

December 2009 Legislative Update

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/MEMBERS	STATUS	EXPLANATORY NOTE
<u>Quebec</u>	39 th Legislature - 1 st Session	41	<i>An Act to amend the Act respecting transport infrastructure partnerships and other legislative provisions</i>	Boulet	<u>Royal Assent – December 4, 2009</u>	<p>This bill amends the Act respecting transport infrastructure partnerships to introduce new rules for the recovery of unpaid tolls and the protection of amounts collected by a partner on behalf of the Government. It also amends the Act respecting the Ministère des Transports to create the transport infrastructure partnership fund.</p> <p>The bill contains measures allowing the Government to entrust the management of an infrastructure to a municipal authority and to retain the possibility of regulating the immovables, installations and equipment that are part of the infrastructure, even if the immovables are administered by a partner. It specifies the powers that the Minister of Transport may delegate to a partner and the applicable liability regime.</p> <p>The bill stipulates that the Act respecting roads does not apply to a road infrastructure constructed or operated under a partnership agreement, except to the extent provided for in the agreement in accordance with the Act respecting transport infrastructure partnerships.</p> <p>The bill amends the Highway Safety Code to regulate the use of cameras used to photograph the registration plates of road vehicles driven on a public road that is subject to the Act respecting transport infrastructure partnerships.</p> <p>Finally, the bill contains various consequential provisions and brings more precision to a number of notions.</p>
		<u>69</u>	<u><i>An Act to amend the Highway Safety Code as regards driving schools</i></u>	<u>Boulet</u>	<u>Royal Assent – December 4, 2009</u>	<p><u>This bill amends the Highway Safety Code to extend by one year the suspension of the power to recognize new driving schools and grants the Minister of Transport the power to extend the suspension by ministerial order.</u></p> <p><u>The bill grants the Government the regulatory power to set the minimum and maximum amounts chargeable for a course to drive a passenger vehicle other than a motorcycle or moped.</u></p> <p><u>The bill also provides that the Société de l'assurance automobile du Québec has jurisdiction over the withdrawal of a driving school's recognition.</u></p> <p><u>Lastly, the bill dissociates, in chapter 40 of the statutes of 2007, the coming into force of certain provisions relating to sanctions applicable to the holder of a driver's licence from the coming into force of the requirement to take a driving course, and associates it instead with the coming into force of provisions relating to the number of demerit points that result in a sanction. It also contains a transitional provision.</u></p>

- 70 *An Act to amend various pension plans in the public sector* Gagnon-Tremblay Royal Assent – December 4, 2009 This bill amends various Acts establishing pension plans for public sector employees, in particular in response to certain technical recommendations made by the retirement committees. The bill also amends the Pension plan for federal employees transferred to employment with the gouvernement du Québec and empowers the Government to amend that plan to harmonize it with the other public sector pension plans.
- In addition, the bill maintains the provisions that override section 15 of the Constitution Act, 1982, found in the Act respecting the Pension Plan of Certain Teachers, the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan, the Act respecting the Civil Service Superannuation Plan and the Act respecting the Pension Plan of Management Personnel.
- 71 *An Act to again amend the Highway Safety Code and other legislative provisions* Boulet First Reading – December 3, 2009 This bill amends the Highway Safety Code to prohibit persons 21 years of age or under from driving a road vehicle if they have any alcohol in their body. It provides for an immediate 24-hour licence suspension for drivers not under a complete alcohol prohibition whose blood alcohol concentration is between 50 and 80 mg of alcohol in 100 ml of blood.
- Under the bill, the Government is granted the power to make a regulation requiring cyclists 12 years of age or under to wear a protective helmet. The bill amends certain traffic rules, in particular those governing the crossing of roadways by pedestrians, and gives municipalities the power to authorize cycling against the traffic on a one-way lane.
- The bill also raises certain fines, and provides for an immediate seven-day licence suspension and vehicle seizure, for street racing with another vehicle and for riding or holding on to the outer part of a road vehicle in motion, or for tolerating such behaviour.
- For a second or subsequent offence, the suspension and seizure periods are increased to 30 days.
- The bill contains various other provisions relating to certain specific situations. Lastly, it contains consequential, technical and transitional provisions.

78 *An Act to amend the Election Act with regard to electoral representation and political party financing rules and to amend other legislative provisions* Bechard

First Reading – November 25, 2009 This bill amends the Election Act with regard to electoral representation by setting out new rules and a new procedure for the determination of the number and boundaries of electoral divisions.

Moreover, as regards the financing of political parties, the allowance paid by the Chief Electoral Officer to political parties is increased and the manner in which the tax credit for a contribution to a political party is determined is modified. Anonymous donations are prohibited, the rule providing that an elector's contribution must be derived from the elector's property is tightened, and certain financial reporting rules are modified. In addition, new rules governing the financing of political party leadership campaigns are introduced. Various measures are introduced to ensure financing rules are complied with. In particular, the amount of fines for contravening contribution rules are increased, a new provision is introduced concerning the penal liability of parties and their officers and, for a period of five years after the conviction, no public contract may be entered into with a natural or legal person who has been convicted of an offence related to contributions or with a legal person or partnership one of whose directors, officers or partners has been convicted of such an offence. Lastly, various measures provided for are also introduced into the Act respecting elections and referendums in municipalities and the Act respecting school elections.

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193	<i>An Act to Amend the Transport Act</i>	Picard	First Reading – April 8, 2009	This bill amends the Transport Act to have the Société de transport de Québec and the Société de transport de Lévis share the contributions of motorists to public transit paid by the Minister of Transport to the Communauté métropolitaine de Québec on the basis of the contributions collected from motorists whose address is in the territory of Ville de Québec, Ville de L'Ancienne-Lorette or Ville de Saint-Augustin-de-Desmaures and motorists whose address is in the territory of Ville de Lévis.
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