

C H A P. 30

An Act to amend the act respecting motor vehicles

[Assented to, the 29th of December, 1922]

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

1. Article 1388 of the Revised Statutes, 1909, as amended by the acts 4 George V, chapter 12, section 1; 7 George V, chapter 21, section 1; 8 George V, chapter 26, section 1; 11 George V, chapter 30, section 1, and 12 George V, chapter 35, section 1, is further amended:

- a. By striking out paragraph 6;
- b. By designating as paragraph 6, the paragraph 7 defining the word: "autobus";
- c. By adding the following paragraphs:

"7. The words "commercial vehicle" mean a motor vehicle intended for the transportation of merchandise, and comprise—besides the delivery waggon, truck, tractor, trailer and semi-trailer—all motor vehicles other than those defined in this article.

The truck and delivery waggon have a motor and an apparatus for the load.

The tractor has a motor but no apparatus for the load.

The trailer has no motor, but an apparatus for the load, which load it carries independently of the tractor.

The semi-trailer has no motor but an apparatus for the load which load it carries with the help of the tractor.

"8. The words "motor train" mean and include:

a. A tractor hauling more than one trailer or more than one semi-trailer; or

b. Any other motor vehicle hauling a trailer or a semi-trailer, or more than one.

A tractor with a single trailer or semi-trailer constitutes only one motor vehicle.

"9. The word "garage" means the establishment where, for a consideration, motor vehicles are stored or repaired or both. However, the establishment in which only the body of motor vehicles is repaired and in which motor vehicles are not stored, is not a garage."

2. Article 1389 of the said Revised Statutes, as amended by the acts 1 George V (2nd session), chapter 16, section 1; 3 George V, chapter 19, section 1; 4 George V, chapter 12,

section 2; 7 George V, chapter 21, section 2; 11 George V, chapter 30, section 2, and replaced by the act 12 George V, chapter 35, section 2, is amended by adding thereto, after the word: "of", in the first line of paragraph 4 thereof, the words: "an autobus and".

R. S., 1396,
replaced.

3. Article 1396 of the said Statutes, as amended by the acts 7 George V, chapter 21, section 5, and 11 George V, chapter 30, section 7, and replaced by the act 12 George V, chapter 35, section 3, is again replaced by the following:

Weight of a
motor vehi-
cle driven on
a public
road.

"1396. 1. The total weight of a motor vehicle driven on a public road, including that of its load, shall not exceed five hundred pounds per inch width of its non-pneumatic tires, nor exceed eight hundred pounds per inch width of its pneumatic tires.

Equipped
with non-
pneumatic
tires.

2. If the motor vehicle is entirely or partly equipped with non-pneumatic tires, whatever be the width of the tires, such total weight shall not exceed ten thousand pounds outside of cities and towns, and twenty thousand pounds in cities and towns.

Equipped
with pneu-
matic tires.

3. If the motor vehicle is entirely equipped with pneumatic tires, whatever be the width of the tires, such total weight shall not exceed twelve thousand pounds outside of cities and towns, and twenty-four thousand pounds in cities and towns.

In cities and
towns.

4. In cities and towns, the municipal council may, by by-law, limit such total weight in its territory, provided that such limit be not less than that established above for public roads outside of cities and towns.

Exceptions.

5. The Minister of Roads may permit a motor vehicle, whose total weight, including that of its load, exceeds the limits established in paragraphs 2 and 3 of this article, to be driven outside of cities and towns, on certain roads designated by him in a permit signed in duplicate, one of which is given to the person obtaining the permit and the other to the Revenue Branch, provided that such motor vehicle is used only for the making or repairing of public roads or for other work which he considers to be in the public interest.

Measure-
ment of
tires.

6. If the tires are non-pneumatic, their width is measured at the point of contact with hard ground; if they are pneumatic, it is established by the distance between the flanges of the rim.

Commer-
cial vehicle
drawn by
an animal.

7. No commercial vehicle or vehicle drawn by an animal shall be used or driven in the public roads, having on its tires, or on one or more of them, non-skid devices in the form of cleats or caterpillars, or other apparatus which the Minister of Roads has disapproved.

8. No building shall be moved nor any object dragged over a public road, when, by so doing, the public road would be damaged.” Moving of buildings, etc.

4. Article 1397 of the said Statutes, as replaced by the act 1 George V (2nd session), chapter 16, section 4, and amended by the acts 7 George V, chapter 21, section 6, and 8 George V, chapter 26, section 3; article 1397a of the said Statutes, as enacted by the act 6 George V, chapter 16, section 1, and amended by the acts 7 George V, chapter 21, section 7, and 11 George V, chapter 30, section 8; and article 1398 of the said Statutes, are replaced by the following:

“**1397.** 1. Upon the transfer of ownership of any registered motor vehicle, the registration thereof shall expire and the person in whose name such vehicle is registered shall, before delivering same, return the certificate of registration and number plates to the Revenue Branch, at Quebec, with a written notice containing the date of such transfer of ownership and the name and address of the new owner; and the latter shall forthwith apply to have the vehicle registered in his own name and pay the fee exacted for such registration, in addition to the cost of new plates.” Transfer of ownership of a registered motor vehicle. Registration by new proprietor.

2. The registration thereof may, however, be continued in the name of the new owner, and the number plates be left on the motor vehicle, until the expiration of the period for which the registration had been effected, if the notice is given in the form established by the Comptroller of Provincial Revenue, is signed by both parties and is deposited, with a revenue officer specially authorized for such purpose, at the Revenue Office in Quebec or Montreal, with the certificate of registration, before the motor vehicle is delivered. In such case, a certificate of registration shall be issued to the new owner and the fee exacted shall be only one dollar. Registration continued in certain cases.

3. Any person, disposing of a registered motor vehicle without complying with the provisions of paragraph 1 or 2 of this article, is jointly and severally liable with the new owner for any loss or damage caused by the latter with such motor vehicle. Default in complying with these provisions.

“**1398.** If the registered owner has complied with the provisions of paragraph 1 of article 1397, and applies to register another motor vehicle during the same registration year, at the rate for the whole year, the Provincial Treasurer may impute towards the payment of the fee for such new registration, or reimburse, after payment of the fee Registration of a new motor vehicle during the same registration year.

for the new registration, the part of the fee paid by such owner for the registration expired before the end of its period, proportional to the number of full calendar months remaining to run on the period for which the registration had been effected."

R. S., 1402b,
1402c, 1402d,
replaced.

5. Article 1402b of the said Statutes, as enacted by the act 7 George V, chapter 21, section 9; article 1402c of the said Statutes, as enacted by the act 7 George V, chapter 21, section 9, and amended by the act 8 George V, chapter 26, section 4, and article 1402d of the said Statutes, enacted by the act 7 George V, chapter 21, section 9, are replaced by the following:

License necessary to keep a garage.

"**1402b.** No person shall keep a garage without having obtained from the Provincial Treasurer a license to that effect, upon an application made in the manner established by the Comptroller of Provincial Revenue, and on payment to the Provincial Treasurer of the fee fixed by article 1402e.

Holder of a garage to keep a register.

"**1402c.** 1. The holder of a garage license where motor vehicles are stored shall keep a register in the form established by the Comptroller of Provincial Revenue, giving, amongst other information, the registered number of the motor vehicle, the name of the owner and the date and exact hour of each entry or removal of such motor vehicle, and the name of the person then in charge of the garage.

Register open to inspection of revenue officers, etc.

2. The register shall be open to the inspection of any revenue officer charged with the carrying out of this act and of any other person authorized to that effect by the Provincial Treasurer or by the Comptroller of Provincial Revenue, and also of any member of the Provincial or municipal police.

License, etc., posted up in a conspicuous place.

3. The holder of a garage license shall keep his license for the current year, as well as the printed instructions from the Revenue Branch, posted up in a conspicuous place in his garage.

Holder must store motor vehicle taken by a revenue officer.

4. He shall, moreover, at the request of a revenue officer, store any motor vehicle, possession whereof has been taken by such officer in the performance of his duties under this act, and shall only deliver such motor vehicle on the order of the Comptroller of Provincial Revenue."

R. S., 1405a,
1405b, added.

6. The following articles are inserted in the said Statutes after article 1405:

Offender shall lose his license for

"**1405a.** 1. If, in the event of a violation of article 1419, the speed admitted by the offender or for which he is condemned exceeds by ten miles an hour the maximum

speed allowed in such case by article 1419, the offender, certain in-fractions. in addition to the penalties imposed by article 1405, shall lose his license as an operator or *chauffeur*, according to the case, for the remainder of the current license year, and no other license as an operator or *chauffeur* shall be issued to him during the same license year.

2. If, in the event of a violation of article 1419, the speed Third offence. admitted by the offender or for which he is condemned exceeds the maximum speed allowed in such case by article 1419 but does not exceed by ten miles an hour such maximum, and if such violation is his third offence against article 1419 during the then current license year, the offender shall incur the penalties imposed by article 1405, and shall, in addition, lose his license as operator or *chauffeur*, as the case may be, for the rest of the current license year, and no other license as operator or *chauffeur* shall be issued to him during the same license year. Three offences by different persons with same motor vehicle. If three offences have been committed by different persons with the same motor vehicle during a license year, the court shall, in addition to the penalties imposed by article 1405, declare the cancellation of the registration of such motor vehicle, without any reimbursement of the fee paid therefor, and no such motor vehicle may be again registered during the same license year.

“**1405b.** The court may, in its discretion, Discretion of the court. condemn to the payment of the costs only for the following offences, to wit:

a. Use a motor vehicle in a highway without its certificate of registration being carried therein so as to be exhibited on demand by the proper revenue officers, Using a motor vehicle without a license. in conformity with article 1392;

b. Not carrying his license as an operator or a *chauffeur* Not carrying the license. when operating a motor vehicle, in conformity with article 1402;

c. Refusal by any operator or *chauffeur* to exhibit his license or certificate of registration when called upon so to do by a constable, a peace officer, or an authorized representative of the Provincial Treasurer, Refusal to exhibit same. in conformity with article 1403.”

7. Article 1417 of the said Statutes, as amended by the R. S., 1417, act 3 George V, chapter 19, section 5, and replaced by the am. act 11 George V, chapter 30, section 10, and by the act 12 George V, chapter 35, section 9, is amended:

a. By adding to the sub-paragraph *b* of paragraph 1 the following words: “and if the motor vehicle is an autobus all the tires shall be pneumatic”;

b. By adding to paragraph 3 the following words: "unless their light can only converge to the right of the axis of the motor vehicle on which they are placed";

c. By replacing paragraphs 4 and 5 by the following:

"4. No motor vehicle can be used or driven in public roads displaying a marker plate belonging to another vehicle, or a false marker plate."

R. S., 1419,
am.

8. Article 1419 of the said Statutes, as amended by the acts 3 George V, chapter 19, section 7; 4 George V, chapter 12, section 6; 7 George V, chapter 21, section 18, and 12 George V, chapter 35, section 10, is again amended by replacing paragraphs *b* and *c* by the following:

Speed of
autobus.

"*b.* If the motor vehicle is an autobus, at a speed greater than sixteen miles an hour;

Speed of a
commercial
vehicle with
pneumatic
tires.

"*c.* If the motor vehicle is a commercial vehicle having all pneumatic tires, at a speed greater than twelve miles an hour if loaded, or than fifteen miles an hour if not loaded;

Id., with
non-pneu-
matic tires.

"*d.* If the motor vehicle is a commercial vehicle whose tires are entirely or partly non-pneumatic, at a greater speed than eight miles an hour if loaded, or than ten miles an hour if not loaded."

R. S., 1430a,
added.

9. The following article is inserted in the said Statutes after article 1430:

Motor train
forbidden on
public roads,
without per-
mit.

"**1430a.** A motor train cannot be driven in the public roads unless permitted by the Lieutenant-Governor in Council, upon such conditions as he may impose."

R. S., 1432,
am.

10. Article 1432 of the said Statutes, as amended by the act 1 George V, (1st session), chapter 16, section 8, and as replaced by the act 11 George V, chapter 30, section 14, and amended by the act 12 George V, chapter 35, section 11, is further amended by replacing paragraphs *h*, *i* and *j* thereof, by the following:

Lanterns,
etc.;

"*h.* change and regulate the use and placing of lanterns and the colour and strength of their lights;

Apparatus
to record
speed per
hour;

"*j.* require that motor vehicles be equipped with apparatus to record the speed per hour when they are in motion;

Appliances
to limit
speed;

"*j.* require that autobusses and commercial vehicles be equipped with appliances to automatically limit their speed, and regulate the use of such appliances;

Eyesight
and hearing;

"*k.* require a certificate of eyesight and hearing capacity for driving a motor vehicle;

Gasoline
pumps, etc.;

"*l.* regulate the use of gasoline pumps and reservoirs;

Garages;

"*m.* classify garages;

"n. establish and regulate sign-posts and stopping places along public roads, and remove any sign-posts which do not conform to this act or which may lead to confusion, and the advertizing signs which might block the view or prevent the placing of certain kinds of sign-posts; Sign-posts, etc.;

"o. restrict the capacity and dimensions of autobusses, regulate their construction and use, from the standpoint of circulation, public safety and the protection of the roads; Capacity, etc., of autobusses;

And make all other regulations which may be deemed necessary for the carrying out of this act." Other regulations.

11. Sections 1, 2, 5, 7 paragraph *b*, and 9 of this act shall come into force on the first day of March, 1923, and the other provisions of this act, on the day of its sanction. Coming into force.

C H A P. 31

An Act to develop forest instruction, instruction in paper-making and promote forest research

[Assented to, the 29th of December, 1922]

WHEREAS it is necessary to complete the system of forestry instruction given in the Province of Quebec by the establishment of a school for forest rangers, in order to assure the recruiting of officers for the protection of the forests and for the control of cutting and of the measuring of the timber in the Crown domains and private lands; Preamble.

Whereas it is necessary to establish and organize a complete instruction in paper-making in the Province of Quebec, in order to recruit expert workmen as well as technical men for the making of woodpulp, paper and other similar products or by-products of the fibre;

Whereas it is also necessary to make numerous experiments regarding the growth of forests, the reproduction of the principal forest-essences and the rational use of forest products;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Lieutenant-Governor in Council is empowered, upon the recommendation of the Minister of Lands and Forests, to make the necessary arrangements and agreements for the following purposes: Lt.-Gov. in Council may: