
2005 BUDGET BRIEFING NOTE - Licensing Cyclists and/or Bicycles

History of Bicycle Licensing in Toronto:

- The City of Toronto required bicycles to be licensed and to display a licence plate in 1935. The by-law was repealed in 1956.
- In the past 20 years licensing cyclists and/or bicycles has been investigated on at least three occasions by the City:
 - 1984 – concern with bicycle theft
 - 1992 – concern with sidewalk cycling and compliance with Highway Traffic Act (HTA)
 - 1996 - concern with sidewalk cycling and compliance with Highway Traffic Act (HTA)
- In the three instances described above, City Council rejected licensing cyclists/bicycles for a variety of reasons, including:
 - the high cost to develop and administer a licensing program;
 - the difficulty in dealing with cyclists crossing the municipal boundary into the City;
 - the challenge of licensing children as well as adults; and
 - lack of support by the Toronto Police Service and the Ontario Ministry of Transportation.

Two Kinds of Licence:

It is important to distinguish between the two different kinds of licence and their different purposes.

- Vehicle Licence – to put a licence plate on a bicycle for easier identification, either for theft prevention or traffic law enforcement.
- Operator Licence – to ensure that cyclists achieve a minimum level of knowledge and competence before being permitted on the roadway.

Reasons for Licensing Cyclists and/or Bicycles:

Licensing cyclists and/or bicycles is most frequently proposed as a means to:

- prevent bicycle theft or to assist in returning a stolen bicycle to its owner;
- improve compliance with the law by cyclists;
- assist the public to report cyclists who have committed HTA or municipal by-law infractions; and
- enable police officers to ticket cyclists who have committed traffic offences.

Bicycle Licence is Ineffective in Preventing Theft:

- Developing and maintaining a bicycle licence system would be a costly undertaking -- there are more than 2,000,000 bicycles owned by City of Toronto residents.
- Bicycle licensing has proven ineffective as a means to prevent theft because a licence plate or decal is easily removed.
- Most North American cities which at one time required bicycles to be licensed, including the former City of Toronto, have discontinued their programs. Many of these programs charged a small registration fee intended to offset the cost of administering the program.
- Toronto Police Service provide a free service to register bicycle serial numbers so that stolen bicycles can be identified and returned to their owner, if recovered by police.

Increasing Enforcement of Cyclist Infractions Does Not Require Licensing of Cyclists:

- Cyclists are subject to the same HTA rules and fines as drivers.
- At the request of the City of Toronto, the Province of Ontario amended the Highway Traffic Act in 1989 to require cyclists to identify themselves when stopped by a police officer, to aid in effective enforcement.
- A cyclist or bicycle licence is not required in order for a cyclist to be charged under the HTA or Municipal By-law.
- Toronto police can and do enforce traffic rules for cyclists, including at least one “Cycle Right” campaign in the Spring of each year.
- There is a perception that having a licence plate on the back of a bicycle would enable citizens to report errant cyclists and have the police issue a ticket, however;
 - a licence plate identifies the vehicle not the vehicle operator;
 - a ticket is issued to the vehicle operator not the vehicle (red light camera violations are the exception - provincial legislation was enacted to enable red light camera offences to be issued against the vehicle owner rather than the driver).
- There is a perception that the police do not ticket cyclists often enough or as often as they could, however the police must balance their limited traffic enforcement resources against competing enforcement needs. For example, there is an average of 68,700 reported motor vehicle collisions every year in the City of Toronto – bicycles are involved in 1.8 percent of those reported collisions.
- Licensing cyclists is not likely to change the priority bicycle enforcement receives vis a vis other enforcement priorities.
- If police bicycle-enforcement resources are to be increased, it would be more effective for police officers to focus on increased enforcement of the existing traffic rules for cyclists rather than enforcing compliance with a licensing requirement.

Improving Cyclist Compliance with Traffic Rules is the Main Objective:

- Requiring cyclists to pass a written and road test to obtain a licence to operate a bicycle on the road would ensure a minimum level of knowledge and competence for all cyclists.
- Requiring a bicycle operator's licence without a knowledge and skills test as a prerequisite would not achieve any safety benefit and could be perceived as a user fee.
- Establishing and maintaining a testing and licensing program would be a massive undertaking – there are 939,000 cyclists age 16 and older in the City (data for younger cyclists is not available).

- Requiring a cyclist operating licence raises a number of questions, including:
 - How do you develop licensing requirements for both adults and children?
 - Do you prohibit cycling on the road for cyclists under a certain age?
 - Are occasional cyclists, who may ride primarily on pathways, subject to the same requirements as frequent cyclists who ride primarily on the road?
 - Can cyclists from other jurisdictions (tourist and residents of adjacent municipalities) be expected to obtain a licence to use City of Toronto roads?
- Previous investigations into licensing have concluded that, if cyclists are to be licensed, it should be the responsibility of the Ontario Ministry of Transportation (MTO) - similar to drivers' licences.
- In 1992 and 1996, the City asked MTO to comment on the feasibility of licensing cyclists. MTO responded in 1992 by stating that it would cost \$24.80 per cyclist (same cost as licensing drivers) to operate a licensing program, not including the database or program development costs.
- While it appears there is potential to generate revenue from a bicycle or cyclist licensing program, if the cost is too high many cyclists will not comply. In order for the program to be effective, strict and consistent enforcement of the licensing requirement will be required. This could divert the limited enforcement resources away from enforcing the existing traffic rules for cyclists.
- In 1996 MTO advised the City that the Ministry did not support a provincial bicycle licensing scheme because “such schemes, apart from being administratively and financially burdensome, do not increase bicycle safety practices...”
- Both MTO and the Toronto Police Service have advised, in the past, that education and enforcement are more cost-effective means to improve cyclist knowledge, skills and general compliance with traffic rules.

Conclusions:

- Bicycle licences are not effective in preventing bicycle theft;
- A cyclist operating licence is not required for police officers to enforce the existing traffic rules;
- Developing a cyclist testing and licensing system would be expensive and divert attention from enforcing the existing traffic rules for cyclists; and
- Providing more resources for cyclist education and training and increased police enforcement would be a more cost-effective approach for improving safety.

If Council wishes to pursue a City of Toronto bicycle or cyclist licensing program, the Municipal Licensing and Standards Division of Urban Development Services would be responsible for developing and operating such a program. Any proposal to test and license cyclists should be developed in consultation with the Ontario Ministry of Transportation.

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