

Bike rack obscuring licence plate nets Calgarian \$162 fine



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A bike rack on the back of his car cost a Calgary man \$162 when he was stopped by police after returning from a cycling trip with his wife.

Oscar Castellanos and his wife enjoyed some spring biking on a weekend in March and removed their bikes, but not the bike rack, from the car after returning to the city.

"So the Monday came, we took our bikes down, and then we were driving and a policeman stopped us," Castellanos told CTV News. "He asked for our documents and he told us pretty much that because we had a bike rack, he couldn't see our licence plate so he had to give us a ticket.

"I wasn't really aware of this. I know, that is not an excuse, to not know that is the law, but I am sure there's higher priorities than trying to tackle these types of issues."

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Castellanos' ticket was issued under section 71(1) of Alberta's Highway Safety Act which states: *No person shall drive a vehicle if the licence plate is not securely attached in accordance with this regulation, legible and clearly visible at all times.*"

While Castellanos accepts his bike rack does contravene the regulation, he is now unsure how to legally transport his family's bicycles.

"I'm sure I'm not the only one that has a bike rack, and now I'm not even sure how to what is the appropriate way to carry my bikes around?"

Some bike rack manufacturers, like Thule, market licence plate holders for the back of their bike racks, but Scott Clark, manager of Ridley's Cycle in Kensington says few customers ever ask about them.

"It's (questions) are more like, with the racks themselves. It's 'How do I operate it?' That's all people want to know. 'How does the bike go on? How's it come off? How convenient is it?'"

Scott says Ridley has an order in for more of the licence plate holders for their popular Thule line and says, going forward, staff will be initiating the conversations with buyers of bike racks.

Scott says police appear to use discretion when issuing the tickets, noting several of his staff and customers have been stopped by police, but allowed to proceed ticket free when they prove they are on their way to pick up, or—in the case of staff—returning from just having dropped off bikes. He also notes police crackdowns on rear mounted bike racks appear to be seasonal

"Generally, in the summer, people get less of a hard time about having a rack on their car. It's a little more obvious that you're transporting your bike in the summer but in the winter (it's not). That's one of the reasons we recommend taking that rack off."

Scott admits some drivers leave the racks on to avoid photo radar tickets, but believes the vast majority of bike racks are mounted for legitimate use.

"There's definitely some people out there who want to block some things. But overwhelmingly the people we know are just leaving that bike rack on there to transport their bikes," said Scott.

"Things like fat biking in the winter, (and) some commuters will drive part way to work, pop their bike off commute into downtown. A lot of those people who even leave them on all winter are just straight up transporting their bikes."

Castellanos has replaced the threaded locking mechanism in his bike rack with a locking pin so it is easier to remove when not in use. He is still looking for a way to mount the licence plate to his style of bike rack while carrying his bicycles. In the meantime, he hopes his story of being ticketed is a warning to other Calgary cyclists.

"I just want to bring awareness of people to see that whenever they're using a bike rack, that there's a chance that they may get stopped by a police officer. That they're breaking the law without them knowing."

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