



March 2, 2023

TO: Chair Prozanski and Member of the Senate Judiciary Committee

FROM: Jana Jarvis

RE: SB 422

Thank you for the opportunity to testify in opposition to HB 422. I am Jana Jarvis, President & CEO of the Oregon Trucking Association. I have participated in the workgroup discussions around this issue and have testified against these efforts to allow lane splitting in Oregon in past legislative sessions.

Lane splitting occurs when motorcyclists travel in the space between lanes of traffic that are often understood by passenger and commercial vehicles as the space cushion around their vehicle allowing them to react to road conditions without causing accidents. Utilizing this “safe” space is often cited by the motorcycle community as a safety solution that prevents them from being rear-ended in stop and go traffic conditions. While this sounds plausible and there is some data to support this, ODOT’s own analysis shows that the majority of rear-end crashes under these conditions are actually motorcycles rear-ending other vehicles.

And safety ought to be our primary concern in this discussion. While SB 422 defines specific conditions that allow this practice, the practical reality is that it will only increase the incidence of motorcycles lane splitting in general traffic conditions. SB 422 allows this when traffic is slowed to 10 MPH or less and grants motorcycles the opportunity to pass between these lanes of traffic at speeds up to 20 MPH. This is an unenforceable solution and not likely a practice that will be limited to these conditions.

A [YouTube video I have included the link to](#) shows this to be true. While the driver speaks to the limitations expressed in this bill, he is practicing lane splitting in moving traffic at speeds in excess of 40 MPH on Oregon roadways where this is not allowed. Enforcement becomes a problem unless motorcycle officers practice the same standard - which they are trained not to do for safety reasons.

And if this was simply a safety improvement, the Oregon Trucking Association would not oppose this. However, travel around commercial trucks already presents risk to our industry. Few drivers understand the blind spots on the right side of the vehicle that CDL drivers train to compensate for. Lane splitting on the right side of a large truck is an extremely dangerous practice, and even worse when lane splitting is done between two semi-trucks which I have personally witnessed on the freeways in Los Angeles. Drivers changing lanes or reacting to road conditions could easily lead to serious accidents or fatalities for motorcyclists splitting the space around their truck.

Oregon is the nexus between the Washington and California and the value of goods moving over our roads is greater than the value of goods we produce in this state. However, our road capacity is significantly less than

California and it is not unusual to see trucks operating side-by-side in the center and right-hand lanes. This could mean that motorcycles could split lanes between two heavy trucks and when you factor in that some of our lanes in the Portland area are less than 12 feet you realize there is a higher probability that this practice could result in serious injury or death.

And those fatalities and serious accidents would not just impact the motorcyclist or their families. The liability this presents would likely impact the trucking companies – we have asked the motorcycle community in the past if they would assume the liability for this and they have declined. The burden of the financial liability, as well as the emotional liability is huge. Many professional CDL drivers have quit driving as a result of fatalities they are involved with that were not a fault of their own driving behavior. These fatalities, or serious injuries, haunt professional drivers and impact their lives as well as the lives of their families.

Recent data shows that Oregon's traffic incidences are increasing. Lane splitting is not a practice that Oregon drivers are experienced in and accustomed to and this practice could easily increase accidents for both passenger and commercial vehicles. The benefits do not outweigh the risks and we ask that you not move SB 422.