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HERE
FOR YOU

To: Members of the Joint Committee on Transportation

From: Kevin Campbell
AAA Oregon/Idaho

Date: 4-7-2025

Re: Testimony in Opposition to HB 3542 – Lane Filtering

Chair McLain, Chair Gorsek, and Members of the Joint Committee on Transportation,

For the record, my name is Kevin Campbell and I am here today on behalf of AAA Oregon/Idaho, a nonprofit serving over 772,000 members here in Oregon. For more than a century, AAA has provided roadside assistance, travel and insurance services and traffic safety advocacy. We oppose HB 3542, which permits motorcycles and mopeds to travel between lanes. From a policy perspective, AAA takes positions on traffic safety issues based on adequate and clear data and research are available and suggest that a policy direction is prudent. We don't believe there is enough data to support a policy that authorizes lane splitting.

We acknowledge the bill's intention to enhance mobility for motorcyclists and potentially reduce congestion. However, our primary concern is traffic safety for all road users. After reviewing data from other states, consulting traffic safety experts, and analyzing the risks, AAA believes lane filtering introduces unnecessary hazards and should not be adopted in Oregon.

1. Limited and Mixed Implementation in Other States

Lane filtering is currently legal in only a small number of states:

- **California:** The only state where full lane splitting is legally permitted. While it has been practiced for decades, it was formally recognized in 2016, with the California Highway Patrol issuing safety guidelines. Even so, the practice remains controversial, and enforcement challenges persist.
- **Utah:** Passed a lane filtering law in 2019, but under highly restricted conditions—only on roads with speed limits of 45 mph or less, when traffic is stopped, and when the motorcyclist does not exceed 15 mph.
- **Montana:** Legalized lane filtering in 2021, again under specific limitations including low-speed conditions and when traffic is stationary or slow-moving.
- **Arizona:** Approved lane filtering in 2022, modeled after Utah's law, with similar restrictions focused on safety.

These examples represent exceptions, not the norm. Most states have reviewed and rejected similar legislation due to safety, enforcement, and public perception concerns.

2. Increased Risk of Collisions

Allowing motorcycles to maneuver between lanes of slow or stopped traffic—often in close proximity to vehicles—raises the risk of sideswipe collisions. Drivers do not expect vehicles to pass between lanes, especially in heavy congestion, and may change lanes or open doors without seeing a motorcycle approaching.

3. Driver Confusion and Inconsistent Behavior

Oregon drivers are not accustomed to motorcycles passing between lanes. Introducing this behavior would create uncertainty, reducing predictability and increasing the potential for crashes. Motorists may respond unpredictably, especially during stressful traffic conditions.

4. Enforcement Challenges

The bill would require law enforcement to make case-by-case judgments about whether conditions met legal standards for lane filtering—such as lane width, speed of surrounding traffic, and distance from other vehicles. This makes enforcement subjective and difficult, potentially leading to inconsistent application across jurisdictions. In addition, in heavy traffic conditions, law enforcement will be unlikely or unable to pursue motorcyclists engaging in dangerous filtering behavior due to safety concerns for both the rider and the general public. The very nature of lane filtering—involving quick, close maneuvers through congested lanes—makes observation, pursuit, and citation nearly impossible without increasing risk. This practical limitation severely undermines the effectiveness of any enforcement component included in the legislation.

5. Lack of Broad Public Support

AAA surveys consistently indicate that most drivers are uncomfortable with lane filtering and perceive it as unsafe. This opposition stems from concerns over safety, visibility and liability. AAA surveys consistently show public opposition to laws authorizing lane filtering.

6. Motorist Liability and Insurance Exposure

Legalizing lane filtering may expose Oregon drivers to **increased liability** in the event of a crash involving a motorcyclist. In many situations, even when a driver is operating their vehicle lawfully and predictably, the driver may still be found partially or fully at fault in civil litigation—especially if a motorcyclist is injured. This opens the door for costly insurance claims, disputes over fault, and higher premiums for Oregon motorists. It also introduces legal ambiguity: determining fault in close-quarters filtering crashes is complex and subjective, leading to protracted legal battles and increased financial risk for drivers and insurers alike.

7. Mixed Safety Data

While some proponents point to international or limited U.S. data suggesting benefits under ideal conditions, the evidence is far from conclusive. Even in California, with decades of exposure, the safety impact is still debated and heavily dependent on rider behavior, traffic density, and public awareness.

AAA Oregon supports efforts to improve traffic flow and safety. However, we believe this legislation does not reflect Oregon's traffic culture, road infrastructure, or readiness for such a significant change. We urge lawmakers to focus on proven, evidence-based traffic safety measures and maintain the current prohibition on lane filtering. Thank you.