

**SB 422 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Dembrow

**Senate Committee On Judiciary**

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**Action Date:** 03/15/23

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Gelser Blouin, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact, statement issued (Indeterminate Impact)

**Prepared By:** Lucy Ohlsen, LPRO Analyst

**Meeting Dates:** 3/2, 3/15

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**WHAT THE MEASURE DOES:**

Allows persons operating a motorcycle to travel between lanes of traffic under certain conditions. Changes offense of motorcycle or moped unlawful passing in a lane with a vehicle from a Class B traffic violation to a Class A violation. Makes conforming amendments. Applies to conduct occurring on or after effective date.

**ISSUES DISCUSSED:**

- Safety of motorcyclists and other drivers
- Other states with similar laws
- Increasing offense to Class A violation

**EFFECT OF AMENDMENT:**

Changes offense of motorcycle or moped unlawful passing in a lane with a vehicle from a Class B traffic violation to a Class A violation.

**BACKGROUND:**

The practice of "lane splitting" refers to how motorcycles can navigate slow or stopped traffic on multi-lane roads. Lane splitting generally refers to a motorcycle passing slower or stopped vehicles by proceeding between the lanes of travel. The practice is meant to allow motorcycles to continue moving when the general flow of traffic is slow or stopped, to prevent overheating of motorcycle engines and rider fatigue, and to protect the safety of riders by reducing the risk of rear-end collisions in areas with high levels of traffic congestion.

In 2021, the Legislative Assembly passed Senate Bill 574, which would have created a conditional exemption to the violation of motorcycle or moped unlawful passing in a lane with a vehicle to allow lane splitting in certain circumstances. The measure was subsequently vetoed by the Governor. Similar to SB 547, Senate Bill 422 A would create a conditional exemption to the violation of motorcycle or moped unlawful passing in a lane with a vehicle to allow lane splitting in certain circumstances, and would change the violation from a Class B traffic violation to a Class A violation. The exemption only applies on interstate highways or roads with a designated speed of 50 miles per hour or higher with two or more lanes in a single direction and does not apply in certain school zones. The measure also does not permit operating a motorcycle on the road shoulder (on either side of the road), on the center line (to the left of the left-most lane), or in highway work zones.