

SB 574 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Joint Committee On Transportation

Action Date: 04/01/21

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

Senate Vote

Yeas: 3 - Beyer, Frederick, Gorsek

Nays: 1 - Findley

Exc: 1 - Boquist

House Vote

Yeas: 4 - Evans, McLain, Noble, Power

Nays: 3 - Boshart Davis, Lewis, Nathanson

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Patrick Brennan, LPRO Analyst

Meeting Dates: 3/2, 4/1

WHAT THE MEASURE DOES:

Allows persons operating a motorcycle to travel between lanes of traffic under certain conditions.

ISSUES DISCUSSED:

- Similar statutes in other states
- Limited applicability only at low speeds or stopped traffic conditions
- Potential to reduce traffic congestion
- Riders may be less likely to suffer severe injuries when lane splitting
- Difficulties riders face during stop-and-go conditions
- Enforceability of measure's provisions
- Environmental benefits of reduced traffic congestion
- Consideration of impact on all road users
- Liability considerations
- Conditions in which lane filtering would increase risk

EFFECT OF AMENDMENT:

Specifies that provisions of measure do not apply when motorcycle is traveling through a highway work zone as defined in OR 811.230.

BACKGROUND:

The practice of "lane splitting" or "lane filtering" refer 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, while lane filtering usually refers to cases where a motorcycle moves back and forth between lanes to pass stopped or slowed vehicles. Both practices are meant to allow motorcycles to continue moving when the general flow of traffic is slowed or stopped, and are meant to prevent overheating of motorcycle engines, rider fatigue, and protect the safety of riders by preventing them from being rear-ended in areas with high levels of traffic congestion.

Currently, three states explicitly allow some form of lane splitting or lane filtering. California allows motorcycles to travel between lanes at speeds up to 10 miles per hour over surrounding traffic, provided traffic is moving at 30 miles per hour or less; Utah allows lane filtering when all traffic is stopped on roads with speed limits of 45 or less, and limit the motorcycle rider to traveling at no more than 15 miles per hour; and Hawaii allows riding on the road shoulder (at up to 10 miles per hour) but does not allow lane splitting. An additional 12 states do not

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explicitly prohibit lane splitting: Arkansas, Delaware, Kentucky, Mississippi, Missouri, Montana, New Mexico, North Carolina, Ohio, Oklahoma, Texas, and West Virginia.

Senate Bill 574 A creates a conditional exemption to the violation of motorcycle or moped unlawful passing in a lane with a vehicle. In situations where traffic is either stopped or has slowed to a speed of 10 miles per hour or less, a person operating a two-wheeled motorcycle may pass the stopped or slowed vehicle under the following conditions: they travel no more than 10 miles per hour above the speed of traffic; they do not impede normal movement of traffic; and they merge with regular traffic flow once the speed of traffic exceeds 10 miles per hour. The exemption applies only on interstate highways or roads with 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 (to the right of the far right lane), on the center line (to the left of the left-most lane), or in highway work zones.