

Evan Marten

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Lane splitting testimony (Pt.1 and Pt.2)

Thank you Co-chairs Gorsek and McLain,

Thank you Co-Vice Chairs Starr and Boshart-Davis,

And Thank you members of the Joint Transportation Committee for giving this a read.

My name is Evan Marten. I'm a University of Oregon undergraduate, and avid motorcycle rider.

I provided in person testimony on 4/7/25 in the public hearing, and I wanted to post my testimony, and some more, in writing for your optional perusal. The original testimony is linked below.

I would encourage you to check out any *external links* that I may include as well, as they will be helpful resources in answering questions/gaining additional information.

During my in-person testimony, it was asked by Representative Mannix:

“You mentioned *Education*, how do you plan to go about that?”

First of all, great question. Public education is one of the pillars of ensuring safety. Should House Bill 3542 find its way to written law, Myself, BikePAC of Oregon, and likely the American Motorcyclists association would like to collaborate with TeamOregon, as well as ODOT. The education outline is as follows.

- 1) **Team Oregon** - Team Oregon is responsible for training Oregon's motorcycle riders before they can get licensed. To receive a motorcycle endorsement, one must pass the Team Oregon Riders Education class, both online and in person. It has been voiced in the past by Team Oregon that if it were to pass into law, they would begin to implement a portion on Lane Splitting in their rider education. Unfortunately I do not have access to any correspondence to prove this, it has just been voiced to me.
- 2) **ODOT** - Before receiving a motorcycle endorsement, one must take the ODOT written test just like any other licensing measures in Oregon. Part of public education would come in the form of including Lane Splitting in the Motorcycle Operators Manual provided free by most DMV's, as well as a digital version of educational videos. I would likely work to see something like Utah has implemented, which can be seen in this link (see videos):
<https://ridetolive.utah.gov/lane-filtering/#:~:text=Lane%20filtering%20is%20legal%20in,lanes%20in%20the%20same%20direction.>

- 3) **Media** - A news article has already been published regarding the hearing held on 4/7. In the past, especially when the Senate passed SB 422 (a previous bill with similar parameters) it was all over the news. Social Media posts from organizations like ODOT or Team Oregon would also be very helpful in educating the public, which should be able to be worked out.

Second order of business, a **new research article**.

In **2023**, The American Surgeon published: “*Nationwide Analysis of Motorcycle-Associated Injuries and Fatalities in the United States: Insufficient Prevention Policies or Abandoned Laws?*”

This article had many focus points, and included lane splitting as one of their factors in statistical analysis/calculation. The study found:

“No significant differences in MCF/capita were observed among states with lane splitting laws compared to states that did not have laws pertaining to lane splitting (65.2 vs 52.2, Cohen’s $d = .372$, 95% CI [.229, .969], $P = .140$) (Supplementary Table 1).”

In the study, MCF stands for Motorcycle Collision Fatalities.

Source: Ngatuvai, Micah, et al. “Nationwide Analysis of Motorcycle-Associated Injuries and Fatalities in the United States: Insufficient Prevention Policies or Abandoned Laws?” The American Surgeon™, vol. 89, no. 11, Nov. 2023, pp. 4445–51. DOI.org (Crossref), <https://doi.org/10.1177/00031348221117033>. (Accessed 04/06/25)

Third and Final order of business - Personal notions

Due to time constraints, I was unable to give you all my personal story.

Now that spring is upon us, I plan to use my motorcycle to commute to school like I’ve done in the past. I choose this option over driving my car, like many other riders, for the better fuel economy, the less environmental impact, and my own mental well being.

In the unfortunate scenario that I may ever be involved in a traffic accident on my commute, there's a chance I won't get back up. But if I'm able to lane split under the parameters of HB 3542, going no more than only 20 MPH, I have a better chance of making it home to see my family again.

Members of the committee, Thank you for your time and consideration.

- Evan Marten

IN PERSON TESTIMONY

My name is Evan Marten. I'm a University of Oregon student, a proud member of the Springfield/Eugene community, and a motorcycle rider, here in support of House Bill 3542.

I'd like to provide you all with a bit of information I've gathered. Beginning first, with a research study of which many of you have heard of before, conducted by the Safe Transportation Research & Education Center at the University of California, Berkeley in 2015. If you have time, I encourage you to read it yourself.

This study reported on the prevalence of lane splitting in nearly 6 thousand riders, all involved in traffic collisions, finding:

“Motorcyclists who were lane-splitting were notably different from those that were not lane-splitting. Compared with other motorcyclists, lane-splitting motorcyclists were more often riding on weekdays and during commute hours, were using better helmets, and were traveling at lower speeds.”

This study found the following data through methods of statistical analysis:

Lane splitting motorcyclists were less likely to suffer from:
head injury by 8%,
torso injury by 10%, and
fatal injury by 1.8%
Compared to non-lane-splitting motorcyclists.

Many oppositions claim that the study compares apples to oranges. That a motorcyclist that moves slower will not be hurt as bad, logically, and that is what the data shows. I somewhat agree.

The study also outlines that while Lane-splitting riders were roughly half as likely to be rear-ended, they were also roughly twice as likely to rear-end another vehicle.

The study also includes a section analyzing the conditions and behaviors of lane splitting motorcyclists and surrounding traffic. The reported numbers denote that the least injuries for lane splitting motorcyclists were when the motorcycle was traveling at a speed differential of 10 MPH or less, and traffic was moving at 25 MPH or less.

As seen earlier, House Bill 3542 proposes a very considerate approach to this, only allowing lane splitting when traffic is 10 MPH or less, and setting the **max** speed differential at 10 MPH as well.

This data indicates a trade off, which I believe can be willfully managed with the correct implementation and education that has been brought before you.

Advocacy groups like the Motorcycle Industry Council and the American Motorcyclist Association believe that lane splitting should be performed only by experienced riders, as do I. This corroborates the earlier notions about the planned education and training for new riders.

Finally, the 2015 study states:

“The current data set cannot be used to compare the collision risks for lane-splitting or non-lane-splitting riders.”

Therefore, in using this article as evidence, it can not be explicitly stated whether lane splitting or not lane splitting can be deemed the safer option.

However, it can be concluded that we know what we're dealing with here, and the parameters of House Bill 3542 clearly optimize the practice of lane splitting to ensure the best possible safety for Oregon's riders and Drivers.

The concept that this bill outlines has been brought to Oregon Legislators several times in the past 10 years, and for various reasons, has been brought back to you yet again today. This would not be the case if not for the multiple other states currently implementing and considering similar bills, Oregonian lives that continue to be altered by tragic motorcycle accidents every year that this bill seeks to minimize, and the truthfulness of the betterment that HB 3542 could bring.

I will be submitting a written testimony soon, which I encourage you to check out if you have any burning questions. I also encourage you to read Nick Haris, the AMA's Director of Government Relations' testimony in OLIS, who unfortunately could not join us here today.

Members of the committee, Thank you for your time.

- Evan Marten

Additional links

Utah Lane splitting -

<https://ridetolive.utah.gov/lane-filtering/#:~:text=Lane%20filtering%20is%20legal%20in,lanes%20in%20the%20same%20direction.>

Informational HB 3542 Video - <https://www.youtube.com/watch?v=pGxn0j4T6XA>

Questions and answers

How to tell if data is significant?

Most log-binomial regressions provide p-values, which with statistical analysis can be denoted as significant or not.

How many riders in the study were lane splitting?

Of the 5969 riders in the study's sample, 997 were lane-splitting at the time of their collision (17%).

What were the percentages of the rear-ending vs. being rear-ended?

(2.6% vs 4.6%) to be rear ended
(38% to 16%) to rear end

What percentages of motorcyclists saw better injury outcomes?

“Lane splitting motorcyclists were markedly less likely to suffer head injury (9% vs 17%), torso injury (19% vs 29%), or fatal injury (1.2% vs 3.0%) than non-lane-splitting motorcyclists.”

Sources

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

(Accessed 04/06/2025)

Ngatuvai, Micah, et al. “Nationwide Analysis of Motorcycle-Associated Injuries and Fatalities in the United States: Insufficient Prevention Policies or Abandoned Laws?” *The American Surgeon™*, vol. 89, no. 11, Nov. 2023, pp. 4445–51. DOI.org (Crossref), <https://doi.org/10.1177/00031348221117033>. (Accessed 04/06/25)