



June 3, 2015

Introduction of vehicle marking as a means of identifying the operator of a heavy vehicle and modifications to the Regulation respecting the requirements applicable to shipping documents

The gouvernement du Québec has adopted the Regulation to amend the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles and the Regulation amending the Regulation respecting the requirements applicable to shipping documents (Regulation respecting shipping documents). The new provisions of the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles will come into force on July 3, 2015, while those of the Regulation respecting shipping documents will come into force on June 18, 2015.

The regulatory amendments concern the following aspects:

1. The introduction of heavy vehicle marking as an alternative to the shipping documents

Except under certain circumstances, when transporting goods for remuneration, drivers of heavy vehicles must have in their possession a shipping document conforming to the requirements of the Regulation respecting shipping documents. This document allows peace officers to identify operators during transport. For certain types of transport, some operators experience difficulties complying with the requirements of the Regulation. To help them, the ministère des Transports du Québec has introduced vehicle marking as an alternative to the shipping documents. This provision does away with the need for operators to have a shipping document in their vehicle. Operators only have to display their name and their identification number from the Register of owners and operators of heavy vehicles (RIN) on their vehicles. However, the following requirements must be met:

- Markings must bear the name of a single operator;
- The RIN must be assigned to the affixed name;
- The RIN must be horizontally aligned and preceded by "Québec", "QC", "N.I.R." or "NIR";
- Markings must appear on both sides of the outside surface of the passenger compartment or of the sleeper berth;
- Markings must be at least 4 cm in height;
- The colour must contrast with that of the vehicle.

Since marking is an optional way to identify the operator of a heavy vehicle, the absence or non-compliance of the marking is not considered an offence. However, in such case, a compliant shipping document must be in the vehicle; in the absence or non-compliance of the shipping document, drivers are liable to a fine of \$125 to \$375 and operators, to a fine of \$250 to \$750.

2. Easing restrictions on the minimum provisions required on shipping documents

The shipping document must contain certain pertinent information in order to comply with the Regulation respecting shipping documents and identify the operator. For the purpose of easing restrictions, certain provisions relating to the content of shipping documents have been removed, such as the requirements related to:

- the reference number of the shipping document;
- the mention that transportation is successive;
- the signing of documents.

3. Clarification of the terms "for remuneration" and "free of charge"

Specifications have been made with regard to the terms "for remuneration" and "free of charge" in the Regulation respecting shipping documents and the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles.

Transportation "for remuneration" must be carried out for the account of others, which is to say for a third party. Transportation "free of charge" must be carried out for one's own account.

We invite you to view our list of frequently asked questions on the following page.

To obtain more information on the new changes made to the Regulation respecting the requirements applicable to shipping documents and to the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles, you can visit the ministère des Transports du Québec website at www.transports.gouv.qc.ca or call 1 888 355-0511.

Frequently Asked Questions about shipping documents and vehicle marking

1- Is it true that there's a new law that eliminates the need to have a shipping document?

No. The Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles has been amended to introduce vehicle marking as a means to replace shipping documents as a way of identifying the operator. Shipping documents are still required for the transportation of goods for remuneration, but can be replaced by approved markings affixed to the vehicle.

2- Is it true that all heavy vehicles must have markings? And what is the fine if there are no markings on my vehicle?

No. Québec laws do not require that operators of heavy vehicles affix markings to their vehicles. Marking is optional and can be used to replace shipping documents. The absence of vehicle marking does not constitute an offence. However, if you do decide to affix a marking to your vehicle, it must meet the requirements prescribed by regulation. If the marking is not compliant and there are no shipping documents in the vehicle, a peace officer can issue a statement of offence for the absence of shipping documents. In this case, the fine varies between \$125 to \$375 for the driver of the heavy vehicle and \$250 to \$750 for the operator.

3- I have a truck that already has the name of my company and address printed on it. Is this marking sufficient should I decide to stop using shipping documents for my transport activities?

No. Compliant marking must have at minimum the name of the company registered with the Register of owners and operators of heavy vehicles of the Commission des Transports du Québec and the Register Identification Number (RIN) assigned to that name. The marking must be horizontally aligned, at least 4 cm in height and in a colour contrasting with that of the vehicle, affixed to the outside surface of the passenger compartment or of the sleeper berth.

4- It sounds as if there are new shipping documents for the transportation of goods for remuneration now.

No. There are no new shipping documents. Actually, certain provisions regarding the applicable requirements for shipping documents have been removed. Information concerning the shipping document reference number, successive transportation and the signing of documents is no longer required.

Furthermore, if carriers do not want to fill out shipping documents, they can affix a marking to their vehicle, provided the marking complies with the Regulation respecting the Act respecting owners, operators and drivers of heavy vehicles.