



Oregon

Kate Brown, Governor

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DATE: March 2, 2021

TO: Joint Committee on Transportation

FROM: Troy Costales, Transportation Safety Division Administrator, ODOT

SUBJECT: Senate Bill 574 – Motorcycle Lane Sharing

INTRODUCTION

Senate Bill 574 modifies Oregon laws to allow two-wheel motorcycles to pass other vehicles, on the left or right side within one lane, in certain conditions. The measure may result in decreased roadway safety for motorcyclists and other users, and increased ambiguity regarding liability and enforcement of the changes.

DISCUSSION

Senate Bill 574 allows a motorcycle to pass other vehicles in the same lane, traveling in the same direction of travel (lane splitting or lane sharing), on highways, under certain conditions and limitations. ODOT believes the bill may create an unsafe and confusing set of conditions for motorcyclists as well as other vehicles using the transportation system.

A motorcycle traveling between rows of moving vehicles in the same lane is vulnerable to multiple threats including other vehicles changing lanes, changing road conditions with less space to maneuver, and reduced options for escape routes in emergency situations. The safety of passenger and commercial motor vehicle operators may decrease as a result of these changes, as an operator's ability to predict and, therefore, react to unexpected traffic moving around them is reduced. Additionally, the measure introduces ambiguity regarding liability in the event of a crash involving the motorcycle and another vehicle at the time when a motorcycle is passing in between travel lanes of vehicles.

Nationally, in 2018, 43% of all motorcycle riders' deaths were due to right of way violations due to other drivers failing to "see" the motorcycle and yielding the right of way to the rider. It is expected that drivers will be less likely to detect or avoid a lane splitting/sharing motorcyclist coming from behind them in the same lane. This may result in more crashes due to a failure to expect, detect, and avoid a crash with a motorcycle coming from behind the driver in the same lane that the driver is occupying.

Frequency and Severity Comparison

Proponents of lane splitting/sharing often cite potential safety improvements, by allowing motorcyclists to move from a stopped line of traffic and avoid being rear-ended. Oregon crash data shows that rear-end crashes involving vehicles striking the motorcycle are extremely rare, and the majority of the rear-end crashes involving a motorcycle occur when the motorcycle strikes the vehicle ahead.

Lane splitting/sharing is prohibited in all states except California, Utah, and as of this year, Montana. According to a study on lane splitting/sharing in California, at least 16% of motorcycle crashes during the study period involved lane splitting/sharing by the motorcycle operator¹. ODOT is concerned that Oregon will experience an increase in lane splitting/sharing crash occurrences leading to more fatalities, injuries, property damage, associated societal costs, and increased congestion. A recent five year study in France just concluded and found permitting motorcyclists to lane split/share resulted in a 12% increase in crashes on roads where lane splitting/sharing was permitted².

Safe Riding

Safe motorcycle riding includes maintaining open paths of travel in an emergency. Managing the space in front, behind, and to both sides provides the rider the highest level of safety cushion and escape should something encroach in any of those spaces. The same is true for passenger cars and trucks. Allowing motorcycles to occupy the safety space around other vehicles increases the odds of a crash for all the vehicles in that space. Closing off the safety cushion increases the risk of potential injury from other vehicles or small mistakes made by the motorcyclist that otherwise might be corrected without incident.

Engineering design principles and transportation safety practices support a single vehicle occupying a lane at one time, not sharing a lane with another vehicle. Allowing motorcycles and other vehicles to operate in the same lane runs counter to transportation system design and safety standards, and national motorcycle safety training standards related to always maintaining a safe space cushion around the motorcycle. Lane splitting/sharing complicates assignment of liability should either vehicle strike the one that is next to them or if the motorcycle strikes another vehicle while the other vehicle is legally changing lanes. Lane splitting/sharing leads to the unresolved question of who ultimately had the right of way at the time of the crash - the lead vehicle or the motorcycle.

SUMMARY

The measure as drafted may increase the risk of both motorcycle operators as well as other drivers. Despite efforts from the bill proponents to narrow the scope of this measure, ODOT remains concerned that the safety of motorcyclists and other transportation system users in Oregon will be compromised if the measure passes.

¹ Rice, T., Troszak, L. & Erhardt, T. (2015). Motorcycle Lane-splitting and Safety in California. Safe Transportation Research & Education Center. University of California Berkeley.

² https://www.cerema.fr/system/files/documents/2021/01/cif_2rm_rapport_synthese_27012021_vf.pdf