning of subparagraph *a* of paragraph 3 of section 2 of the Act respecting transportation services by taxi (chapter S-6.01).”

## REGULATION RESPECTING SAFETY STANDARDS FOR ROAD VEHICLES

**51.** Section 6 of the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32) is amended by adding the following paragraph at the end:

“(5) taxis.”

**52.** Section 7 of the Regulation is amended by striking out “taxis,” in paragraph 2.

## TRANSITIONAL AND FINAL PROVISIONS

**53.** The servicing areas delimited by the Commission des transports du Québec under section 6 of the Act respecting transportation services by taxi (chapter S-6.01), as it read on 9 June 2016, are deemed to be determined by the Government under section 5.1 of that Act, enacted by section 6 of this Act.

**54.** The territories determined by the Government for issuing taxi transportation service intermediary’s permits under section 32 of the Act respecting transportation services by taxi, as it read on 9 June 2016, are deemed to be determined by the Minister under section 32 of that Act, as amended by section 11 of this Act.

**55.** The holder of a taxi transportation service intermediary’s permit on the date preceding the date of coming into force of section 14 of this Act must, 180 days after that date, meet the obligation under section 34.1 of the Act respecting transportation services by taxi, enacted by section 14 of this Act.

**56.** The Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation (chapter S-6.01, r. 2) is deemed to be a regulation made by the Government under section 10.1 of the Act respecting transportation services by taxi, enacted by section 10 of this Act.

**57.** The first regulation made by the Government under section 10.1 of the Act respecting transportation services by taxi, enacted by section 10 of this Act, is not subject to the publication requirement or to the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1).

**58.** The Government may, by regulation, prescribe any measure to give permanent scope to the Pilot project to promote taxi transportation services using electric taxis (chapter S-6.01, r. 2.1), including any necessary amendment to the Act respecting transportation services by taxi.

**59.** The provisions of this Act come into force on 8 September 2016 or any earlier date or dates the Government may set, except

(1) section 34 and sections 44 to 46, which come into force on 10 June 2016;  
and

(2) section 14, paragraph 1 of section 15, section 18 to the extent that it concerns section 59.3 of the Act respecting transportation services by taxi, and section 38 to the extent that it concerns paragraph 2 of section 112.1 of that Act, which come into force on the later date or dates to be set by the Government.