

Administrative version

ATTENTION

It is important to specify that this administrative version is intended to facilitate consultation of the amendments proposed by the draft regulation amending the Regulation respecting the application of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce emissions of greenhouse gases and other pollutants, which will be published in the *Gazette officielle du Québec* on May 3, 2023, for a 45-day consultation period. It has no official value and we do not guarantee its perfect compliance with the proposed modifications. If necessary, reference should be made to the official text.

NOTE: Proposed changes to the text of the current rules appear in changes mode, and those highlighted in yellow are new since the June 2022 posting for consultation.

Regulation to amend the Regulation respecting the limit on the number of credits that may be used by a motor vehicle manufacturer and the confidentiality of some information

Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions

(chapitre A-33.02, s. 9, 2nd par., and s. 15, 2nd par.)

CHAPTER I

LIMIT ON THE NUMBER OF EXCESS CREDITS

1. A motor vehicle manufacturer that, at the end of a period referred to in section 8 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02), has accumulated a number of credits greater than the number it had to accumulate, may use them for ~~a later period, up to 25% of the total of the credits it must accumulate for that period.~~ any of the model years of the group of 3 model years covered by the following period, up to the maximum percentage indicated in the table below:

<u>Groups of 3 consecutive model years</u>	<u>Maximum percentage of the total credits that a manufacturer must accumulate</u>
<u>2018</u>	<u>35%</u>
<u>2019-2021</u>	<u>35%</u>
<u>2022-2024</u>	<u>25%</u>
<u>2025-2027</u>	<u>20%</u>

<u>Groups of 3 consecutive model years</u>	<u>Maximum percentage of the total credits that a manufacturer must accumulate</u>
<u>2028-2030</u>	<u>15%</u>
<u>2031-2033</u>	<u>10%</u>
<u>Subsequent periods</u>	<u>0%</u>

The motor vehicle manufacturer must, to that end, submit an application to the Minister not later than 15 days ~~before the date set in the first paragraph of section 8 of the Act~~ following the notification of the Minister's decision with regard to the number of credits the Minister intends to enter in the register, in accordance with the second paragraph of section 12 of the Act, indicating the number of credits it wishes to use and the category in which each credit is classified.

~~2. The accumulated excess credits may be used by a motor vehicle manufacturer for any of the model years of a later period.~~

CHAPTER II CONFIDENTIALITY OF SOME INFORMATION

3. The following information entered in the name of a motor vehicle manufacturer in the register provided for in section 11 of the Act is not public:

- (1) the contact information of the person responsible for the report of a motor vehicle manufacturer made under section 10 of the Act;
- (2) for each model year covered by the report, the number of new motor vehicles sold or leased by the manufacturer, by type of model of those vehicles;
- (3) the information on each type of motor vehicle model covered by the report, including its ~~trademark, model, type of model,~~ specifications, ~~model year,~~ gross weight rating and, if applicable, the quantity of carbon dioxide, methane and nitrous oxide emitted by the vehicle by kilometre, when travelling in the city or on a highway, except its trademark, model, type of model and model year" at the end;
- (4) in addition to the information referred to in paragraph 3, for each low-speed, low-emission and zero-emission motor vehicle sold or leased by the motor vehicle manufacturer,
 - a) the number allocated to it in the list published by the Minister under section 5 of the Act;
 - b) the motor vehicle's identification number;
 - c) whether the vehicle was new or reconditioned at the time of its initial sale or lease;

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- d) in the case of a reconditioned motor vehicle, the number of kilometres at the time of its sale or lease;
 - e) the date of its initial sale or lease to an automobile dealership; and
 - f) the contact information of the automobile dealership referred to in subparagraph e;
- (5) the credits entered periodically by the Minister during the calendar year, before the deadline provided for in section 10 of the Act.

(6) the price paid for alienated credits or, as the case may be, the monetary value of the goods or services received or to be received in exchange for the credits;

(7) the number of zero-emission and low-emission motor vehicles that the motor vehicle manufacturer submitting the report expects to sell for each of the 5 years following the year covered by the report.

CHAPTER III TRANSITIONAL AND FINAL

~~4. For the first 2 periods of 3 consecutive calendar years referred to in section 8 of the Act, that is, the period covering 2018 and the period covering 2019 to 2021, the percentage referred to in the first paragraph of section 1 is 35%. Despite the first paragraph of section 1, a motor vehicle manufacturer may use the credits accumulated in excess of that which it had to accumulate for the model years for the 2 first periods of 3 consecutive calendar years referred to in section 8 of the Act, that is, the periods covering 2018 and 2019 to 2021, for any of the model years covered by the period of 3 consecutive calendar years 2025 to 2027 or before, up to the maximum percentage of the total credits that the motor vehicle manufacturer must accumulate for that year as indicated in the table in the same paragraph of section 1.~~

~~4.1. For the purposes of the first paragraph of section 9 of the Act, the number of credits accumulated through the sale or lease of motor vehicles in excess of that which a motor vehicle manufacturer had to accumulate and that were not used or alienated to fulfill its obligations under the Act or the regulations at the end of the period of 3 consecutive calendar years 2022 to 2024 referred to in section 8 of the Act, which covers the group of 3 model years 2022 to 2024, is divided by 2.7.~~

~~The Minister performs the division on the expiry of the time limit provided for in the second paragraph of section 1 or, if the manufacturer submits an application in accordance with the same paragraph of section 1, when the decision of the Minister in this regard becomes enforceable.~~

5. (Omitted).

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