

DRIVING CONCERNS

Can I really get a ticket for having a bike rack on the back of my vehicle?

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SPECIAL TO THE GLOBE AND MAIL

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We have a rear-mounted bike rack on our SUV. Our neighbour claims that we could get a ticket for having it there because it makes it hard to see our rear licence plate. That seems ridiculous to me because I see these racks everywhere. Is everybody with one of these breaking the law without realizing it? Don't they have to prove that I was intentionally covering my plate? – Emily, North Vancouver



JOANNE ELVES/THE GLOBE AND MAIL

If you have a rear-mounted bike rack on your car, you could potentially rack up fines.

That's because – in British Columbia and every other province – it's against the law to have anything covering your licence plates, whether you realize it or not.

“Police vehicles are all equipped with [automatic licence plate readers](#), so they need to be able to scan the licence plates to look for [expired and suspended licences] and warrants,” said Kyla Lee, a Vancouver criminal lawyer. “And, you know, [someone trying to break the law] can just as easily put a bike rack on the back of their car and cover their licence plate as can a mother with a newborn.”

In June, a Vancouver woman told CTV News that she'd received a \$230 ticket from Vancouver police for having an empty bike rack covering her licence plate.

In B.C., Section 3.03 of the [Motor Vehicle Act Regulations](#) states that a licence plate “must be kept entirely unobstructed and free from dirt or foreign material, so that the numbers and letters on it may be plainly seen and read at all times and so that the numbers and letters may be accurately photographed using a speed monitoring device or traffic light safety device.”

It's up to an officer to decide whether to give you a ticket, RCMP Corporal Mike Moore, spokesman for B.C. Highway Patrol, said in an email. Fines can range from \$109 to \$230, he said.

There are [other possible charges](#), including having a carrier that extends too far from the back of the vehicle – and they apply even if the rack is empty, Moore said.

“If the rack is empty, then it still needs to conform with the dimension requirements of the regulations and not obstruct the licence plate,” Moore said. If you disagree that the plate is obstructed, you could fight the ticket in court.

How many tickets do police hand out for bike racks? It's tough to say, Moore said, because the statistics show every charge for breaking the law – so that could include, for example, mud- or snow-covered plates or plates with a [clear or tinted plastic cover](#).

In 2022, there were 2,263 charges in B.C. for driving with an obstructed or illegible plate.

While the rules vary by province, most are similar – you cannot obscure your plate with anything.

In Quebec, the fines could range from [\\$30 to \\$500](#), Sûreté du Québec, the provincial police, said in an email. [In Ontario](#), it's an \$85 fine.

JOANNE ELVESzz

Too much on your plate?

If your plate was blocked by a bike rack, it's tough to beat the charges in court, Lee said.

“As long as the licence plate was obstructed, you are guilty of the offence,” she said. “Ignorance of the law is no excuse. And even if you didn't mean for it to cover up your licence plate [that's not an excuse] ... because with traffic ticket defences, your intention is usually not an element that needs to be considered by the court.”

Likewise, it probably won't matter to a traffic court if the store that sold you the rack told you it was legal, she said.

“The salespeople at bike stores don't know the law either, and so they'll tell you it's totally fine,” Lee said. “But at the end of the day, it's your responsibility before you start driving to make sure your vehicle complies with the law in every way.”

But what if a retailer installed the rack for you? It won't get you out of the ticket, but in some provinces, you could potentially sue the installer – which would likely cost you more than the ticket in legal fees.

“There is legislation in British Columbia that says that when you rely on the skill and judgment of a seller to do something for you, they need to do that in a matter that's consistent with the law,” Lee said. “There might be a case where you could sue the retailer ... for installing it in a way that obscured a licence plate.”

We reached out to a number of car-mounted bike rack manufacturers and retailers that sell bike racks and didn't get an immediate response.

So, are there ways to transport your bike without breaking the law?

While you could switch to a roof-mounted bike carrier or look for a rear-mounted bike rack that's specifically designed not to block your plate or rear lights, [you could also consider moving the plate](#), as long as it's properly lit if you're driving in the dark, Lee said.

“[Purchase] a bike rack that has a [licence plate mount on the outside](#) so you can move your plate onto the bike rack,” she said.

Have a driving question? Send it to globedrive@globeandmail.com and put ‘Driving Concerns’ in your subject line. Emails without the correct subject line may not be answered. Canada's a big place, so let us know where you are so we can find the answer for your city and province.