



Oregon

Tina Kotek, Governor

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DATE: April 7, 2025

TO: Joint Committee on Transportation

FROM: Amy Joyce, Administrator, Driver and Motor Vehicle Services Division
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SUBJECT: House Bill 3542 – Motorcycle Lane Splitting

INTRODUCTION

House Bill 3542 would change Oregon law to allow motorcycles to drive between vehicles traveling the same direction in adjacent lanes on certain roads. The measure could negatively impact roadway safety for motorcyclists and others in addition to complicating liability determinations. The department would have to update existing resources and tests in addition to developing statewide PSA campaigns to educate drivers about the change.

DISCUSSION

The agency has no position on this bill. Below, ODOT offers safety, liability, and implementation considerations for the committee's consideration.

Data

Proponents cite potential safety benefits of lane splitting/sharing, including how it may allow motorcyclists to avoid rear-end crashes. Oregon crash data show rear-end crashes involving vehicles striking a motorcycle are extremely rare, and the majority of the rear-end crashes involving a motorcycle occur when the motorcycle strikes a vehicle ahead. Nationally, 6 percent of motorcyclists involved in fatal two-vehicle crashes were rear-ended according to the U.S. Department of Transportation.¹

Data show most Oregonians oppose lane splitting/sharing and don't think it's safe. The [2023 Public Opinion Traffic Safety Survey](#) showed more than 80 percent of respondents "did not support a new law permitting motorcyclists to 'lane split'..." The same survey showed nearly two thirds of respondents did not think lane splitting was safe at all. Only 1 percent of respondents viewed the practice as very safe.

Other data appear to align with the public's safety concerns about lane-splitting. Nationally, in 2018, 43 percent of all motorcycle rider deaths were due to right of way violations when other

¹ National Highway Traffic Safety Administration. Traffic Safety Facts 2022 Data: Motorcycles. Washington, D.C., DOT HS 813 589, 2024. [Traffic Safety Fact: 2022 Data - Motorcycles](#).

drivers failed to “see” the motorcycle and yield the right of way to the rider. Federal data for 2022 show for the more than 3,000 crashes that year between motorcycles and another vehicle, about 45 percent involved the other vehicle “turning left while the motorcycles were going straight, passing, or overtaking other vehicles,” and about 20 percent of the crashes occurred when both vehicles were going straight.² A study on lane splitting/sharing in California showed at least 16 percent of motorcycle crashes during the study period involved lane splitting/sharing by the motorcycle operator.³

Since there is a lack of data on lane splitting/sharing in the United States—given how few states allow it—international data may be instructive. A 2016 study in France estimated lane filtering increased the likelihood of a motorcyclist crashing by nearly four times compared to them staying in the lane. Lane filtering included lane splitting/sharing in addition to use of other areas; the study noted that “no matter which space is used, the excess crash risk is large.”⁴

Safety

A motorcycle traveling between rows of moving vehicles in the same lane is vulnerable to multiple threats, including other vehicles changing lanes, variable road conditions with less space to maneuver, and reduced options for egress in emergency situations. The safety of passenger and commercial motor vehicle operators may decrease if this bill passes, as drivers’ ability to predict and react to unexpected traffic moving around them is reduced. Indeed, the authors of the 2016 study in France theorized this was one of the factors behind the results showing an increased risk of crashes associated with lane splitting/sharing.⁵

To operate a motorcycle safely, it’s critical for drivers to maintain open paths of travel in case of an emergency. Managing the space in front, behind, and to both sides provides a rider the most safety cushion and opportunity for escape should something encroach on those spaces. The same is true for passenger cars and trucks. Allowing motorcycles to occupy the safety space around other vehicles increases the odds of a crash and, thereby, injury and damage for all drivers and vehicles in that space. Lane splitting could result in minor vehicle movements or mistakes, that would otherwise be corrected or inconsequential, resulting in crashes.

Safety equipment is another important consideration. In California—one of only a handful of states that allows lane splitting/sharing—motorcyclists must wear helmets that comply with Federal Motor Vehicle Safety Standards. The same is not true in Oregon which allows use of novelty helmets. An increase in crashes due to lane splitting/sharing coupled with the use of less-safe novelty helmets could mean motorcyclists would be at an increased risk of severe injuries or death if lane splitting/sharing were an allowed activity on Oregon roads.

² National Highway Traffic Safety Administration. Traffic Safety Facts 2022 Data: Motorcycles. Washington, D.C., DOT HS 813 589, 2024. [Traffic Safety Fact: 2022 Data - Motorcycles](#).

³ Rice, T., Troszak, L. & Erhardt, T. (2015). Motorcycle Lane-splitting and Safety in California. Safe Transportation Research & Education Center. University of California Berkeley.

⁴ Clabaux, N., J.-Y. Fournier, and J.-E. Michel. Powered Two-Wheeler Riders’ Risk of Crashes Associated with Filtering on Urban Roads. *Traffic Injury Prevention*, Vol. 18, no. 2, 2016. <https://doi.org/10.1080/15389588.2016.1225298>.

⁵ *Id.*

Additionally, engineering design principles and transportation safety practices support a single vehicle occupying a lane at one time—not sharing a lane with another vehicle. Allowing motorcycles and other vehicles to operate in the same lane runs counter to current transportation system design and safety standards as well as national motorcycle safety training standards for always maintaining a safety cushion around a motorcycle.

This bill would limit lane splitting/sharing to roads with speed limits of 50 MPH or higher subject to numerous conditions. The agency anticipates that some motorcyclists will, nevertheless, knowingly or unknowingly lane split/share on roads where it's impermissible. This may result in additional crashes, injuries, and deaths.

Liability

In the event of a crash, lane splitting/sharing could also make it more difficult to determine liability as it would be more challenging to identify which vehicle had the right of way. This could have legal and financial consequences for drivers.

Implementation

To implement this bill, DMV would:

- Create or amend motorcycle knowledge test questions;
- Update the motorcycle manual as well as the CDL and driver manuals; and
- Reevaluate the skills test (e.g., distances and/or width parameters for quick-stops and evasive maneuvers) to ensure motorcyclists are prepared for the new riding conditions.

Additionally, the Motorcycle and Moped Rider Safety Program would develop a three-year statewide PSA campaign to inform transportation system users about lane splitting/sharing. The department estimates the campaign would cost about \$300,000 per year. In the years following, the agency would conduct ongoing, annual maintenance-level statewide PSAs about lane splitting/sharing until the traffic behavior is perceived as normalized.

SUMMARY

This bill would allow lane splitting on certain roads in Oregon. The measure may increase safety risks for motorcyclists and other drivers. Data suggest the safety benefits, if any, of allowing lane splitting/sharing do not outweigh the risks. The practice is also inconsistent with existing transportation system safety design principles and motorcycle safety standards. Lane splitting/sharing could also complicate crash liability determinations with legal and financial implications for drivers. Lastly, to implement this bill, DMV would need to revise existing materials and tests in addition to developing statewide PSA campaigns to educate drivers.