

REGULATION AMENDING THE TRANSPORTATION OF DANGEROUS SUBSTANCES REGULATION

On May 25, 2005 the Québec government adopted the *Regulation amending the Transportation of Dangerous Substances Regulation*, which was published in the *Gazette officielle du Québec* on June 8, and which takes effect on June 23, 2005.

This amendment will make the *Transportation of Dangerous Substances Regulation* easier to apply. For harmonization purposes, it incorporates amendments to the federal government's *Transportation of Dangerous Goods Regulations* in order to ensure that the provisions of the Québec regulation remain compatible with those in other jurisdictions across Canada.

The amendments to the Québec regulation are expected by the industry, and for the most part involve updates to safety standards, alignment with the federal government's regulations, a relaxation of some provisions, and clarification of others.

The main amendments are described below.

Amendments to the federal government's *Transportation of Dangerous Goods Regulations*

Adoption by reference of three regulatory amendments pertaining to the transportation of dangerous goods that were adopted by the federal government, and that took effect on August 28, 2002, August 13, 2003, and December 27, 2003.

Extinguishers for petroleum products

A 5 BC extinguisher must be installed in any vehicle that is transporting a container of more than 450 litres of petroleum product. This obligation no longer applies to the transport of smaller containers (450 litres or less).

Petroleum product tank trucks

- Electrical circuits in a polymer jacket compatible with the product are permitted; they no longer have to be installed solely in plastic tubes.
- Effective August 15, 2006, the total extinguishing power of one or two extinguishers must be at least 40 BC (9 lbs) for each tank, instead of 20 BC (5 lbs). Therefore, for a B-train double tank truck, each tank must have one or two extinguishers with total extinguishing power of at least 40 BC.
- The concept of "frein de sécurité" has been repealed in the French version of the Regulation. Instead, the parking brake, emergency brake, or brake lock must be engaged at the time of unloading.

- Wheel chocks no longer have to be used on level ground, regardless of the petroleum product hauled. Yet at least two wheel chocks must be in place when unloading a tank truck parked on a slope.
- The term “safety valve” has been replaced by “gravity-flow relief valve”. The regulation now requires that every possible measure must be taken to ensure that the tank truck’s gravity-flow relief valve cannot open when the truck is left unattended.

Liquified petroleum gas

Isobutylene (UN1055) has been added to the list of liquefied petroleum gases. The regulation no longer references standard CSA B149.2-00 (*Propane Storage and Handling Code*). Instead, the following requirements have been inserted directly into the regulation:

- The gas cylinder containment area must have outside ventilation;
- For tank trucks, effective August 15, 2006, the total extinguishing power of one or two extinguishers for each tank must be at least 40 BC (9 lbs), instead of 20 BC (5 lbs). Therefore, for a B-train double tank truck, each tank must have one or two extinguishers with total extinguishing power of at least 40 BC;
- A tank truck’s parking brake, emergency brake, or brake lock must be engaged during unloading;
- At least two wheel chocks must be in place when unloading a tank truck that is parked on a slope;
- A gas cylinder installed on the outer part of a vehicle must be protected, if it is at the back, it must be protected by extending the bumper beyond the cylinder using materials whose resistance is at least equivalent to that of the bumper;
- A gas cylinder may not be installed on the roof of a vehicle, mounted in front of a motor vehicle’s front axle or on a door, and must not extend beyond either side of the vehicle.

Emergency Response Assistance Plan

The wording of this section allows peace officers to verify the validity of Emergency Response Assistance Plans approved by Transport Canada.

General safety standards and rules

- By adopting standard CSA B340 in its entirety, Québec’s requirements for the transport of gas cylinders are now harmonized with those of other Canadian jurisdictions. Among other things, it is no longer required that all cylinders be secured in an upright position, unless specified in the standard, as is the case for liquefied petroleum gas (propane) or refrigerated gas.
- Containers of dangerous substances, non-hazardous goods, or merchandise in the vehicle must be secured in accordance with section 9 of *National Safety Code Standard 10* respecting cargo securement, which was adopted by the Canadian Council of Motor Transport Administrators in September 2004. All cargo must be secured or immobilized by structures of adequate strength, blocking, bracing, dunnage or dunnage bags, shoring bars, tie-downs, or a combination of these.
- Securing dangerous substances on or in front of a motor vehicle’s front bumper is prohibited.

- Clarification of the prohibition on transporting dangerous substances in a double-train tank truck, unless it is Type B, as defined in the *Vehicle Load and Size Limits Regulation* applicable to road vehicles and combinations of road vehicles.
- The effective date of the provision that requires all tank trucks to have a speed recording system has been postponed to August 15, 2006. The regulation now states that a tank truck that is assembled on or after that date must be equipped with either of the following devices:
 - A means of monitoring the driver's actions that records substantial changes in speed and pertinent date, time, and speed data; or
 - A dynamic electronic stability control system that assists the driver with critical manoeuvres.

For tank trucks assembled before August 15, 2006, a speed control that limits the speed to 100 km/h is also acceptable.

Tunnels where the transport of dangerous substances is regulated

- The concept of permitted quantity of flammable liquids has been replaced by the concept of total capacity of the container(s) of flammable liquid. In addition, the capacity has been increased from 25 to 30 litres. This quantity matches the limit set in column 6 of Schedule 1 of the federal government's *Transportation of Dangerous Goods Regulations*.
- Equipment fuel tanks from the vehicle or equipment manufacturer may be carried through tunnels as long as their capacity is 75 litres or less. Also, the equipment must be permanently screwed or bolted to the vehicle.
- Transporting two 46-litre cylinders of flammable gas or fuel is permitted on cranes, as on any other vehicle.

Fine

A fine ranging from \$175 to \$525 has been added for operators (carriers) who fail to indicate changes in the quantity of dangerous substances or number of small containers upon a pickup or delivery on the shipping papers, or a document attached to them.

Copies of the regulation can be obtained from Publications du Québec:

- ⇒ By Internet: <http://www.publicationsduquebec.gouv.qc.ca/accueil.en.html>
- ⇒ By Fax: (418) 643-6177 or 1 800 561-3479
- ⇒ By Telephone: (418) 643-5150 or 1 800 463-2100

For more details concerning the *Transportation of Dangerous Substances Regulation*, please visit the Ministère des Transports du Québec website, at www.mtq.gouv.qc.ca, or call the toll-free number found at the bottom of the first page of this bulletin.

Version française disponible sur demande