

Dear Chair Gorsek, Chair McLain, and members of the Joint Committee on Transportation,

I would like to ask your support once again to protect Oregon motorcyclists. You have seen this bill in prior sessions. Its urgency has not diminished with time. Oregon riders still need your help.

HB 3542 presents a very modest and elegant solution to a real problem, developed by examining the data. UC Berkeley conducted one of the largest studies on motorcycle safety in history, specifically on this subject.[1] Researchers discovered that motorcyclists experience far fewer fatalities or severe injuries when they are travelling between lanes.

For instance, the frequency of head injuries dropped 47% in accidents experienced by motorcyclists who rode between lanes compared to those who did not. The risk of fatality dropped 60%. Our bill narrowly focuses on the exact circumstances where these safety benefits were maximized: slow-moving traffic.

Some people mistakenly believe that it is possible and lawful for riders to move between lanes if they believe their lives are in danger. I'm afraid this is not realistic. When motorcyclists are in the "pinch point" between two full-size vehicles in a lane of stop-and-go traffic, they are exposed to the continuous risk of being crushed if the rear vehicle does not stop in time. Detecting this situation and reacting in time to escape to safety requires almost superhuman reflexes. Those who succeed still receive traffic citations. I refer you to the written testimony of Nicholas Mokey on SB 574 in 2021, who received a citation for dodging his bike between lanes when he felt his life was in danger.[2]

Over the years, the legislature has seen well over 1000 riders testify in support of this bill in its various incarnations. This is not a matter of mere convenience. This is something we need in order to protect our safety, and to bring Oregon's laws up to speed with what is done in jurisdictions around the world, including several other US states, with more passing similar legislation each year.

We often hear questions about how this can be enforced. I will refer you to the written testimony of retired Klamath County Sheriff Tim Evinger. Tim has over 24 years of law enforcement experience and he explains very clearly that these rules can be effectively policed.[3] But, remember: good laws reflect good conventions. Most of us don't obey the law simply because the police will catch us if we don't -- and in many cases, we know they won't. Instead, we obey laws because they reflect good rules that help us all live in a better society together.

Today, many Oregon motorcyclists do not feel that the laws regarding lane use are helping live in a better society. They are fearful, and do not understand why they cannot use this well-known riding technique to improve their safety. And due to our proximity with California, this creates a vacuum where the conversation can be dominated by those who do not fear enforcement of even existing rules.

By passing this bill, you will give the responsible riding community a framework to say: Yes, you can do this safely, and there is an established set of rules for doing so in a manner that is consistent with Oregon driving culture and fair to other roadway users. And it enables TEAM OREGON to teach that to framework to new riders, so they internalize it from day one. And furthermore, this bill escalates unsafe lane splitting practices to a Class A Misdemeanor, meaning that law enforcement will have a bigger deterrent than ever against those who would simply abuse the roadway regardless of the rules.

This bill will make roads better for all road users. Removing bikes from lanes of traffic in high congestion thins traffic for everyone. A Belgian study found that when just 10% of drivers switched to

bikes and began filtering, total time loss for all vehicles decreased by 40%. [5] This is significant for Oregon, as we struggle to find solutions to improve capacity and fleet average speed through increasingly congested highways.

Every year, this bill becomes more and more needed. Oregon's roads are getting more crowded, and for motorcycles, that creates more and more danger. And that's why you've seen us, session after session. Committee, I hope you will please move this bill -- and the safety of Oregon riders -- forward.

Thank you,

Jonas Acres
Aloha, OR

[1] <https://www.ots.ca.gov/wp-content/uploads/sites/67/2019/06/Motorcycle-Lane-Splitting-and-Safety-2015.pdf>

[2] <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/9402>

[3] <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/PublicTestimonyDocument/58395>

[4] <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/PublicTestimonyDocument/57977>

[5] <https://acem.eu/component/phocadownload/category/3-mobility?download=7:commuting-by-motorcycle-impact-analysis-i-yperman-transport-and-mobility-leuven-2011>