

In response to the police targeting and ticketing cyclists for failing to come to a complete stop at a STOP sign on popular bike routes:

- July 24th on Assiniboine Avenue, and

- August 5th at Balmoral and Westminster,

Bike to the Future contacted a lawyer. Our conclusion:

Pleading "guilty with an explanation" is the most reasonable option. Realistically speaking, unless it can be shown that the offence was not committed (i.e. the cyclist did not roll through a stop sign, etc), the cyclist has breached the Highway Traffic Act and is liable for the consequences. Judges (especially at this level) do not have the power to change the legislation. That is the role of the legislative branch.

In terms of fighting it versus taking the ticket to the magistrate, there may not be an advantage to advancing an argument in traffic court where there is no ability to change the law, versus taking the ticket to a magistrate and trying to cut a deal. The argument in Court would fall on deaf ears. However, in both cases, the ticketed cyclist can make public the fact they were ticketed.

Also, it appears that not just cyclists, but motorists too are starting to be ticketed more frequently.

An appropriate response may include the following:

1. Begin a campaign to have The Highway Traffic Act amended to reflect appropriate (realistic) standards using Idaho's legislation as an example. It would be best to spoon-feed our proposed amendments to those who would potentially table the bill. If we found an MLA in government who was keen to table this, it would make our task that much easier.

2. Start keeping a running tally of the tickets of which we are aware that have been thrown out. We could use this to make the case that not even those charged with enforcing these rules think they are reasonable. Keep in mind, however, this could be a double-edged sword as the Province could issue an edict mandating that these tickets not be thrown out.

Please contact us at contact@biketothefuture.org if you would like to serve on a committee to lobby for change to the Highway Traffic Act.