

chapter C-24.2, r. 43

Transportation of Dangerous Substances Regulation

Highway Safety Code
(chapter C-24.2, s. 622, 1st par., subpars. 1 to 8).

TABLE OF CONTENTS

| | |
|--|------|
| DIVISION I | |
| DEFINITIONS AND GENERAL..... | 1 |
| DIVISION II | |
| CLASSIFICATION OF DANGEROUS SUBSTANCES..... | 7 |
| DIVISION III | |
| SHIPPING DOCUMENTS..... | 12 |
| DIVISION IV | |
| SAFETY MARKS..... | 14 |
| DIVISION V | |
| MEANS OF CONTAINMENT..... | 15 |
| DIVISION V.I | |
| CONTAMINATED SOIL..... | 16 |
| DIVISION V.II | |
| PETROLEUM PRODUCTS..... | 19 |
| DIVISION V.III | |
| LIQUEFIED PETROLEUM GAS..... | 31 |
| DIVISION V.IV | |
| EXPLOSIVES..... | 31.7 |
| DIVISION VI | |
| TRAINING..... | 32 |
| DIVISION VII | |
| EMERGENCY RESPONSE ASSISTANCE PLAN..... | 33 |
| DIVISION VIII | |
| ACCIDENTAL RELEASE..... | 34 |
| DIVISION IX | |
| CROSS-BORDER AND INTERMODAL TRANSPORT..... | 35 |
| DIVISION X | |
| SAFETY STANDARDS AND REQUIREMENTS..... | 37 |
| DIVISION XI | |
| REQUIREMENTS APPLYING TO THE USE OF TUNNELS..... | 43 |

| | |
|---------------------|-----------|
| DIVISION XII | |
| PENAL..... | 44 |

| | |
|----------------------|-----------|
| DIVISION XIII | |
| FINAL..... | 54 |

SCHEDULE 1 (*Revoked*)

DIVISION I

DEFINITIONS AND GENERAL

1. In this Regulation,

“consignor” means a person who is present in Canada and who

- (1) is designated as the consignor in the shipping document;
- (2) imports or will import dangerous substances in Canada;
- (3) has possession of dangerous substances immediately before they are transported where paragraphs 1 and 2 do not apply; or
- (4) is the operator or the carrier of dangerous substances where paragraphs 1 to 3 do not apply; (*expéditeur*)

“farm vehicle” means any farm machine, farm trailer or farm motor vehicle as defined in the Regulation respecting road vehicle registration (chapter C-24.2, r. 29); (*véhicule agricole*)

“handling” means the operations of loading, unloading, putting into containers, and packing dangerous substances transported, on a public highway; (*manutention*)

“offer for transport” means, with respect to dangerous substances not being transported,

- (1) to choose an operator or a carrier, or to allow such choice, with a view to transporting the substances;
- (2) to prepare the substances, or to allow their preparation, so that an operator or a carrier takes possession of them for transportation purposes;
- (3) to allow an operator or a carrier to take possession of the substances for transportation purposes;

“operator” means the operator of heavy vehicles within the meaning of subparagraph 2 of the first paragraph of section 2 of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3); (*exploitant*)

“tank truck” means any highway tank described in CSA Standard B620, such as a single unit truck carrying a cargo tank, a towing vehicle and semi-trailer tank or a combination of those vehicles; (*camion-citerne*)

“Transportation of Dangerous Goods Regulations” means the Transportation of Dangerous Goods Regulations (SOR/2001-286). (*Règlement sur le transport des marchandises dangereuses*)

Subject to the first paragraph, the definitions and abbreviations contained in the 1992 Transportation of Dangerous Goods Act (S.C. 1992, c. 34) and the Transportation of Dangerous Goods Regulations, apply to this Regulation, except the definitions of “farmer,” “inspector,” “Minister,” “person” and “protective direction”.

O.C. 866-2002, s. 1; O.C. 501-2005, s. 1; O.C. 994-2010, s. 1; O.C. 1349-2011, s. 1.

1.1. The provisions of the Transportation of Dangerous Goods Regulations that form an integral part of this Regulation must be interpreted taking into account the definitions in section 1.

Where there is a conflict between the provisions of the Transportation of Dangerous Goods Regulations and those of this Regulation, the latter apply.

O.C. 1349-2011, s. 2.

2. This Regulation applies to dangerous substances transported on public highways, particularly the handling and offering of these substances for transport.

O.C. 866-2002, s. 2; O.C. 501-2005, s. 2; O.C. 1349-2011, s. 3.

2.1. In this Regulation, a reference to safety standards or safety requirements not cited in section 1.3.1 of the Transportation of Dangerous Goods Regulations, in a regulation or in an Act includes any subsequent amendments made to them.

O.C. 1349-2011, s. 4.

3. The safety standards and safety requirements referred to in section 1.3.1 and Schedules 1, 2 and 3 to the Transportation of Dangerous Goods Regulations form an integral part of this Regulation.

The safety standards and requirements are cited in this Regulation in the corresponding short form appearing in Column 1 of the Table in section 1.3.1 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 3; O.C. 1349-2011, s. 5.

4. The rules of interpretation provided for in section 1.3 of the Transportation of Dangerous Goods Regulations and in sections 1.5 to 1.29 and 1.31 to 1.47 of those Regulations form an integral part of this Regulation.

Despite sections 1.21 and 1.22 of the Transportation of Dangerous Goods Regulations, the standards referred to in Part 5 of those Regulations apply to large means of containment intended for the transportation of petroleum products referred to in section 19 of this Regulation.

Despite section 1.35 of the Transportation of Dangerous Goods Regulations, sections 3.1, 3.2, 3.4 to 3.7, 3.10 and 3.11 of those Regulations, the requirements concerning the UN number provided for in section 4.15 and sections 6.1, 6.2 and 6.4 to 6.6 of those Regulations apply where the petroleum products referred to in section 1.35 are contained in a large means of containment transported by the trailer or semi-trailer of a combination of road vehicles.

O.C. 866-2002, s. 4; O.C. 1349-2011, s. 6.

5. *(Revoked).*

O.C. 866-2002, s. 5; O.C. 501-2005, s. 3.

6. *(Revoked).*

O.C. 866-2002, s. 6; O.C. 1349-2011, s. 7.

DIVISION II

CLASSIFICATION OF DANGEROUS SUBSTANCES

O.C. 866-2002, Div. II; O.C. 1349-2011, s. 8.

7. Any substance designated dangerous goods within the meaning of the 1992 Transportation of Dangerous Goods Act (S.C. 1992, c. 34) or the Transportation of Dangerous Goods Regulations is a dangerous substance.

O.C. 866-2002, s. 7; O.C. 1349-2011, s. 9.

8. A dangerous substance belongs to the class assigned to it in accordance with Schedule 1 or Part 2 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 8.

9. Contaminated soils also constitute dangerous substances.

Contaminated soil is soil that, without being a dangerous substance referred to in section 7, has a contaminant concentration equal to or in excess of the limit values prescribed in Schedule I or Schedule II to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37).

Only sections 11 and 17 apply to dangerous substances referred to in the first paragraph.

O.C. 866-2002, s. 9; O.C. 1349-2011, s. 10.

10. Before offering any dangerous substance for transport, the consignor must classify it in accordance with subsections 1 to 5 of section 2.2 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 10.

11. A consignor must, before offering for transport contaminated soils referred to in the second paragraph of section 9, classify them according to the limit values prescribed in Schedule I or Schedule II to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37).

O.C. 866-2002, s. 11; O.C. 1349-2011, s. 12.

DIVISION III

SHIPPING DOCUMENTS

12. The shipping documents prescribed by sections 3.1, 3.2, 3.4, 3.7, 3.10 and 3.11 of the Transportation of Dangerous Goods Regulations form an integral part of this Regulation.

O.C. 866-2002, s. 12; O.C. 1349-2011, s. 13.

13. The minimum information that the shipping document must contain is that prescribed in sections 3.5 and 3.6 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 13.

DIVISION IV

SAFETY MARKS

14. The safety marks that must be displayed on dangerous substances means of containment and the standards for displaying them are those prescribed in Part 4 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 14.

DIVISION V

MEANS OF CONTAINMENT

15. The standards applicable to means of containment provided for in Part 5 of the Transportation of Dangerous Goods Regulations form an integral part of this Regulation.

O.C. 866-2002, s. 15; O.C. 501-2005, s. 4; O.C. 1349-2011, s. 14.

DIVISION V.I

CONTAMINATED SOIL

16. *(Revoked).*

O.C. 866-2002, s. 16; O.C. 1349-2011, s. 15.

17. Contaminated soils referred to in the second paragraph of section 9 must be transported in a closed means of containment or in a dump vehicle.

Where contaminated soils are transported in a dump vehicle, an impermeable tarpaulin must,

(1) if the contaminated soils have a contaminant concentration equal to or in excess of the limit values prescribed in Schedule II to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37), cover the top of the dumper entirely so that rain or snow cannot fall in and contaminants cannot escape;

(2) in the other cases, keep the contaminated soils inside the dumper.

In all cases, where a liquid can leak from the contaminated soils, the means of containment or the dumper must be watertight.

O.C. 866-2002, s. 17; O.C. 1349-2011, s. 16.

18. *(Revoked).*

O.C. 866-2002, s. 18; O.C. 1349-2011, s. 17.

DIVISION V.II**PETROLEUM PRODUCTS**

19. This division applies to the Class 3 petroleum products listed below:

| Shipping Name | UN Number | Packing Group |
|---|------------------|----------------------|
| Aviation Fuel | UN1863 | I, II or III |
| Gasoline | UN1203 | II |
| Diesel fuel; fuel Oil or light heating oil | UN1202 | III |
| Kerosene | UN1223 | III |
| Ethanol and gasoline mix containing more than 10% ethanol | UN3475 | II |
| Crude oil | UN1267 | I or II or III |
| Petroleum products, N.O.S. or petroleum distillates, N.O.S. | UN1268 | I or II or III |

O.C. 866-2002, s. 19; O.C. 1349-2011, s. 18.

20. The handling and transportation of petroleum products must comply with the requirements stipulated in sections 24 to 30.

O.C. 866-2002, s. 20; O.C. 501-2005, s. 5; O.C. 1349-2011, s. 19.

21. Despite section 15, petroleum products may be loaded for transport in small means of containment with a capacity of 450 litres or less complying with

(1) CGSB-43.150;

(2) CSA B376 “Portable Containers for Gasoline and Other Petroleum Fuels” published by the Canadian Standards Association;

(3) NFPA 30 “Flammable and Combustible Liquids Code” published by the National Fire Protection Association; or

(4) ULC/ORD-C142.13-1997 “Mobile refuelling tanks” published by the Underwriters’ Laboratories of Canada, but, in the latter case, only if the means of containment were manufactured before 15 March 2005.

O.C. 866-2002, s. 21; O.C. 1349-2011, s. 20.

22. *(Revoked).*

O.C. 866-2002, s. 22; O.C. 501-2005, s. 6.

23. *(Revoked).*

O.C. 866-2002, s. 23; O.C. 1349-2011, s. 21.

24. It is prohibited to transport petroleum products in a tank truck unless there are 2 wheel chocks on board.

O.C. 866-2002, s. 24.

25. The electrical wiring of a tank truck must be covered with a polymer so that it is permanently insulated.

A tank truck’s lighting and power circuits must be in good condition, and fused and protected so that a short circuit or sparking is not likely to occur.

Switches must be liquid tight and vaportight with respect to petroleum products.

O.C. 866-2002, s. 25; O.C. 501-2005, s. 7; O.C. 1349-2011, s. 22.

26. The capacity of the compartments of a compartmentalized tank truck used to transport gasoline (UN1203) or aviation fuel (UN 1863) must not exceed 17,000 litres.

O.C. 866-2002, s. 26; O.C. 1349-2011, s. 23.

27. One or two dry chemical fire extinguishers with an effective total rating of at least 40 BC must be installed near each tank of a tank truck used to transport petroleum products.

A tank truck used to transport petroleum products or any other motorized road vehicle or combination of road vehicles transporting petroleum products in a means of containment with a capacity of more than 450 litres must be equipped with a fire extinguisher of at least 5 BC installed in the cab or affixed outside the cab.

The fire extinguishers referred to in the first and second paragraphs must be accessible.

Those fire extinguishers must also be charged and be inspected each year in accordance with the standard NFPA 10 “Standard for Portable Fire Extinguishers” published by the National Fire Protection Association. An inspection tag must be affixed to the fire extinguisher, except during the first year of use.

O.C. 866-2002, s. 27; O.C. 501-2005, s. 8; O.C. 1349-2011, s. 24.

28. The driver of a tank truck must use the parking, emergency or service brake to ensure that the truck does not move during the unloading of petroleum products. At least 2 chock blocks must be set when unloading a tank truck parked on a slope.

O.C. 866-2002, s. 28; O.C. 501-2005, s. 9.

29. All the valves of a tank truck used to transport petroleum products that are connected to the means of containment must be closed, except during unloading. During unloading, valves must be opened by a person who is adequately trained and holds a training certificate in accordance with Division VI of this Regulation, or be under the supervision of such a person.

O.C. 866-2002, s. 29; O.C. 501-2005, s. 10; O.C. 1349-2011, s. 25.

29.1. A person who opens the valves of a tank truck used to transport petroleum products must carry the original or a copy of his or her training certificate or be in the presence and under the direct supervision of a person carrying the original or a copy of his or her training certificate.

O.C. 1349-2011, s. 25.

30. No person may use a petroleum product contained in a tank truck to fill a means of containment or the tank of a road vehicle except to refill the permanent tank of a heating system with light heating oil (UN 1202).

O.C. 866-2002, s. 30; O.C. 1349-2011, s. 26.

DIVISION V.III

LIQUEFIED PETROLEUM GAS

31. This Division applies to the handling and transportation of the Class 2 liquefied petroleum gases listed below:

| Shipping Name | UN Number |
|---------------------------|-----------|
| BUTANE | UN1011 |
| BUTYLENE | UN1012 |
| ISOBUTANE | UN1969 |
| ISOBUTYLENE | UN1055 |
| LIQUEFIED PETROLEUM GASES | UN1075 |
| PROPANE | UN1978 |
| PROPYLENE | UN1077 |

The handling and transportation of liquefied petroleum gas must be carried out in compliance with the standards referred to in sections 31.1 to 31.6.

O.C. 866-2002, s. 31; O.C. 501-2005, s. 11; O.C. 1349-2011, s. 27.

31.1. No person may transport liquefied petroleum gas cylinders in a vehicle unless the space intended to hold the cylinders is vented to the outside.

O.C. 501-2005, s. 12.

31.2. No person may transport liquefied petroleum gas in a tank truck unless the tank truck has 2 wheel chocks on board.

O.C. 501-2005, s. 12.

31.3. The driver of a tank truck must use the parking, emergency or service brake to ensure that the truck does not move during the unloading of liquefied petroleum gas. At least 2 chock blocks must be set when unloading a tank truck parked on a slope.

O.C. 501-2005, s. 12.

31.4. One or two dry chemical fire extinguishers with an effective total rating of at least 40 BC must be installed near each tank of a tank truck used to transport liquefied petroleum gases.

As of 1 June 2012, a tank truck used to transport liquefied petroleum gases or any other motorized road vehicle or combination of road vehicles transporting liquefied petroleum gases in a means of containment with a capacity of more than 450 litres must be equipped with a fire extinguisher of at least 5 BC installed in the cab or affixed outside the cab.

The fire extinguishers referred to in the first and second paragraphs must be accessible.

Those fire extinguishers must also be charged and be inspected each year in accordance with the standard NFPA 10 “Standard for Portable Fire Extinguishers” published by the National Fire Protection Association. An inspection tag must be affixed to the fire extinguisher, except during the first year of use.

O.C. 501-2005, s. 12; O.C. 1349-2011, s. 28.

31.5. A liquefied petroleum gas cylinder installed on the outside of a vehicle must be protected if installed at the rear of the vehicle by extending the bumper beyond the cylinder using materials having a resistance at least equal to that of the bumper.

A liquefied petroleum gas cylinder may not be installed on the roof of a vehicle, in front of the front axle of a motor vehicle or on a door of the vehicle and may not extend beyond the sides of the vehicle.

O.C. 501-2005, s. 12.

31.6. No person may use liquefied petroleum gas contained in a tank truck to fill a gas cylinder with a capacity equal to or less than 46 litres, or a liquefied petroleum gas tank that supplies a motorized road vehicle for propulsion purposes.

O.C. 1349-2011, s. 29.

DIVISION V.IV

EXPLOSIVES

O.C. 1349-2011, s. 29.

31.7. No person may transport Class 1 explosives when the total net explosives quantity exceeds one of the limits set in section 9.5 of the Transportation of Dangerous Goods Regulations.

O.C. 1349-2011, s. 29.

DIVISION VI

TRAINING

32. Sections 6.1, 6.2 and 6.4 to 6.6 of the Transportation of Dangerous Goods Regulations form an integral part of this Regulation.

The employer's obligations provided for in subsection 6.1 (2) of the Transportation of Dangerous Goods Regulations apply to every consignor, operator or carrier of dangerous substances who entrusts the handling, offering for transport or transportation of a dangerous substance to a person who is not a consignor, operator or carrier nor a person who performs one of those functions at the request of a consignor, operator or carrier.

O.C. 866-2002, s. 32; O.C. 1349-2011, s. 30.

32.1. The training certificate must be issued in accordance with section 6.3 of the Transportation of Dangerous Goods Regulations, contain the information prescribed in subsection 1 of that section and be signed in accordance with subsection 3 of that section.

O.C. 1349-2011, s. 30.

32.2. A consignor, operator or carrier of dangerous substances, to which this Division applies, who entrusts the handling, offering for transport or transportation of a dangerous substance to a person who is not a consignor, operator or carrier nor a person who performs one of those functions at the request of a consignor, operator or carrier, must have access to a copy of the training certificate of that person and to a copy of the person's record of training or statement of experience.

O.C. 1349-2011, s. 30.

32.3. The driver of a road vehicle or combination of road vehicles transporting dangerous substances, to which this Division applies, must carry the original or a copy of his or her training certificate or be in the presence and under the direct supervision of a person carrying the original or a copy of his or her training certificate.

O.C. 1349-2011, s. 30.

DIVISION VII

EMERGENCY RESPONSE ASSISTANCE PLAN

33. The obligation to have an emergency response assistance plan provided for in section 7.1 of the Transportation of Dangerous Goods Regulations forms an integral part of this Regulation.

O.C. 501-2005, s. 13; O.C. 1349-2011, s. 31.

DIVISION VIII

ACCIDENTAL RELEASE

O.C. 866-2002, div. VIII; O.C. 501-2005, s. 14.

34. The provisions of this Division do not apply where the transportation of a dangerous substance is exempt from the application of Part 8 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 34; O.C. 1349-2011, s. 32.

34.1. A person who is responsible for dangerous substances at the time of an accidental release of a quantity of dangerous substances or at the time of an emission of radiation that is greater than the quantity or emission level set out in the table in subsection 1 of section 8.1 of the Transportation of Dangerous Goods

Regulations must immediately report the release or emission to the local police. The foregoing also applies in the case of an imminent accidental release.

O.C. 1349-2011, s. 32.

DIVISION IX

CROSS-BORDER AND INTERMODAL TRANSPORT

35. The safety requirements effective in the United States may be applied to cross-border road transportation of dangerous substances in accordance with sections 9.1 and 9.4 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 35; O.C. 1349-2011, s. 33.

36. Safety requirements applicable to other modes of transport may be applied to road transportation of dangerous substances by those modes in accordance with sections 9.2 to 9.4 of the Transportation of Dangerous Goods Regulations.

O.C. 866-2002, s. 36; O.C. 1349-2011, s. 34.

DIVISION X

SAFETY STANDARDS AND REQUIREMENTS

37. *(Revoked).*

O.C. 866-2002, s. 37; O.C. 501-2005, s. 15.

38. No person may transport dangerous substances in a road vehicle unless all dangerous substances, all goods and all objects are secured or restrained by means of an adequate structure, blocking devices, bracing, dunnage materials or bags, shoring bars, tiedowns or a combination of those means.

No person may install a means of containment of dangerous substances on or in front of the front bumper of a motorized road vehicle or, where such vehicle has no bumpers, on the front outside end and in the bucket or on any other part of a tool vehicle that is not designed for the transport of those substances.

O.C. 866-2002, s. 38; O.C. 501-2005, s. 16; O.C. 1349-2011, s. 35.

39. No person may transport dangerous substances in a double train tank truck other than a Type B double train within the meaning of subparagraph 8 of the first paragraph of section 4 of the Vehicle Load and Size Limits Regulation (chapter C-24.2, r. 31).

No person may transport dangerous substances in a road train of more than 25 m in overall length if, in accordance with Part 4 of the Transportation of Dangerous Goods Regulations, safety placards must be displayed.

O.C. 866-2002, s. 39; O.C. 501-2005, s. 17; O.C. 1349-2011, s. 36.

40. Tank trucks transporting dangerous substances must be equipped with a driver monitoring system that records significant speed variations and relevant data on the date, time and speed, or an electronic system for dynamic stabilization of the vehicle to assist the driver during a critical manoeuvre.

The first paragraph applies to every tank truck, the tractor, towing vehicle or, in the case of a single unit tank truck, truck of which was assembled after 14 August 2006.

A document attesting to the installation of either system required in the first paragraph must be presented to a peace officer upon request.

O.C. 866-2002, s. 40; O.C. 501-2005, s. 18; O.C. 1349-2011, s. 37.

41. It is prohibited to transfer dangerous substances from one tank truck to another except in the case of accidental release or an emergency. The tank trucks containing flammable substances must be connected to one another by a ground wire.

O.C. 866-2002, s. 41.

42. The driver of a tank truck that contains flammable substances or vapors of flammable substances must ensure that no person smokes or lights a flame inside the truck cab regardless of whether the truck is in motion or not. During loading and unloading, the driver must ensure that no person smokes or lights a flame within 8 m of the truck.

O.C. 866-2002, s. 42.

DIVISION XI

REQUIREMENTS APPLYING TO THE USE OF TUNNELS

43. It is prohibited to travel in the tunnel segment of the Louis-Hippolyte-La Fontaine bridge-tunnel, the Ville-Marie and Viger tunnels in Montréal, the tunnel segment of the Joseph-Samson bridge-tunnel in Québec City and the Melocheville tunnel in Ville de Beauharnois.

(1) with a road vehicle on which placards must be displayed in accordance with Part 4 of the Transportation of Dangerous Goods Regulations unless it is carrying only Class 9 dangerous substances;

(2) with a road vehicle or combination of road vehicles transporting a Class 3 flammable liquid if the total capacity of the means of containment exceeds 30 litres;

(3) with a road vehicle or combination of road vehicles transporting or using Class 2.1, 2.3 (2.1), 2.2 (5.1) and 2.3 (5.1) gas cylinders oxidizing gas, unless these substances are contained in at most 2 cylinders with a capacity of 46 litres or less each; or

(4) with a road vehicle equipped with working equipment that produces a naked flame or that contains incandescent solid fuel.

The first paragraph does not apply

(1) when the fuel is used for the propulsion of the vehicle and is contained in one or more tanks designed for that purpose by the vehicle manufacturer or complying with the Regulation respecting safety standards for road vehicles (chapter C-24.2, r. 32);

(2) when the flammable liquid is used for the air conditioning of the vehicle or the load space and is contained in a single tank designed for that purpose by the air conditioning manufacturer the capacity of which does not exceed 450 litres;

(3) when the flammable liquid is intended for the operation of equipment permanently screwed or bolted to the vehicle if the total capacity of all the equipment's tanks does not exceed 75 litres;

(4) to emergency vehicles within the meaning of section 4 of the Highway Safety Code (chapter C-24.2);

(5) to cranes equipped with a second diesel fuel tank (UN1202) of a capacity not exceeding 450 litres and installed by the crane manufacturer;

(6) to maintenance road vehicles or equipment used inside tunnels or at the entrances to and exits from the tunnels; and

(7) when the flammable liquid is used to supply a road vehicle or equipment referred to in subparagraph 6 of that section and is contained in means of containment whose total capacity does not exceed 1,000 litres.

O.C. 866-2002, s. 43; O.C. 501-2005, s. 19; O.C. 1349-2011, s. 38; O.C. 1186-2013, s. 1.

DIVISION XII

PENAL

44. An operator, a carrier of dangerous substances or a consignor that contravenes the provisions of section 1.5, subsection 1 of section 1.5.2, section 1.6, paragraph *a* or *b* of section 1.7, section 1.8, paragraph *a* or *b* of subsection 2 of section 1.42, subsection 2 of section 1.42.2, section 3.11, section 4.1, paragraph *c* of section 4.6 or any of sections 4.7, 4.8, 5.1, 5.7 to 5.10, 5.12 and 5.16 to 5.17 of the Transportation of Dangerous Goods Regulations, the provisions of any of sections 1, 3, 11, 12, 13, 14 and 19, subsection 2 of section 23 or any of sections 28, 38, 41, 59 and 71 of Schedule 2 to those Regulations, or the provisions of section 31.7 or 39 of this Regulation, commits an offence and is liable to a fine of \$700 to \$2,100.

O.C. 866-2002, s. 44; O.C. 501-2005, s. 20; O.C. 1349-2011, s. 39.

45. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of subsection 2 of section 1.5.2, paragraph *c* of section 1.7, section 4.15, subsection 2 of section 4.17 or any of sections 4.18 to 4.20 and 5.14 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$700 to \$2,100 in the other cases.

O.C. 866-2002, s. 45; O.C. 501-2005, s. 21; O.C. 1349-2011, s. 39.

46. A consignor who contravenes the provisions of subsection 5 of section 1.17, subsection 3 of section 1.32.1, subsection 2 of section 1.42, as regards the obligation to mark a means of containment, any of subsections 1 to 4 of section 3.5, subsection 3 of section 9.2, subsection 3 of section 9.3 or section 9.4 of the Transportation of Dangerous Goods Regulations or the provisions of subsection 1 of section 23, section 72 or subsection 3 of section 74 of Schedule 2 to those Regulations commits an offence and is liable to a fine of \$175 to \$525.

O.C. 866-2002, s. 46; O.C. 501-2005, s. 22; O.C. 1349-2011, s. 39.

47. A consignor who contravenes the provisions of section 3.1, subsection 2 of section 3.4 or any of sections 3.6, 4.3, 4.4, 4.10 to 4.14, 4.21, 4.22.1 and 7.1 of the Transportation of Dangerous Goods Regulations, the provisions of section 26, subsection 1 of section 70, subsection 1 or 2 of section 74 or section 79 of Schedule 2 to those Regulations or the provisions of section 10 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

O.C. 866-2002, s. 47; O.C. 501-2005, s. 23; O.C. 1349-2011, s. 39.

48. An operator or a carrier of dangerous substances who contravenes the provisions of section 3.2, 3.10 or 4.5 of the Transportation of Dangerous Goods Regulations, the provisions of section 73 of Schedule 2 to those Regulations or the provisions of section 41 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

O.C. 866-2002, s. 48; O.C. 1349-2011, s. 39.

49. A driver or a consignor who contravenes the provisions of subsection 1 of section 3.4 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$700 to \$2,100 in the case of a consignor.

O.C. 866-2002, s. 49; O.C. 501-2005, s. 24; O.C. 1349-2011, s. 39.

50. A driver who contravenes the provisions of subsection 5 of section 3.5 of the Transportation of Dangerous Goods Regulations or the provisions of section 28, 29.1, 30, 31.3, 31.6 or 32.3 of this Regulation commits an offence and is liable to a fine of \$90 to \$270.

O.C. 866-2002, s. 50; O.C. 501-2005, s. 25; O.C. 1349-2011, s. 39.

51. A driver who contravenes the provisions of section 3.7 of the Transportation of Dangerous Goods Regulations or the provisions of section 29 or 42 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

O.C. 866-2002, s. 51; O.C. 1349-2011, s. 39.

52. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 4.2 or 6.1 of the Transportation of Dangerous Goods Regulations or the provisions of the second paragraph of section 32 and section 32.1 of this Regulation commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$350 to \$1,050 in the other cases.

O.C. 866-2002, s. 52; O.C. 501-2005, s. 26; O.C. 1349-2011, s. 39.

53. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of paragraph *a* or *b* of section 4.6 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$700 to \$2,100 in the other cases.

O.C. 866-2002, s. 53; O.C. 501-2005, s. 27; O.C. 1349-2011, s. 39.

53.1. A driver, an operator or a carrier of dangerous substances who contravenes the provisions of section 4.9 of the Transportation of Dangerous Goods Regulations commits an offence and is liable to a fine of \$175 to \$525 in the case of a driver and of \$700 to \$2,100 in the other cases.

O.C. 1349-2011, s. 39.

53.2. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 5.5 of the Transportation of Dangerous Goods Regulations or the provisions of section 17 or 34.1 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050 in the case of a driver and of \$700 to \$2,100 in the other cases.

O.C. 1349-2011, s. 39.

53.3. A driver, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of subsection 6 of section 5.11 of the Transportation of Dangerous Goods Regulations or section 26 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$350 to \$1,050 in the other cases.

O.C. 1349-2011, s. 39.

53.4. An operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 6.6 of the Transportation of Dangerous Goods Regulations or the provisions of section 32.2 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.

O.C. 1349-2011, s. 39.

53.5. A consignor who contravenes the provisions of section 65 of Schedule 2 to the Transportation of Dangerous Goods Regulations or the provisions of section 11 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.

O.C. 1349-2011, s. 39.

53.6. An owner who contravenes the provisions of section 24, 25 or 31.2 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

O.C. 1349-2011, s. 39.

53.7. A tank truck owner or, in the case of another motorized road vehicle or combination of road vehicles transporting petroleum products or liquefied petroleum gases, as the case may be, in means of containment of more than 450 litres, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of the first, second or fourth paragraph of section 27 or 31.4 of this Regulation commits an offence and is liable to a fine of \$175 to \$525.

The driver of a motorized road vehicle or combination of road vehicles referred to in this paragraph, a tank truck owner or, in the case of another motorized road vehicle or combination of road vehicles transporting petroleum products or liquefied petroleum gases, as the case may be, in means of containment of more than 450 litres, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of the third paragraph of section 27 or 31.4 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

O.C. 1349-2011, s. 39.

53.8. A driver, an owner, an operator, a carrier of dangerous substances or a consignor who contravenes the provisions of section 31.1 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

O.C. 1349-2011, s. 39.

53.9. A driver, an owner, an operator or a carrier of dangerous substances who contravenes the provisions of section 31.5 of this Regulation commits an offence and is liable to a fine of \$90 to \$270 in the case of a driver and of \$175 to \$525 in the other cases.

O.C. 1349-2011, s. 39.

53.10. A driver, an operator or a carrier of dangerous substances who contravenes the provisions of section 38 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050 in the case of a driver and of \$700 to \$2,100 in the other cases.

O.C. 1349-2011, s. 39.

53.11. An owner, an operator or a carrier of dangerous substances who contravenes the provisions of section 40 of this Regulation commits an offence and is liable to a fine of \$700 to \$2,100.

O.C. 1349-2011, s. 39.

53.12. A driver who contravenes the provisions of section 43 of this Regulation commits an offence and is liable to a fine of \$350 to \$1,050.

O.C. 1349-2011, s. 39.

DIVISION XIII

FINAL

54. This Regulation replaces the Transportation of Dangerous Substances Regulation (O.C. 674-88, 88-05-04).

O.C. 866-2002, s. 54.

55. *(Omitted).*

O.C. 866-2002, s. 55.

SCHEDULE 1

(Revoked)

O.C. 866-2002, Sch. 1; O.C. 501-2005, s. 28; O.C. 1349-2011, s. 40.

UPDATES

O.C. 866-2002, 2002 G.O. 2, 4073

O.C. 501-2005, 2005 G.O. 2, 1666

O.C. 994-2010, 2010 G.O. 2, 3186

O.C. 1349-2011, 2011 G.O. 2, 3776

O.C. 1186-2013, 2013 G.O. 2, 3295