



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 16

An Act to amend various legislation respecting bus transportation

Introduction

**Introduced by
Mr Marc-Yvan Côté
Minister of Transport**



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EXPLANATORY NOTES

This bill amends various Acts which concern the organization of bus transportation services; its main objects are to simplify certain procedures, reduce unnecessary delays and introduce greater uniformity into existing legislative texts.

More particularly, the bill authorizes municipalities and intermunicipal bodies to make changes in the rates or schedules of public transit services by way of resolutions and not by way of by-laws. They are also authorized to organize, by way of a resolution, a temporary transportation service within their territory and to grant a subsidy to a bus transport permit holder who operates a public transit service serving the territory under their jurisdiction.

The bill also authorizes public transport corporations to proceed in the same manner as municipalities as regards the awarding of contracts for the purchase of certain goods and services. In addition, it provides that the approval of the Commission des transports du Québec will no longer be required with respect to sightseeing service rates and the regular service rates fixed by intermunicipal boards of transport.

Finally, the bill provides that agreements under the Act respecting intermunicipal boards of transport in the area of Montréal will henceforth be subject to the approval of the Minister of Municipal Affairs, acting on the recommendation of the Minister of Transport.

ACTS AMENDED BY THIS BILL:

- the Cities and Towns Act (R.S.Q., chapter C-19);
- the Municipal Code of Québec (R.S.Q., chapter C-27.1);
- the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1);

- the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);
- the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70);
- the Education Act (R.S.Q., chapter I-14);
- the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42);
- the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32).

Bill 16

An Act to amend various legislation respecting bus transportation

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CITIES AND TOWNS ACT

1. Section 467.3.1 of the Cities and Towns Act (R.S.Q., chapter C-19) is replaced by the following section:

“467.3.1 Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the municipality to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under section 467.2 authorizing its holder to operate, in the territory of the municipality, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

This section applies even where the holder of the permit is a party to the contract. It does not apply where the municipality organizes a public transport service for the first time and the contract is made for a period of less than six months.”

2. The French text of section 467.4 of the said Act is amended by replacing the word “du” in the first line of the first paragraph by the words “d’un”.

3. Section 467.5 of the said Act is amended by replacing the first paragraph by the following paragraphs:

“467.5 The council, by resolution, shall fix the various passenger fares according to the classes of users it determines.

The council may also make changes in the service; such changes shall be made by by-law of the council, except schedule changes which may be made by resolution.

A certified copy of every resolution concerning fares or schedules shall be published in a daily newspaper having general circulation in the territory of the municipality and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

4. Section 467.6 of the said Act is amended by striking out the words “or fare” in the second line.

5. Section 467.7.2 of the said Act is replaced by the following section:

“467.7.2 Every draft by-law of a council providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the public body and to each municipality within the territory of the body that is situated on the proposed route, at least 30 days before the date set for the adoption of the by-law.”

6. Section 467.7.3 of the said Act is amended by inserting the word “draft” before the word “by-law” in the fourth line.

7. The said Act is amended by inserting, after section 467.7.3, the following section:

“467.7.4 The council, by resolution and without calling for tenders, may make a contract with a carrier referred to in section 467.1 to provide, on the occasion of a special event, in the territory of the municipality, a temporary public transport service which does not compete with the service provided by a permit holder pursuant to his permit.”

8. Section 467.9 of the said Act is repealed.

9. Section 467.10 of the said Act is repealed.

10. Section 467.10.3 of the said Act is replaced by the following section:

“467.10.3 For the purposes of this subdivision, unless the context indicates another meaning, the service consists of the routes, frequency and schedule of trips.”

11. Section 467.10.4 of the said Act is amended by striking out the second paragraph.

12. The said Act is amended by inserting, after section 467.10.4, the following sections:

“467.10.5 The council, by resolution, may grant a subsidy to the holder of a bus transport permit who provides transport service in the territory of the municipality and who, if applicable, provides links to points situated outside the territory.

“467.10.6 This subdivision, adapted as required, applies to an intermunicipal board exercising powers provided for therein.

“467.10.7 This subdivision does not apply to a municipality whose territory forms part of the territory of a public body providing public transport.”

13. Section 467.11 of the said Act is amended

(1) by replacing the word “by-law” in the first line by the word “resolution”;

(2) by replacing the word “by-law” in the fifth line by the word “resolution”.

14. Section 467.12 of the said Act is replaced by the following sections:

“467.12 The contract may be made without calling for tenders.

As soon as the contract is made, the council shall send copy thereof to the Minister of Transport and to the Commission des transports du Québec.

“467.12.1 The council, by resolution, shall fix the various passenger fares according to the classes of users it determines. It may also, by resolution, make changes in the service.

A certified copy of every resolution concerning fares shall be published in a daily newspaper having general circulation in the territory of the municipality and shall be posted in each vehicle. No fare may come into force before the expiry of thirty days after the date of publication and posting.

The carrier shall collect fares and provide any new service. Every contract must contain clauses for adjusting the contract price to take account of changes in the service.”

15. Section 467.13 of the said Act is amended by replacing the word and figure “and 467.12” in the first line by the word and figure “to 467.12.1”.

16. Section 467.14 of the said Act is amended by replacing the first sentence of the first paragraph by the following sentence: “The council may also, by resolution a copy of which must be sent to the Minister of Transport, grant a subsidy to any non-profit body that organizes a special transportation service for handicapped persons in the territory of the municipality and who, where such is the case, provides links to points situated outside the territory.”

MUNICIPAL CODE OF QUÉBEC

17. Article 528.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is replaced by the following article:

“528.1 Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the corporation to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under article 527 authorizing its holder to operate, in the territory of the corporation, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

This article applies even where the holder of the permit is a party to the contract. It does not apply where the corporation organizes a public transport service for the first time and the contract is made for a period of less than six months.”

18. The French text of article 529 of the said Code is amended by replacing the word “du” in the first line of the first paragraph by the words “d’un”.

19. Article 530 of the said Code is amended by replacing the first paragraph by the following paragraphs:

“530. The corporation, by resolution, shall fix the various passenger fares according to the classes of users it determines.

The corporation may also make changes in the service; such changes shall be made by by-law of the corporation, except schedule changes which may be made by resolution.

A certified copy of every resolution concerning fares or schedules shall be published in a daily newspaper having general circulation in the territory of the corporation and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

20. Article 531 of the said Code is amended by striking out the words “or fare” in the second line.

21. Article 532.2 of the said Code is replaced by the following article:

“532.2 Every draft by-law of a corporation providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the body and to each municipality within the territory of the body that is situated on the proposed route at least 30 days before the date set for the adoption of the by-law.”

22. Article 532.3 of the said Code is amended by inserting the word “draft” before the word “by-law” in the fourth line.

23. The said Code is amended by inserting, after article 532.3, the following article:

“532.4 The corporation, by resolution and without calling for tenders, may make a contract with a carrier referred to in article 526 to provide, on the occasion of a special event, in the territory of the corporation, a temporary public transport service which does not compete with the service provided by a permit holder pursuant to his permit.”

24. Article 534 of the said Code is repealed.

25. Article 535 of the said Code is repealed.

26. Article 535.3 of the said Code is replaced by the following article:

“535.3 For the purposes of this section, unless the context indicates another meaning, the service consists of the routes, frequency and schedule of trips.”

27. Article 535.4 of the said Code is amended by striking out the second paragraph.

28. The said Code is amended by inserting, after article 535.4, the following articles:

“535.5 The corporation, by resolution, may grant a subsidy to the holder of a bus transport permit who provides transport service in the territory of the corporation and who, if applicable, provides links to points situated outside the territory.

“535.6 This section, adapted as required, applies to an intermunicipal board exercising powers provided for therein.

“535.7 This section does not apply to a corporation whose territory forms part of the territory of a public body providing public transport.”

29. Article 536 of the said Code is amended

(1) by replacing the word “by-law” in the first line by the word “resolution”;

(2) by replacing the word “by-law” in the fifth line by the word “resolution”.

30. Article 537 of the said Code is replaced by the following articles:

“537. The contract may be made without calling for tenders.

As soon as the contract is made, the corporation shall send copy thereof to the Minister of Transport and to the Commission des transports du Québec.

“537.1 The corporation, by resolution, shall fix the various passenger fares according to the classes of users it determines. It may also, by resolution, make changes in the service.

A certified copy of every resolution concerning fares shall be published in a daily newspaper having general circulation in the territory of the corporation and shall be posted in each vehicle. No fare may come into force before the expiry of thirty days after the date of publication and posting.

The carrier shall collect fares and provide any new service. Every contract must contain clauses for adjusting the contract price to take account of changes in the service.”

31. Article 538 of the said Code is amended by replacing the word and figure “and 537” in the first line by the word and figure “to 537.1”.

32. Article 539 of the said Code is amended by replacing the first sentence of the first paragraph by the following sentence: “A corporation may also, by resolution a copy of which must be sent to the Minister of Transport, grant a subsidy to any non-profit body that organizes a special transportation service for handicapped persons in the territory of the corporation and who, if applicable, provides links to points situated outside the territory.”

ACT RESPECTING THE COMMUNAUTÉ RÉGIONALE DE L'OUTAOUAIS

33. Section 171 of the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1) is amended

(1) by replacing paragraphs ii and iii of subparagraph *f* of the second paragraph by the following paragraph:

“ii. make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;”;

(2) by adding, after the second paragraph, the following paragraph:

“The special service referred to in subparagraph *f* of the second paragraph may include links with points situated outside the territory of the Transit Commission.”

34. The said Act is amended by inserting, after section 172.3, the following section:

“**172.4** Notwithstanding sections 83 and 171, the Transit Commission, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services.”

35. Section 196 of the said Act is amended by replacing subsection 4 by the following subsection:

“(4) The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the Transit Commission or amend a permit so as to authorize the operation of such a service without first having invited the Transit Commission to submit its representations.

If the Transit Commission has not made known its intention to submit representations within sixty days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission des transports du Québec shall reject such part of the application which concerns services to which the Transit Commission has objected if they are urban transport services that would be operated within the territory of the Transit Commission.”

36. Section 197 of the said Act is replaced by the following section:

“**197.** The Transit Commission shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

37. Section 291 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended

(1) by replacing subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”;

(2) by adding the words “and to provide links with points situated outside that territory” at the end of the third paragraph.

38. Section 291.6 of the said Act is replaced by the following section:

“**291.6** The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

39. The said Act is amended by inserting, after section 291.29, the following section:

"291.29.1 The corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services."

40. Section 306.57 of the said Act is amended by adding, after the second paragraph, the following paragraphs:

"The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

If the Transit Commission has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission des transports du Québec shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation."

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

41. Section 188 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is amended by replacing paragraphs ii and iii of subparagraph *i* of the second paragraph by the following paragraph:

"ii. make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;"

42. The said Act is amended by inserting, after section 189.3, the following section:

“189.4 Notwithstanding section 189, the Transit Commission, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services.”

43. Section 216 of the said Act is amended by replacing subsection 4 by the following subsection:

“(4) The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the Transit Commission or amend a permit so as to authorize the operation of such a service without first having invited the Transit Commission to submit its representations.

If the Transit Commission has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission des transports du Québec shall reject such part of the application which concerns services to which the Transit Commission has objected if they are urban transport services that would be operated within the territory of the Transit Commission.”

44. Section 217 of the said Act is replaced by the following section:

“217. The Transit Commission shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT
IN THE AREA OF MONTRÉAL

45. Section 1 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1) is amended by striking out the words “by order of the Government” in the definition of the word “municipality”.

46. Section 2 of the said Act is amended by striking out the second paragraph.

47. Section 6 of the said Act is replaced by the following section :

“6. The agreement and the by-laws which authorized its conclusion must be transmitted to the Minister of Municipal Affairs. A copy of such documents must be sent to the Minister of Transport.

The agreement must be approved by the Minister of Municipal Affairs on the recommendation of the Minister of Transport.”

48. Section 7 of the said Act is amended

(1) by replacing the word “Government” in the second line of the first paragraph by the words “Minister of Municipal Affairs”;

(2) by replacing the word “Government” in the fourth line of the second paragraph by the words “Minister of Municipal Affairs”;

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

“In the cases contemplated in this section, the documents required under section 6 must be accompanied with proof that the resolutions have been sent.”

49. Section 8 of the said Act is replaced by the following section :

“8. On the recommendation of the Minister of Transport, the Minister of Municipal Affairs may, by way of an order, approve the agreement and establish the board. The order shall indicate the date and place of the first meeting of the board.

Where the Minister of Municipal Affairs approves the agreement, he may, in the cases provided for in section 7 and on the recommendation of the Minister of Transport, bring into it a municipality that is not listed in Schedule I or a municipality that refuses to be party thereto, in which case he shall fix the number of members the municipality may delegate to the board and determine how many votes are assigned to them. He may also establish the municipality’s financial contribution. A municipality brought into an agreement pursuant to this section is bound thereby.

The ministerial order shall be published in the *Gazette officielle du Québec*.”

50. Section 9 of the said Act is replaced by the following section:

“9. The municipalities party to an agreement may amend it. In such case, they must transmit to the Minister of Municipal Affairs a resolution specifying the proposed amendment. A copy of the resolution must be sent to the Minister of Transport.

A municipality may object to the amendment by a resolution transmitted to the Minister of Municipal Affairs, stating the grounds for its objection. A copy of the resolution must be sent to the Minister of Transport. Where a municipality fails, following a request by the Minister of Municipal Affairs, to transmit such a resolution within the time fixed by him, it is deemed to have agreed to the amendment.

The Minister of Municipal Affairs may, on the recommendation of the Minister of Transport, and by order, approve the proposed amendment despite the objection of a municipality. The amendment to the agreement becomes effective from the date of the publication of the order of the Minister in the *Gazette officielle du Québec* or from a later date indicated therein.”

51. Section 11 of the said Act is amended by striking out the second sentence of the first paragraph.

52. Section 12.3 of the said Act is replaced by the following section:

“12.3 Notwithstanding section 40 of the Transport Act (R.S.Q., chapter T-12), the Commission des transports du Québec, following the receipt of a copy of the contract made by the board to organize a public transport service other than a shared transportation service by taxi, shall amend or, if necessary, revoke any bus transport permit of the class determined by the regulations under section 12.1 authorizing its holder to operate, in the territory of the board, a service that would compete with the service provided under the contract. The permit shall be amended or revoked only to the extent that such amendment or revocation is necessary to eliminate competing services.

This section applies even where the holder of the permit is a party to the contract. It does not apply where the board organizes a public transport service for the first time and the contract is made for a period of less than six months.”

53. Section 14 of the said Act is amended by replacing the first paragraph by the following paragraphs:

“14. The board, by resolution, shall fix the various passenger fares according to the classes of users it determines.

The board may make changes in the service; such changes shall be made by by-law of the board, except schedule changes which may be made by resolution.

A certified copy of every resolution concerning fares or schedules shall be published in a daily newspaper having general circulation in the territory of the board and shall be posted in every vehicle. No fare or schedule change may come into force before the expiry of 30 days after the date of publication and posting.”

54. Section 15 of the said Act is amended by striking out the words “or fare” in the second line.

55. Section 16 of the said Act is amended by striking out the words “other than a timetable change” in the second line of the first paragraph.

56. Section 18 of the said Act is amended by inserting the words “with any municipality whether or not it is a member of a board,” after the word “agreement” in the second line of the first paragraph.

57. Section 18.2 of the said Act is replaced by the following section:

“18.2 Every draft by-law of a board providing for the establishment of links to any point within the territory of a public body providing public transport or for changes therein shall be sent to the public body and to each municipality within the territory of the public body that is situated on the proposed route, at least 30 days before the date set for the adoption of the by-law.”

58. Section 18.3 of the said Act is amended by inserting the word “draft” before the word “by-law” in the fourth line.

59. Section 19 of the said Act is amended by replacing the word “Government” in the third line by the words “Minister of Municipal Affairs”.

60. Section 20 of the said Act is amended

(1) by replacing the word “Government” in the third line of the first paragraph by the words “Minister of Municipal Affairs”;

(2) by replacing the word "Government" in the third line of the second paragraph by the words "Minister of Municipal Affairs";

(3) by replacing the word "Government" in the second and fifth lines of the third paragraph by the words "Minister of Municipal Affairs".

61. Section 21 of the said Act is amended by replacing the word "Government" in the third line by the words "Minister of Municipal Affairs".

62. Section 22 of the said Act is amended by replacing the word "Government" in the second line by the words "Minister of Municipal Affairs".

63. The said Act is amended by inserting, after section 22, the following section:

"22.1 A copy of every document transmitted to the Minister of Municipal Affairs pursuant to sections 20 to 22 shall be transmitted to the Minister of Transport within the same time."

64. Section 23 of the said Act is replaced by the following section:

"23. Except in the case of section 19 or 22, the Minister of Municipal Affairs, on the recommendation of the Minister of Transport, may renew or not renew an agreement. If he renews an agreement, he may, following an application under section 20 and on the recommendation of the Minister of Transport, amend it so as to leave out a municipality or to bring a municipality not listed in Schedule I or another municipality into it.

The second and third paragraphs of section 8, adapted as required, apply to the renewal of an agreement where the Minister of Municipal Affairs brings a municipality not listed in Schedule I or another municipality into it."

65. Section 24 of the said Act is replaced by the following section:

"24. If, at the term of an agreement, the Minister of Transport has not made a recommendation as to whether or not it should be renewed or the Minister of Municipal Affairs has not made his decision following the recommendation of the Minister of Transport that it should be renewed, the agreement is extended until the date of the decision, but not beyond 60 days after the end of the agreement."

66. Section 25 of the said Act is replaced by the following section:

“25. Where an agreement is not renewed, the Minister of Municipal Affairs shall dissolve the board by order.

The ministerial order shall be published in the *Gazette officielle du Québec*.”

67. Section 27.1 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Where the board organizes such a service, it shall not be provided by anyone but a carrier or a person under contract with the board.”

68. The said Act is amended by inserting, after section 27.2, the following sections:

“27.3 A municipality having availed itself of the first paragraph of section 27.1 may, if the board refuses to organize the service, make a contract with a carrier in accordance with section 467.11 of the Cities and Towns Act or article 536 of the Municipal Code of Québec.

“27.4 A municipality party to an agreement may also make a contract with a carrier, in accordance with section 467.7.4 of the Cities and Towns Act or article 532.4 of the Municipal Code of Québec, to provide, on the occasion of a special event, in its territory, a temporary public transport service which does not compete with the service organized by the board or provided by a permit holder pursuant to his permit.”

69. Section 93 of the said Act is repealed.

70. Section 98 of the said Act is replaced by the following section:

“98. The Minister of Transport is responsible for the administration of this Act. However, the administration of section 10 is under the responsibility of the Minister of Municipal Affairs and that of sections 2 to 9 and Division III is under the responsibility of the Minister of Municipal Affairs or of the Minister of Transport, according to their jurisdiction.”

ACT RESPECTING MUNICIPAL AND INTERMUNICIPAL TRANSIT CORPORATIONS

71. Section 23 of the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70) is amended by replacing the words “at such times as it may determine by resolution” in the second paragraph by the words “not less than once every two months”.

72. The said Act is amended by inserting, after section 23, the following sections:

“23.1 The board of directors shall put on the agenda of the first regular meeting held after the receipt by the secretary of the corporation of a written request signed by 150 or more residents of the territory of the corporation, the matter that is the subject of the request. The request shall be delivered to the secretary not later than 10 days before the meeting is held.

“23.2 The board of directors shall schedule, at each meeting, a question period during which the persons present may put oral questions to the members of the board.

The question period shall not exceed one hour unless the board of directors decides otherwise.”

73. Section 38 of the said Act is amended

(1) by replacing paragraphs ii and iii of subparagraph *f* of the first paragraph by the following paragraph:

“ii. make, without calling for tenders, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service;”;

(2) by replacing the words “public transit” in the first line of subparagraph *h* of the first paragraph by the word “bus”.

74. The said Act is amended by inserting, after section 41, the following section:

“41.1 The corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services.”

75. Section 62 of the said Act is amended

(1) by striking out the second paragraph;

(2) by adding, at the end of the third paragraph, the following sentences: "A certified copy of the resolution shall also be posted in every vehicle. No fare may come into force before the expiry of 30 days after the date of publication and posting."

76. The said Act is amended by inserting, after section 62, the following section:

"63. The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service."

77. Section 65 of the said Act is repealed.

78. Section 68 of the said Act is replaced by the following section:

"68. The Commission shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation."

EDUCATION ACT

79. Section 431.5 of the Education Act (R.S.Q., chapter I-14) is amended by striking out the words "with prior authorization of the Minister of Transport and" in the second and third lines.

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA VILLE DE LAVAL

80. Section 50 of the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42) is amended by replacing subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”

81. Section 56 of the said Act is replaced by the following section:

“**56.** The corporation shall submit to the Commission des transports du Québec the fares to be charged in operating a sightseeing service before they come into force.”

82. The said Act is amended by inserting, after section 72, the following section:

“**72.1** Notwithstanding sections 69 and 70, the corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services.”

83. Section 128 of the said Act is amended by adding the following paragraphs:

“The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission des transports du Québec shall reject such part of the application which concerns services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation.”

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA RIVE SUD DE MONTRÉAL

84. Section 63 of the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32) is amended

(1) by replacing subparagraphs 2 and 3 of the second paragraph by the following subparagraph:

“(2) make, with any undertaking providing transportation by bus or transportation by taxi or any non-profit organization, a contract to ensure, in whole or in part, operation of such a service.”;

(2) by adding, at the end of the third paragraph, the words “and to provide links to points situated outside that territory”.

85. Section 70 of the said Act is replaced by the following section:

“**70.** The corporation shall submit to the Commission des transports du Québec, before they come into force, the fares to be charged in operating a sightseeing service.”

86. The said Act is amended by inserting, after section 93, the following section:

“**93.1** Notwithstanding sections 91 and 92, the corporation, without calling for tenders, may make a contract

(1) for the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or a body thereof;

(2) with another public body providing public transport, for the supply of equipment, materials or services;

(3) for the purpose of achieving energy savings, where the contract involves both professional services and the execution of work or the supply of equipment, materials or services other than professional services.”

87. The said Act is amended by inserting, after section 155, the following section:

“155.1 The Commission des transports du Québec shall not issue a bus transport permit for the operation of any service wholly or partly within the territory of the corporation or amend a permit so as to authorize the operation of such a service without first having invited the corporation to submit its representations.

If the corporation has not made known its intention to submit representations within 60 days of the invitation of the Commission des transports du Québec, the latter may rule upon the application for a permit or for an amendment to a permit.

The Commission des transports du Québec shall reject the application in respect of services to which the corporation has objected if they are urban transport services that would be operated within the territory of the corporation.”

TRANSITIONAL AND FINAL PROVISIONS

88. Every intermunicipal board of transport existing on 30 June 1988 is continued under the same name in the municipalities that are party to the agreement, as though it were a board established by the Minister of Municipal Affairs on the recommendation of the Minister of Transport.

89. Every by-law in force on 30 June 1988 that was adopted under a provision replaced or amended by this Act remains in force until its object is achieved, until the date prescribed for the cessation of its effect or until it is amended or replaced by way of a resolution passed pursuant to the provisions of this Act.

90. Section 467.3.1 of the Cities and Towns Act, article 528.1 of the Municipal Code of Québec and section 12.3 of the Act respecting intermunicipal boards of transport in the area of Montréal are applicable, as replaced by sections 1, 17 and 52 of this Act, where a copy of a transport contract between a municipality, an intermunicipal management board or an intermunicipal board of transport and a carrier was received by the Commission des transports du Québec in the period from 16 July 1986 to 30 June 1988.

91. Sections 35, 40, 43, 78, 83 and 87 have effect from (*insert here the date of introduction of this Bill*).

92. This Act comes into force on 1 July 1988.