



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation

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DATE: February 11, 2015

TO: House Committee on Transportation and Economic Development

FROM: Troy Costales, Transportation Safety Division Administrator

SUBJECT: HB 2512, Motorcycles allowed to pass on road shoulders

INTRODUCTION

HB 2512 raises safety concerns for motorists, motorcyclists, bicyclists and pedestrians on the roadway. It also impacts how the state, counties and cities will need to maintain the shoulder of the roadway.

DISCUSSION

HB 2512 allows any motorcycle or moped, to operate on any shoulder, of any public roadway in Oregon. Each of these three elements raises issues of safety or maintenance.

Existing state law defines the shoulder of a highway as being primarily for use by pedestrians, emergency vehicles, and for stopped vehicles. Bicyclists use that portion of the roadway as well. By allowing motorized, non-emergency vehicles to travel on the shoulder would be putting those disparate users in conflict with one another, which is always a safety concern.

Another issue with existing definitions is that motorcycles are defined to include three-wheeled vehicles, and they can be much wider than a traditional two-wheel motorcycle. Three-wheelers include "trikes" with two wheels in the back; "tadpole" vehicles, with two wheels in front; and side-car equipped traditional motorcycles. They can be large, two-seat vehicles such as brand names Polaris Slingshot and Campagna Motors T-Rex. Shoulder width varies widely, and some of these vehicles have dimensions similar to a small car. The bill would allow all of these types of motorcycles to drive on the shoulder regardless of its width.

The bill does not restrict this operation to interstates, freeways, or other highways with wide shoulders and controlled access. This means any public roadway – state highway, county road, or city street – provides this option to motorcycles. The shoulder may be quite narrow on any of these; in urban areas shoulders range from 12 feet to 2 feet or less. The width can change rapidly, causing a vehicle operating there to swerve back into traffic. And other drivers do not tend to expect a motor vehicle in these areas. So whether operating parallel to the shoulder-driving motorcyclists, or attempting to exit a driveway onto the road, other drivers (and bicyclists and walkers) may tend to not be watching for this kind of traffic, which by the terms of the bill may be going nearly 30 miles per hour.

Finally, even on roadways with wide shoulders, most jurisdictions likely do not maintain the shoulder to the same quality as the travel lanes. Debris can accumulate and make it treacherous for vehicle operation. State and local jurisdictions will be faced with decisions about whether to increase the level of maintenance, or risk crashes and liability. The shoulder can also be the location of features like rumble strips and paint markings, neither of which is particularly favorable for safe motorcycle operation.

We are aware of no states that allow vehicle travel in the shoulder. Only one state, California, does not prohibit lane splitting – the practice of driving a motorcycle between two lanes of vehicles. No quality data exists regarding the safety of that practice. Anecdotally, concerns include opened doors into which a motorcyclist can crash.

SUMMARY

The Department raises these issues to demonstrate the complexity of the topic and concerns for the sake of safety and maintenance. The proposed change in law creates the potential for conflict (crash) among roadway users, and confusion about who may be where on the roadway system.

Attachment: images of three-wheeled vehicles



Polaris Slingshot



Honda Goldwing “trike” with trailer



Can-Am Spyder