



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 99

**An Act to amend the Transport Act,
the Act respecting the Ministère des
Transports and the Roads Act**

Introduction

J N 10 1 86

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

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EXPLANATORY NOTES

The object of this bill is to amend the powers of the Commission des transports du Québec, mainly in the matter of bus transport.

The bill also amends the powers of the Minister of Transport with regard to the control of the use of transport subsidies, the disposition of property under his administration and the making of contracts for maritime transport.

Lastly, the bill provides for the replacement of the administrative divisions of the Commission established under the Transport Act by administrative branches which may be established by regulation, and it limits the powers of search and seizure without a warrant held by peace officers with regard to transport to the powers of search and seizure during road checks.

Bill 99

An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TRANSPORT ACT

1. Section 1 of the Transport Act (R.S.Q., chapter T-12) is amended

(1) by striking out subparagraph *g* of the first paragraph;

(2) by replacing the last paragraph by the following paragraph:

“For the purposes of this Act, transport brokerage comprises the distribution of services among carriers holding a permit for the transport of a bulk material.”

2. Section 4 of the said Act is amended by adding the following paragraph:

“He may also cause a person designated by him to examine the use made of the subsidies he pays and the nature of the expenses connected with those subsidies.”

3. Section 5 of the said Act is amended by striking out paragraph *l* of the first paragraph.

4. Section 8 of the said Act is amended by replacing the first paragraph by the following paragraph:

“8. Every regulation made by an association of carriers holding a permit for the transport of a bulk material must be approved by the Minister before coming into force.”

5. Section 18 of the said Act is replaced by the following section:

“18. The administrative branches of the Commission are determined by the rules of practice and internal management.”

6. Section 31 of the said Act is replaced by the following section:

“31. The Commission has competence in any matter governed by a regulation made under section 5 or by an ordinance contemplated in section 89.”

7. Section 32 of the said Act is replaced by the following section:

“32. The Commission may, within the scope of the regulations,

(1) issue permits and fix the valid period thereof;

(2) transfer any permit or any right granted by a permit;

(3) impose conditions and restrictions on the use of a permit and limit the use of certain services of a permit holder to certain users;

(4) in its own right or on application, fix scales of charges, which may include minimum, maximum or both minimum and maximum charges, and change, suspend or cancel all or some of them;

(5) receive scales of charges for filing, which may include minimum, maximum or both minimum and maximum charges, and change, suspend or cancel all or some of them;

(6) perform any other functions conferred on it by law.”

8. Section 80 of the said Act is amended by replacing the first line by the following:

“80. A peace officer may, without a warrant, during a road check”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

9. Section 3 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by adding, at the end of paragraph *b*, the following: “and, for shippers, enter into contracts for the transport of persons or goods by water;”.

10. Section 11.3 of the said Act is amended by adding the following paragraph:

“The same applies to property of which the Société immobilière du Québec has not acquired ownership in accordance with section 26 of the Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1) and the administration of which has been entrusted to the Minister.”

ROADS ACT

11. Paragraph 7 of section 10 of the Roads Act (R.S.Q., chapter V-8) is amended by adding, at the end, the following: “, when it is no longer needed.”

12. This Act comes into force on the date fixed by order of the Government, except the provisions excluded by that order, which come into force on any later date to be fixed by order of the Government.