



CHAPTER 20

An Act respecting rights of ownership in motor vehicles

[Assented to, the 24th of March, 1926]

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

1. This act may be cited as *Motor Vehicle Ownership Rights' Act*. Short title.

2. For the interpretation of this act, unless the context indicates a different meaning: Interpretation:

1. The words "motor vehicle", "person", "Minister", "Motor Bureau", "owner" and "transfer of ownership" have the same meaning as in the Motor Vehicle Act (Revised Statutes, 1925, chapter 35); etc.;

2. The words "essential part" mean the engine, the chassis or the body of a motor vehicle; "Essential part";

3. The words "registered owner" mean the person whose ownership title in a motor vehicle has been registered under this act. "Registered owner".

3. 1. In addition to the registration of every motor vehicle required by the Motor Vehicle Act: Registration of right of ownership:

a. The right of ownership in every new motor vehicle, acquired after the coming into force of this act, shall also be registered at the Bureau within sixty days of its acquisition; Of new motor vehicle;

b. The right of ownership in any motor vehicle whose serial number, engine number or any other means of identification given it by the manufacturer has been wholly or partly removed, displaced, replaced, covered, effaced, obliterated or has otherwise disappeared or been changed, shall also be registered at the Bureau, without delay. Of any motor vehicle whose means of identification has been changed, etc.

Rules governing registration.

2. To obtain such registration, the owner of such motor vehicle or the person claiming to be the owner shall apply to the Bureau in the form established by the latter, and produce with the application the documents or other proofs which the Minister may admit or exact, establishing that his right of ownership in such motor vehicle goes back, by an uninterrupted succession of acquisition titles, to that from the manufacturer.

Transmission through death, etc. must be registered.

4. After the registration, mentioned in section 3, of the right of ownership in a motor vehicle, every transfer of ownership of such motor vehicle, every transmission made of same through death, and every seizure and sale of such motor vehicle under authority of justice, shall be registered, and such registration shall give effect thereto and establish their rank as against all others whose rights have been registered subsequently or not at all.

Transfer by last registered owner.

5. No transfer of ownership of a motor vehicle may be registered, under section 4, unless it be made by the last registered owner, or unless it be made under authority of justice.

Judgment of cancellation, etc. must be registered.

6. After the registration mentioned in section 3, every judgment ordering the cancellation, extinction or annulling of the registered right, every consent to the same effect, and every replacement or total destruction of any essential part of such motor vehicle shall be registered.

Place of registration.

7. The registration of a motor vehicle shall be made at the Bureau at Quebec.

Manner of registration.

8. Such registration shall be effected by inscription by means of a memorial.

Memorial.

9. Such memorial must be executed, signed and attested under oath in the manner established by the Comptroller of Provincial Revenue.

Certificate and contents.

10. 1. The Bureau shall issue a certificate, over the signature of the Comptroller of Provincial Revenue, giving the description of the motor vehicle, the name, address and occupation of the last registered owner at the date of the issuing of the certificate.

Cancellation of old certificate must be made before new one issued.

2. In the event of a change of ownership otherwise than through seizure and sale under authority of justice, no new certificate shall be issued unless the last in date be returned to the Bureau and cancelled.

11. The owner of a motor vehicle who does not come within the provisions of section 3 of this act may apply for the registration of his right of ownership in such motor vehicle, in accordance with this act, and, if such registration is granted, the right of ownership in such motor vehicle shall thereafter be subject to this act. Owner not coming under provisions of act may apply for registration.

12. Anyone acquiring a new motor vehicle after the coming into force of this act, who neglects or refuses to apply for registration in accordance with this act, shall be guilty of a violation thereof, and, if found guilty, he shall be condemned, in addition to the payment of the costs, to the payment of a fine of not more than twenty-five dollars, and, in default of payment of such fine and costs and of his complying with the provisions of this act, within five days after his condemnation, he shall be liable to an additional fine of five dollars per day until he shall have paid the said fine and costs and have complied with the provisions of this act. Negligence or refusal to obtain registration. Fine. Default of payment renders owner liable to further fines.

13. 1. Every officer of the Bureau entrusted by the Minister with the carrying out of this act and of the regulations made thereunder, or the carrying out of a part of the said act or of the said regulations, may; Powers of officers of the Bureau:

a. Ask that any motor vehicle be produced to enable him to examine it, to make a description of it or to compare it with a description already made, and to verify its means of identification and the condition of same; Identification;

b. For the same purpose, enter without permission, at any reasonable hour of the day, any place liable to contain one or more motor vehicles; Entrance, etc.;

c. Seize without a warrant and the Bureau may detain any motor vehicle held in the Province, whose serial number, engine number or any other means of identification given it by the manufacturer has been, wholly or partly, removed, displaced, replaced, covered, effaced, obliterated, or has otherwise disappeared or changed. Seizure, etc.

2. If, within two months from the date of seizure of such motor vehicle, the person who claims to be the owner of it does not prove, to the satisfaction of the Bureau, that he became owner of it by an uninterrupted succession of acquisition titles, the first of which being the sale of such motor vehicle by the manufacturer, the Minister may apply to the court to order its confiscation for the benefit of the Province. Confiscation for benefit of Province after certain delay.

3. If the name and address in this Province of the person, upon whose premises or in whose possession such motor vehicle has been seized, are not known to the Minister, Name and address unknown

entails con- such motor vehicle shall be considered as confiscated after
fiscation. two months from the date of the seizure.

Sale by 4. When confiscation has been ordered by a court or
Minister for takes place through the expiration of the two months
benefit of above mentioned, the Minister shall sell such motor ve-
Province. hicle by public sale for the benefit of the Province, after
having provided it with new numbers or other means of
identification, and after having advertised such sale, during
the fifteen days preceding the date thereof, twice in the
Quebec Official Gazette, and four times in one English and in
one French newspaper, published in the place where the
sale is to take place. Such sale shall give the purchaser
an absolute title to the motor vehicle and must be regis-
tered under this act.

Delivery of 5. If it be proved, to the satisfaction of the Minister,
car or pro- that such motor vehicle has been stolen and that the per-
ceeds, where son from whom it was stolen, or his representatives, is the
stolen car. real owner thereof, by an uninterrupted succession of ac-
quisition titles, the first of which being the sale of such
motor vehicle by its manufacturer, the Minister shall deliver
to the person robbed, or to his representatives, either the
motor vehicle, if the sale has not yet taken place under
subsection 4 of this section, or the proceeds of the sale if
the latter has taken place.

Conditions 6. Such delivery shall only be made, however:
of delivery. a. After reimbursement to the Province, by such person
or his representatives, of all the costs of seizure, confisca-
tion and detention of such motor vehicle, and of its sale if
such has taken place; and
b. After payment by such person or his representatives,
to other persons interested or their representatives, of any
indemnification which the Minister may deem reasonable
and may fix.

Lt.-Gov. in 14. The Lieutenant-Governor in Council may:
C. may
make:
Tariff of 1. Make, amend and repeal a tariff of fees which the
fees; Bureau may exact for the examination of a motor vehicle,
verifying titles, ascertaining or verifying the means of
identification, registering a memorial, issuing a certificate,
or for copies or extracts furnished;

Regulations. 2. Make, amend and repeal regulations for the carrying
out of this act.

Appoint- 15. The carrying out of this act shall form part of the
ment of em- motor vehicle service, and the Lieutenant-Governor in
ployees, etc. Council may appoint the necessary employees for its oper-
ation.

Coming into 16. This act shall come into force on the day of its
force. sanction.