

Date: April 7, 2025

To : Oregon Joint Committee on Transportation
From: Joshua Wilson
RE: Testimony in Opposition of HB 3542

Co-Chairs Gorsek and McLain, Co-Vice Chairs Starr and Boshart Davis, and Members of the Committee, Greetings—

Thank you for the opportunity to provide testimony in opposition of House Bill 3542, which would allow motorcycles to travel between lanes of traffic in certain conditions.

I write to you today as a private citizen of Oregon, but my background in public service to this state is relevant to this issue. Since I first started in law enforcement as a volunteer Reserve Deputy almost 23 years ago, I have dedicated nearly my entire career to traffic safety. During that time, I have served as a commercial vehicle enforcement deputy, a Drug Recognition Expert, and an impaired driving enforcement deputy on my agency's Traffic Safety Unit, among other roles. Now, as a Sergeant, I lead my county's interagency major crash reconstruction team and my agency's traffic safety team, a group which includes five motorcycle units. I am also a member of various traffic safety committees in this state and work with the National Highway Traffic Safety Administration in state highway safety assessments.

My two decades of police experience have put me in a position to see far too many crashes and far too many injuries and deaths due to those crashes. Many of those seriously injured and killed are motorcyclists, due in part to the fact that they often have the least amount of protection on the road. I firmly believe that allowing motorcyclists to travel between lanes of traffic—commonly referred to as “lane splitting” or “lane filtering”—will only *decrease* highway safety and *increase* the likelihood of injuries and deaths.

Written testimony in support of this bill has repeatedly suggested that allowing lane filtering will reduce highway congestion and improve rider safety, in part by reducing the chances of rear-end collisions in heavy traffic. I disagree with those notions for several reasons.

Oregon's public highways are not designed for this activity. Lane widths in Oregon are not measured or designed to provide ample space for two vehicles to pass side-by-side. Lane splitting nearly eliminates all of that buffer.

Drivers simply don't expect motorcyclists to do this. It can be startling—especially for older drivers—having a motorcycle pass by while you and all the other cars on the freeway are stopped. Drivers expect that others will have a full adjacent lane to overtake them with a safe, reasonable distance on each side. For some who do see the rider approaching, it can create a road rage situation when that car intentionally moves closer to the lane line to close the gap and prevent the motorcycle from passing through. I have personally seen that happen countless times on I-205 in afternoon rush hour.

Even the best rider cannot predict when an unsuspecting driver is going to change lanes in front of them as that rider passes between. Because of their closer proximity to other vehicles, a motorcyclist's reaction time is reduced when lane filtering, increasing the likelihood of a crash. Motorcycle safety organizations like TEAM Oregon and other traffic safety advocates teach that staying visible to other motorists is paramount. A frequent and high-profile safety campaign in support of the motorcycle community reminds riders to “be seen” and reminds other drivers to watch out for motorcyclists.

In direct contrast to that, motorcyclists are now asking to be allowed to ride in between cars with sometimes only inches to spare, depriving themselves of a full lane, and—what is perhaps most concerning—approaching car after car and truck after truck in their blind spots, the one place motorcyclists are taught to avoid whenever possible.

Lane filtering puts riders in the most vulnerable position possible—in a narrow channel between two rows of vehicles with no avenue for crash avoidance. Moreover, in times of poor visibility, such as the sun shining in the rearview mirror on a summer afternoon, it can make seeing these riders nearly impossible as they approach from behind.

Even with the lawful authority to do so, and with forward-facing emergency lights and sirens to increase their visibility, police motorcycle trainers frequently do not train officers in this practice because of the inherent dangers in doing so.

Motorcyclists are disproportionately affected by vehicle crashes. They are approximately 25% more likely to die in a crash than other vehicle operators, and almost half of all motorcycle crashes nationwide involve collisions with other vehicles. These facts alone show that, by increasing the risk of a crash caused by lane filtering, it *increases* the risk of injury, death, and highway congestion—not *reduces*.

Further, the same UC Berkley study referenced by many others in their supportive testimony showed that 17 percent of the motorcycle crashes they reviewed involved lane splitting, and when the crash involved lane splitting, the motorcyclist was the driver who was more likely to rear-end another vehicle. The study also showed that lane splitting crashes *increased* during morning and afternoon rush hours—the same type of traffic conditions in which this bill proposes to allow this practice.

Motorcyclists are unlikely to fully adhere to the very specific conditions set forth in this bill. Because of the media attention previous versions of this bill have received in recent sessions, I frequently hear from road users of all types who think that motorcycle lane splitting is already legal, and there are never questions about the conditions under which this practice is allowed. In short, people already believe it's allowed under any condition.

Law enforcement's ability to enforce any violations of this provision is difficult at best and impossible at worst. Officers working highway traffic enforcement typically do not spend time in areas of congestion—which is exactly the type of area this bill would affect—since the lack of speeding violations and dangerous behavior nearly eliminates any potential benefit of enforcement in those locations, which would take up resources that could be better used elsewhere. In the event that police did witness a violation, due to the traffic conditions involved with lane filtering and

the aforementioned danger to police motorcyclists, apprehension of that violator would be highly unlikely. It already is for those who unlawfully lane filter today.

This bill is not necessary to prevent rear-end crashes to motorcyclists. Motorcyclists are taught to be hyper-aware of their surroundings, including what's behind and around them. The size of their vehicles puts them at a unique advantage to be able to position themselves when stopped so that they are less likely to be rear-ended; they also have the ability to quickly move to the shoulder for refuge in the event of any potential crash. In all of my years supervising our crash reconstruction team, we have never investigated a death or serious injury due to a motorcyclist being rear-ended in this manner.

To respond to those who claim that filtering will reduce congestion: even in the summer with more motorcycles on the road, **any amount of congestion relief would be negligible.** And because serious-injury and fatal crashes can frequently cause hours-long road closures during the ensuing investigation, any serious injury caused by lane filtering would immediately eliminate that potential congestion relief.

This bill does not address fault in the event of a collision. Motorcyclists are statutorily defined as vulnerable users of a public way, and as such, are afforded stronger protections under Oregon law by creating higher penalties for drivers who injure those vulnerable users in certain situations. By allowing motorcyclists to drive in a manner that would be otherwise unlawful, while not providing statutory protections for other motorists, it inequitably subjects other drivers to potential higher penalties for situations that motorcyclists themselves create by lane filtering.

As you can see, while lane filtering might sound to some like a good idea on its face, the number of potential negative outcomes grossly outweighs any potential benefit to a very select group of drivers. For all these reasons, I strongly oppose HB 3542 and I urge you to do the same.

Thank you,

Joshua Wilson