

## TESTIMONY IN FAVOR OF SB694-1

Submitted on 4/1/15 for consideration by Senate Judiciary Committee at hearing on 4/2/15

Dear Committee Members:

My name is Courtney Olive, I am a resident of District 22 in Portland and a supporter of SB694-1. I am submitting this written testimony to supplement the verbal testimony that I will provide at the hearing on April 2, 2015.

I am a former member of the Oregon Governor's Advisory Committee on Motorcycle Safety (served 2008-2013), and I have been riding for 14 years. I am also a part-time motorcycle journalist and have written for national publications reaching nearly two million readers. I am a member of the Portland riding club, Sang-Froid Riding Club, which is an Oregon non-profit corporation. My primary occupation is as an attorney for the Bonneville Power Administration (standard caveat: the views expressed here are my own and in no way associated with Bonneville).

I strongly support SB694-1 for three compelling reasons:

1. **Lane-splitting increases motorcycle safety.** To those not familiar with lane-splitting it may, at first, seem counter-intuitive that riding between lanes is actually safer than riding in a traditional manner in a line of traffic. Recent studies have dispelled this myth.

In particular, a government study from the California Office of Traffic Safety, conducted by UC Berkeley found that the:

**"Patterns of injury were significantly different comparing Lane Sharing Motorcyclists and other motorcyclists (Table 9). Lane Sharing Motorcyclists were notably less likely to suffer head injury (9.1% vs 16.5%), torso injury (18.6% vs 27.3%), or fatal injury (1.4% vs 3.1%) than other motorcyclists."**

See page 3 of the study, available here:

<http://www.ots.ca.gov/pdf/Publications/LaneSplittingReport.pdf>

This California study is extremely significant and reliable. It utilized data from nearly 8000 crashes, collected primarily by the California Highway Patrol.

**In 2010 Oregon Department of Transportation** conducted a literature review that summarized other studies regarding lane-splitting. It includes a section on the safety benefits of lane-splitting. It is available here:

[http://www.oregon.gov/ODOT/TD/TP\\_RES/docs/Reports/2010/Motorcycle Lane Sharing.pdf?ga=t](http://www.oregon.gov/ODOT/TD/TP_RES/docs/Reports/2010/Motorcycle Lane Sharing.pdf?ga=t)

2. **Lane-splitting reduces traffic congestion.** Every vehicle that moves out of the traffic column (and into the space between lanes) speeds the flow of the column, not just the flow of motorcycles. This has the added benefit of lowering CO2 and other emissions.

In Europe and Asia, where lane-splitting is universally legal, countries have long recognized the congestion-relief benefits of lane-splitting. In fact, their traffic engineers have proven it, see this study from Belgium:

[http://www.ridetowork.org/files/docs/MCs\\_reduce\\_congestion\\_Travel\\_Times - Conference Leuven study.pdf](http://www.ridetowork.org/files/docs/MCs_reduce_congestion_Travel_Times_-_Conference_Leuven_study.pdf)

3. **Lane-splitting is widely supported by respected safety organizations and hard data.** From noted motorcycle safety author David Hough (who is a member of the American Motorcyclist Association's Hall of Fame for his writings on safe riding), to the Editors of major motorcycle publications, to the National Highway Traffic Safety Administration, lane sharing has been recognized as a tool that benefits rider safety.

In the sections below, I will elaborate on each of these three points. I have also included numerous supporting citations.

After you review this information, I believe you will agree that lane-splitting is a safe and prudent practice that can and should be legalized in Oregon. **I ask for your support of SB694-1.**

## **SB 694-1 INCREASES MOTORCYCLE SAFETY**

- One of the most dangerous situations for a motorcyclist is being caught in congested traffic, where stop-and-go vehicles, distracted and inattentive vehicle operators, and environmental conditions pose an increased risk of physical contact with another vehicle or hazard. Even minor contact under such conditions can be disastrous for motorcyclists.
- SB694-1 would reduce a motorcyclist's exposure to vehicles that are frequently accelerating and decelerating on congested roadways can be one way to reduce front- and rear-end collisions for those most vulnerable in traffic.
- SB694-1 also promotes safety by making the motorcyclist more visible to drivers.
- SB694-1 also promotes safety by allowing the motorcyclist to see what the traffic is doing ahead and be able to proactively maneuver.

- As the National Highway Traffic Safety Administration and the Motorcycle Safety Foundation succinctly stated, lane-splitting "offers a means of reducing congestion in addition to possible safety benefits."
  - See: <http://www.nhtsa.gov/people/injury/pedbimot/motorcycle/00-NHT-212-motorcycle/motorcycle51.html>

## **SB694-1 REDUCES TRAFFIC CONGESTION, AND CO2 EMISSIONS**

- SB694-1 helps **everyone** get to where they're going faster.
  - Every vehicle that moves out of the traffic column (and into the space between lanes) speeds the flow of the column, not just the flow of motorcycles.
  - Traffic engineers can prove that sometimes even changing the number of cars/hour by a few percent can make the difference between flowing and stop-and-go traffic patterns.
    - For example, a Belgian study found that if just 10 percent of drivers were to switch to motorcycles and filter through traffic, travel times would decrease for the remaining car drivers by some eight minutes per journey.
    - The Belgian study is available here: [http://www.ridetowork.org/files/docs/MCs\\_reduce\\_congestion\\_Travel\\_Times - Conference Leuven study.pdf](http://www.ridetowork.org/files/docs/MCs_reduce_congestion_Travel_Times_-_Conference_Leuven_study.pdf)
- SB694-1 will reduce vehicle idle time by reducing congestion of motorcycles and cars.
  - The reduction in idle time will reduce CO2 emissions.
- SB694-1 will encourage more people to ride motorcycles and scooters which, on average, are far more fuel efficient than cars. Motorcycles commonly deliver 40mpg and many scooters deliver 80-100mpg or more.
  - The increased use of these fuel-efficient vehicles will reduce CO2 emissions.

## **SB694-1 IS SUPPORTED BY SAFETY GROUPS AND HARD DATA**

- In 2014, California (the only state where lane-splitting is legal) conducted a major study on lane-splitting.

- The study was conducted by the University of California at Berkeley at the request of the California Office of Traffic Safety. The California Highway Patrol gathered the data for the study.
  - Nearly 8000 motorcycle crashes were examined with a specific focus on lane-sharing.
  - Conclusion: lane sharing increased safety in several ways (even though it also increased the amount of motorcycles rear-ending other vehicles). In particular, lane-sharing lowered the severity of injuries sustained in accidents.
  - The study is available here:  
<http://www.ots.ca.gov/pdf/Publications/LaneSplittingReport.pdf>
- Oregon DOT has stated “Conversely to safety concerns with lane-sharing, a potential safety benefit is increased visibility for the motorcyclist. Splitting lanes allows the motorcyclist to see what the traffic is doing ahead and be able to proactively maneuver.”

See ODOT literature review at page 12, available here:

[http://www.oregon.gov/ODOT/TD/TP\\_RES/docs/Reports/2010/Motorcycle Lane Sharing.pdf?ga=t](http://www.oregon.gov/ODOT/TD/TP_RES/docs/Reports/2010/Motorcycle Lane Sharing.pdf?ga=t)

- The National Highway Traffic Safety Administration has stated:

“There is evidence (Hurt, 1981\*) that **traveling between lanes of stopped or slow-moving cars (i.e., lane splitting)** on multiple-lane roads (such as interstate highways) slightly reduces crash frequency compared with staying within the lane and moving with other traffic.”

Quote from NHTSA’s National Agenda For Motorcycle Safety, available here:

<http://www.nhtsa.gov/people/injury/pedbimot/motorcycle/00-NHT-212-motorcycle/motorcycle51.html>

\*The Hurt Report of 1981 is the most comprehensive motorcycle crash causation study to date. Hurt, H.H. Jr., Ouellet, J.V. & Thom D.R. (1981b). *Motorcycle Accident Cause Factors and Identification of Countermeasures*. (DOT HS 805 862).

- The European Union has conducted major traffic studies that have concluding that lane-splitting was a factor in less than .5% (half a percent) to no more than 5% of motorcycle crashes. See:

<http://www.maids-study.eu/>  
[http://www.mile-muncher.co.uk/dft\\_rdsafety\\_035422.pdf](http://www.mile-muncher.co.uk/dft_rdsafety_035422.pdf)

- These findings suggest that despite the legality of lane-sharing in the study areas of MAIDS, crashes with lane-sharing related behaviors make up a relatively small percentage of total crashes.
- The California Highway Patrol has published lane splitting guidelines. While the guidelines do not carry the force of law, they provide clear indicators under which a motorcyclist might be cited for unsafe or imprudent behavior.
  - Issued by the California Highway Patrol, California Motorcycle Safety Program in 2013, the guidelines were rescinded in 2014 for administrative reasons but are still viewable at:  
[file:///C:/Users/Library/Downloads/lanesplitting\\_guidelines%20\(1\).pdf](file:///C:/Users/Library/Downloads/lanesplitting_guidelines%20(1).pdf)
- The American Motorcycle Association (AMA) supports lane-splitting, and is on record supporting all of Oregon's Bills to legalize it.
  - See:  
<http://www.americanmotorcyclist.com/Rights/PositionStatements/LaneSplitting.aspx>  
<http://www.motorcycle-usa.com/2/22071/Motorcycle-Article/AMA-Supports-Oregon-Lane-Splitting-Bills.aspx>
- The Motorcycle Industry Council, a trade group, states: "In full consideration of the risks and benefits of lane splitting, the Motorcycle Industry Council supports state laws that allow lane splitting under reasonable restrictions."
  - "Position on Lane Splitting," Motorcycle Industry Council (MIC), July 2014. Available here: <http://www.mic.org/downloads/MIC-Position-on-Lane-Splitting-7-29-14.pdf>
- The Editor of *Motorcycle Consumer News*, Dave Searle, supports lane-splitting.
  - See: <http://www.mcnews.com/mcn/editorials/2011AprOpenRd.pdf>
- The Editor of *Motorcycle Cruiser Magazine*, Art Friedman, supports lane-splitting. Mr. Friedman was also a member of the Technical Working Group that created NHTSA's National Agenda for Motorcycle Safety (see above).
  - See:  
[http://www.motorcyclecruiser.com/newsandupdates/washington\\_lane\\_splitting\\_law/](http://www.motorcyclecruiser.com/newsandupdates/washington_lane_splitting_law/)
- David Hough, inducted into the AMA Hall of Fame for motorcycle training and safety writing, supports lane-splitting.

- See: <http://www.laneshare.org/why-laneshare/>
- Steve Guderian, former policeman and NHTSA Highway Safety Specialist, supports lane-splitting and has performed studies demonstrating its safety benefits.
  - See: <http://www.motorcyclesafetyconsulting.com/LANE%20SHARING%20A%20GLOBAL%20SOLUTION%20FOR%20MOTORCYCLE%20SAFETY.pdf>

Thank you very much for taking the time to carefully review this information. I ask for your support of SB694-1.

Sincerely Yours,

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