

Gouvernement du Québec

O.C. 1772-2024, 11 December 2024

Environnement Quality Act
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6)

Certain prohibitions as regards motor vehicles and internal combustion engines

Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines

WHEREAS, under paragraph *b* of section 53 of the Environment Quality Act (chapter Q-2), the Government may make regulations applicable to the whole or to any part of the territory of Québec, to prohibit or limit the use, offer for sale or lease, exhibition for sale or lease and sale or lease of motor vehicles, engines or devices to prevent or to reduce the emission of pollutants into the air;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made under that Act or the Acts concerned, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty, and the regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them. The amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may in particular determine the provisions of a regulation the Government has made under that Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines was published in Part 2 of the *Gazette officielle du Québec* of 10 July 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines, attached to this Order in Council, be made.

JOSÉE DE BELLEFEUILLE

*Associate Secretary General and Assistant Clerk
of the Secrétariat du Conseil exécutif*

Regulation prescribing certain prohibitions as regards motor vehicles and internal combustion engines

Environnement Quality Act
(chapter Q-2, s. 53, par. *b*).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

1. In this Regulation,

“gross vehicle weight rating” means the value specified by the motor vehicle manufacturer as the weight of a single loaded vehicle;

“model year” means the year used by a motor vehicle manufacturer to designate a particular vehicle model irrespective of the year in which the vehicle was produced;

“motor vehicle” means a motor vehicle within the meaning of section 1 of the Environment Quality Act (chapter Q-2) with a gross vehicle weight rating of 4,536 kg or less.

Mopeds and motorcycles as defined in section 4 of the Highway Safety Code (chapter C-24.2) are not motor vehicles within the meaning of the first paragraph.

2. Subject to the second paragraph, no person may offer for sale or lease, exhibit in a public or private space, for sale or lease, or sell or lease, in Québec, motor vehicles that are not propelled solely by an electric motor, including a motor vehicle whose motor is supplied by a hydrogen fuel cell or another means of propulsion that emits no pollutant, and whose sole element emitting pollutants is the vehicle’s air conditioner,

(1) for new motor vehicles of model year 2034 or a previous model year;

(2) for motor vehicles of model year 2035 or a subsequent model year, as soon as they are marketed by a motor vehicle manufacturer.

The prohibition under the first paragraph does not apply

(1) to the offering for lease, the exhibition for lease or the leasing of a motor vehicle that does not exceed 120 consecutive days, including any renewal of the lease;

(2) to a motor vehicle that is an emergency vehicle within the meaning of section 4 of the Highway Safety Code (chapter C-24.2).

3. Subject to the second paragraph, no person may offer for sale or lease, exhibit in a public or private space, for sale or lease, or sell or lease, in Québec, an internal combustion engine to propel a new or used motor vehicle, irrespective of the model year of the engine.

The prohibition under the first paragraph does not apply to the sale or lease of an engine referred to in that paragraph when the engine is purchased or leased to replace the engine of a motor vehicle of model year 2034 or a previous model year that was acquired in Québec or of a motor vehicle acquired outside Québec that is authorized for operation in Québec. The engine sold or leased must be of the same model year as the original engine, or of a subsequent model year, and must not have a higher fuel consumption than the original engine.

4. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who contravenes the provisions of section 3.

5. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who contravenes the provisions of section 2.

6. Any person who contravenes the provisions of section 3 is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 and, in other cases, to a fine of \$15,000 to \$3,000,000.

7. Any person who contravenes the provisions of section 2 is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 and, in other cases, to a fine of \$30,000 to \$6,000,000.

8. This Regulation comes into force 1 January 2034, except subparagraph 1 of the first paragraph of section 2 and sections 3, 4 and 6, which come into force on 31 December 2035.

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