



CHAPTER 37

An Act respecting the adoption by city or town municipal corporations of tariffs affecting certain public carriers

[Assented to, the 20th of April, 1934]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Revised Statutes, 1925, are amended by inserting therein, after chapter 113A thereof, as enacted by the act 19 George V, chapter 38, section 1, the following chapter:

R. S., c.
113B,
added.

"CHAPTER 113B

"AN ACT RESPECTING THE ADOPTION BY CITY OR TOWN MUNICIPAL CORPORATIONS OF TARIFFS AFFECTING CERTAIN PUBLIC CARRIERS

"1. This act may be cited as *Certain Public Carriers' Tariffs Act*. Short title.

"2. In this act:

1. The words "municipal corporation" mean any city or town municipal corporation, whether incorporated under a general or by a special act;

Interpretation:

"Municipal corporation";

2. The words "public carrier" mean any person, partnership or corporation possessing one or more taxis within the meaning of paragraph 7 of section 2 of the Motor Vehicle Act (Chap. 35), or one or more "pleasure vehicles" within the meaning of paragraph 2 of section 2 of the said Motor Vehicle Act when such pleasure vehicle or vehicles is or are kept for purposes of hire or used for the transportation of persons for a pecuniary consideration.

"Public carrier".

Fixing of
tariff.

"3. Every municipal corporation, the population whereof at the last Dominion census was thirty thousand souls or over must, within three months from the coming into force of this act, and every municipal corporation the population whereof at the said census was under thirty thousand souls may, establish and put into force a tariff of trip rates which a public carrier must charge in the territory under the jurisdiction of the municipal corporation.

Submitting
of tariff.

"4. Every tariff established under this act must be submitted for approval to the Quebec Public Service Commission, within fifteen days after its adoption.

Approval,
etc.

The Commission may, by an order, approve the tariff as submitted, or amend it by diminishing or increasing the trip rates fixed in such tariff.

Coming into
force
thereof.

The tariff as approved or amended by the Commission shall come into force from the date of the above-mentioned order. From and after such date it shall be unlawful for a public carrier to ask or charge a rate other than that fixed by the tariff as approved or amended by the said Commission.

Procedure
for repla-
cing, etc.

"5. No tariff established under this act shall be replaced or amended by the municipal corporation otherwise than by following the same procedure as that determined for its adoption.

Submitting
of tariffs in
force.

"6. Every municipal corporation, which, under the law governing it, has, prior to the 20th of April 1934, established a tariff affecting a public carrier must, within the three months from the date mentioned in this section, submit the said tariff, if still in force on that date, to the Quebec Public Service Commission for approval.

Provisions
applicable.

The provisions of the above sections 4 and 5 shall apply to every tariff submitted to the Commission under this section.

Exclusions
from ap-
plication.

"7. Any municipal corporation, the population whereof at the last Dominion census was thirty thousand souls or more, which complies with the provisions of section 6, shall not be held to the obligation imposed upon it by section 3.

Offences and
penalties.

"8. Any public carrier who asks for or charges, for a trip, a rate other than that fixed by the tariff in force, or any person who refuses to pay a public carrier the rate fixed by the tariff, shall commit an offence against this act and shall be liable, in addition to the costs, to a fine not exceeding ten dollars which shall belong to the municipal corporation.

"9. Failing the establishing of a tariff by the municipal corporation, within the said delay of three months, the Quebec Public Service Commission, upon the application of any interested party, may fix a tariff, after notice given to the municipal corporation concerned." ^{Fixing of tariff in certain case.}

2. This act shall come into force on the day of its sanction. ^{Coming into force.}

