

My name is Tim Evinger, I served 3 terms as the elected Klamath County Sheriff with a total of 24 years in law enforcement and 6 years as an investigator and a criminal justice professor. As a matter of background, I am not only a career law enforcement officer, administrator, and investigator, I am also a motorcycle rider- both as a civilian often as my primary vehicle for transportation) and as a police officer.

After receiving my driver's license at 16, I promptly went back to DMV on my motorcycle to add my motorcycle endorsement. I rode my motorcycle to high school, then to college and also commuted to my workplace. My affection for two-wheeled motorized transportation eventually translated into my career. I served 11 years riding as a police motor officer. During that time, I was certified by the Oregon State Police motorcycle division. I went on to become a motor instructor- teaching and certifying other police officers throughout the State of Oregon. During my instructor training, a seasoned California Highway Patrol (CHP) motor officer stressed to us students how, and why, lane sharing should be done;

It is effective for traffic movement and the safety of motorcyclists. This made an impact on me and stuck with me since that lecture and demonstration. While my comments and testimony today address enforcement and safety from a police officer's perspective, I cannot deny that I am a lifelong rider and I appreciate the many efficiencies of motorcycling. Getting through congested traffic and being one less four-wheeled vehicle stuck on the highway, really is one of those reasons.

HB2314 is full of safeguards, indicative of a traffic law that is proceeding cautiously. This is fitting, as it is exactly the way motorcyclists are taught how they should always ride- cautiously. Lane sharing is no different. It can be done correctly and safely.

ENFORCEMENT AND SAFEGUARDS

- 1) In considering multiple scenarios that law enforcement might encounter in enforcing lane sharing, I am only left with a few hypothetical situations that really do not change anything from what law enforcement officers currently enforce.

These are:

- a. Unsafe Lane Changes: This law does not offer any asylum from a motorcyclist making unsafe lane changes.
- b. Careless Driving: The law specifies that the operator will drive in a "cautious and prudent manner" while utilizing the space between vehicles.
- c. Speed Measurement: Officers have electronic and mechanical tools to measure speed, including their own estimation of speed. Officers utilize these tools daily and recognizing motorcycle operators traveling in excess of 20 mph is a familiar task. Business districts and school zones throughout the state have these same posted limits.
- d. Eluding a Stop for Enforcement: Whether an individual is operating a motorcycle today, or after this law change occurs, if the operator has disregard for the law to

the level to attempting to elude, he/she currently has the same ability to filter lanes and attempt to avoid enforcement today.

- 2) Giving motorcyclists the option to keep moving and provide tools for a higher probability that they will arrive at their destination, safely and more expediently, is the goal. Motorcyclists have the most to lose in the event of an accident or incident and it is my opinion that the vast majority will conduct themselves in the cautious and prudent matter defined. Again, those that will not, do not heed the laws or safety suggestions already.
- 3) This bill is not encouraging motorcyclists to “squeeze” between cars. With lane widths on our highways and average car widths, there is often five feet of lane width available for sharing.
- 4) As previously mentioned, this law proceeds cautiously. There are tens of thousands of miles of city streets, county roads and highways throughout the state that this bill does not address, which riders and motorists alike could benefit. However, this law is limited to multi-lane highways and freeways with a posted speed of 50 mph or more. 50+ is a big speed differential from zero MPH. This is exactly why bikes, which are more difficult to see, simply because of their size and their required one DOT approved brake light and taillight, should not be left as a sitting duck on the state’s fastest, and most congested, roads during a slowdown.
- 5) These roads that will be subject to lane sharing are typically divided and are well-travelled. They are often a traffic patrol priority and law enforcement is adept at utilizing their radios to alert other patrols, who may be in a position to intercept a careless driver, regardless of the type of vehicle being sought. Lane sharing can be done safely, and can be legally enforced. Officers can be easily trained on the bill.

In closing, motorcycles are maneuverable. Part of the safety system of these two-wheeled vehicles is their maneuverability for collision avoidance. We should be encouraging them to use this safety feature. Lane sharing is a primary example of utilizing this maneuverability. Oregon is a progressive and innovative state. Transportation is no exception. Whether it is bicycles, motorcycles, implements of husbandry, commercial trucks, or passenger cars, we need to continue to find ways to safely share the road and keep Oregon moving.