

HB 3542 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 4/7

WHAT THE MEASURE DOES:

The measure outlines the circumstances in which a motorcycle may drive between lanes of traffic. It increases the penalty for the offense of a motorcycle or moped passing in a lane with a vehicle to a Class A traffic violation, with maximum penalty of \$2,000.

Fiscal impact: (info)

Revenue impact: (info)

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The practice of "lane splitting" and "lane filtering" refers to how motorcycles can navigate slow or stopped traffic on multi-lane roads. Lane splitting generally refers to cases where a motorcycle passes between 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 slow or stopped, and are intended to prevent overheating of idling motorcycle engines, rider fatigue, and to protect the safety of riders by preventing them from being rear-ended in areas with high levels of traffic congestion.

Currently, only a handful of states offer some form of legal lane splitting or lane filtering. California allows lane splitting only where traffic is slow, and requires the operator to keep their speed within 10 mph of the surrounding traffic. Hawaii offers the ability to drive on the road shoulder to motorcycles when traffic is stopped; Montana allows cyclists to filter when moving under 10 miles per hour, or to split lanes when moving under 20 miles per hour; and Utah allows for lane filtering between 0 and 15 miles per hour. In most other states, lane splitting is explicitly prohibited; while in a few others the law is silent on the subject: Arkansas, Delaware, Kentucky, Mississippi, New Mexico, North Carolina, Ohio, Oklahoma, and West Virginia.

House Bill 3542 create 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 hs slowed to a speed of 10 miles per hour or less, a person operating a two-wheeled motorcycle between lanes of traffic under the following conditions: they travel no more than 10 miles per hour above the speed of surrounding traffic, operate the motorcycle in a prudent manner that does not impede the normal flow and reasonable movement of traffic, the overtake vehicles moving in the same direction, merge with regular traffic cflow when traffic begins traveling at a speed of more than 10 miles per hour, and is operating on a road with a designated speed of no less than 50 miles per hour. The exemption does not apply in school or work zones.