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To: Members of the Senate Judiciary Committee

**From: Marie Dodds
AAA Oregon/Idaho**

Date: March 2, 2023

Re: SB 422 - Testimony in Opposition – Motorcycle Lane Splitting

Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Judiciary Committee,

For the record, my name is Marie Dodds, and I am the Government and Public Affairs Director for AAA Oregon/Idaho. On behalf of AAA Oregon/Idaho, I am offering written testimony in opposition to SB 422. This bill would allow motorcycles and mopeds to travel between traffic lanes under certain conditions. At AAA, the safety of all Oregon motorists is a top priority. Unfortunately, we are unable to support SB 422 for the following reasons:

From a policy perspective, AAA takes positions on traffic safety issues when adequate and clear data and research are available and suggest that a policy direction is prudent. We don't believe there is enough data to support a policy that authorizes lane splitting. While supporters of this policy often cite a U.C Berkeley Safe Transportation Research and Education Center study to support adoption of lane splitting legislation, the report was clear that "to estimate how the risk of being involved in a collision changes when motorcyclists chose to lane-split, we would require information on both the lane-splitting and non-lane-splitting riding that is done by some identifiable sample of motorcyclists. The collection of these data points is fraught with problems, and the current study did not attempt to collect such data."

Currently, California is the only state in the U.S. that allows lane splitting. In September of 2018, the California Highway Patrol issued the following disclaimer as the result of authority granted to them with the passage of AB 51: "Lane Splitting can be dangerous and extreme caution should be exercised. It should not be performed by inexperienced riders. The risk of death or serious injury during a lane splitting collision increases as speed and speed differential increases. These general safety tips are provided to assist you in the practice; however, they are not guaranteed to keep you safe. Every rider has the ultimate responsibility for their own decision-making and safety." After passage of this measure in California, the Transportation Injury Mapping System reports that California was nationally ranked as the second highest state for motorcycle fatalities in 2020 at 539. Lane splitting/sharing continues to be prohibited in most states. 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 operator. Oregon may experience an increase in lane splitting/sharing crash occurrences leading to more fatalities, injuries, property damage, associated societal costs, and increased congestion. Studies in France found that permitting motorcyclists to lane split/share resulted in an increase in crashes on roads where lane splitting/sharing was permitted.

The national rate of motorcycle fatalities is about 30 times higher than those involving motor vehicles, according to [J.D. Power](#), and motorcycle-involved fatalities have more than doubled since 1997. According to NHTSA (National Highway Traffic Safety Administration), in 2020 there [were 5,579 motorcyclists killed](#), 14% of all traffic fatalities. This is the highest number of motorcyclists killed since FARS started in 1975. The number of motorcyclist fatalities in 2020 increased by 11 percent from 2019, from 5,044 to 5,579.

Fatal crashes involving motorcycles have also been on the rise in Oregon. According to the Oregon Department of Transportation (ODOT), the number of fatalities has been climbing since 2019.

In [2018](#), 85 motorcycle riders were killed in Oregon;

In [2019](#), 56 motorcycle riders were killed in Oregon;

In [2020](#), 67 motorcycle riders were killed in Oregon;

In [2021](#), 80 motorcycle riders were killed in Oregon;

In [2022](#), 95 motorcycle riders were killed in Oregon;

In light of this, we believe the following issues and concerns should be considered:

- Inexperienced riders attempting lane splitting;
- Inadequate space to ride between vehicles;
- Unpredictable traffic movement including lane changes, turns, etc.;
- Poor road and/or weather conditions;
- Attempting to travel between trucks or other large vehicles;
- Lane splitting while DUII

Finally, Law enforcement's ability to enforce violations of this statute will be very difficult and potentially dangerous. Officers working highway traffic enforcement don't typically focus their time in areas of congestion where these violations occur. Instead, law enforcement focuses their very limited resources on areas where speeding violations and other dangerous driving behaviors are prevalent. If police do witness a violation, because of the logistics of a lane-splitting situation and the danger to police motorcyclists, apprehension of violators would be highly unlikely.

Thank you for your consideration.