

TESTIMONY IN FAVOR OF SB694A
Submitted on 5/14/15 for House Transportation and Economic Development
Committee at hearing on 5/15/15

Dear Chair McKeown and Committee Members:

My name is Courtney Olive; I am a resident of District 43 in Portland and a supporter of SB694A. I am submitting this written testimony to supplement the verbal testimony that I will provide at the hearing on May 15, 2015.

I am a former member of the Oregon Governor's Advisory Committee on Motorcycle Safety (served 2008-2013), and I have been riding for 14 years. I am also a part-time motorcycle journalist and I write for national publications reaching nearly two million readers. I am a member of the Portland riding club, Sang-Froid Riding Club, which is an Oregon non-profit corporation. My primary occupation is as an attorney.

I strongly support SB694A for three compelling reasons:

1. Lane-filtering/splitting reduces traffic congestion. Every vehicle that moves out of the traffic column (and into the space between lanes) speeds the flow of the column, not just the flow of motorcycles. This has the added benefit of lowering CO2 and other emissions.

In Europe and Asia, where lane-splitting is universally legal, countries have long recognized the congestion-relief benefits of lane-splitting. In fact, their traffic engineers have proven it, see this study from Belgium:

<http://www.tmleuven.be/project/motorcyclesandcommuting/home.htm>

2. Lane-filtering/splitting increases motorcycle safety. To those not familiar with lane-splitting it may, at first, seem counter-intuitive that riding between lanes is actually safer than riding in a traditional manner in a line of traffic. But it is. Recent studies have proven the safety benefits.

In particular, a government study from the California Office of Traffic Safety, conducted by UC Berkeley found that the:

“Patterns of injury were significantly different comparing Lane Sharing Motorcyclists and other motorcyclists (Table 9). Lane Sharing Motorcyclists were notably less likely to suffer head injury (9.1% vs 16.5%), torso injury (18.6% vs 27.3%), or fatal injury (1.4% vs 3.1%) than other motorcyclists.”

See page 3 of the study, available here:

<http://www.ots.ca.gov/pdf/Publications/LaneSplittingReport.pdf>

This California study is extremely significant and reliable. It utilized data from nearly 8000 crashes, collected primarily by the California Highway Patrol. This the largest motorcycle accident study ever conducted in the U.S.

3. Lane-filtering/splitting is widely supported by respected organizations and experts.

From noted motorcycle safety author David Hough (who is a member of the American Motorcyclist Association's Hall of Fame for his writings on safe riding), to the Editors of major motorcycle publications, to the National Highway Traffic Safety Administration, lane splitting has been recognized as a tool that benefits rider safety.

In the sections below, I will elaborate on each of these three points. I have also included numerous supporting citations.

After you review this information, I believe you will agree that lane-filtering/splitting is a safe and prudent practice that can and should be legalized in Oregon. **I ask for your full support of SB694A.**

POINT 1: SB694A REDUCES TRAFFIC CONGESTION

- SB694A helps **everyone** get to where they're going faster.
 - Every vehicle that moves out of the traffic column (and into the space between lanes) speeds the flow of the column, not just the flow of motorcycles.
 - Traffic engineers can prove that sometimes even changing the number of cars by a few percent can make the difference between flowing and stop-and-go traffic patterns.
 - For example, a Belgian study found that if just 10 percent of drivers were to switch to motorcycles and filter through traffic, travel times would decrease for the remaining car drivers by 40%.
 - The Belgian study is available here:
<http://www.tmlleuven.be/project/motorcyclesandcommuting/home.htm>
- SB694A will reduce vehicle idle time by reducing congestion of motorcycles and cars
 - The reduction in idle time will reduce CO2 and other emissions.
 - The same Belgian study found that a 10% shift to motorcycles that lane-filter would reduce emissions by 6%.
- SB 694A will encourage more fuel efficient vehicles
 - Motorcycles commonly deliver 40 mpg, often more

- Many scooters deliver 80-100mpg, or greater
- There are 250,000 licensed motorcyclists in Oregon. SB694A will encourage them to ride their fuel-efficient motorcycles/scooters instead of driving their cars.

POINT 2: STUDIES AND DATA PROVE THAT SB694A WILL INCREASE MOTORCYCLE SAFETY

- Perhaps one of the most dangerous situations for a motorcyclist is being caught in congested traffic, where stop-and-go vehicles, distracted and inattentive vehicle operators, and environmental conditions pose an increased risk of physical contact with another vehicle or hazard. Even minor contact under such conditions can be disastrous for motorcyclists.
- SB694A would reduce a motorcyclist’s exposure to vehicles that are frequently accelerating and decelerating on congested roadways can be one way to reduce injuries and fatalities for those most vulnerable in traffic.
- SB694A will also promote safety by removing riders from blind spots and placing them squarely in drivers’ side view mirror.
- SB694A will also promote safety by improving “conspicuity,” i.e., making the motorcyclist more visible to drivers.
- SB694A will also promote safety by allowing the motorcyclist to see what the traffic is doing ahead and be able to proactively maneuver.
- In 2014, California (where lane-splitting is legal) conducted a major study on motorcycle accidents, including lane-splitting.
 - The study was conducted by the University of California at Berkeley at the request of the California Office of Traffic Safety. The California Highway Patrol gathered the data for the study.
 - **Nearly 8000 motorcycle crashes were examined—the largest study of its kind ever done in the U.S.**
 - The Study’s conclusion: lane sharing increased safety in several ways (even though it also increased the amount of motorcycles rear-ending other vehicles). In particular, lane-sharing lowered the severity of injuries sustained in accidents.
 - ***“Lane Sharing Motorcyclists were notably less likely to suffer head injury (9.1% vs 16.5%), torso injury (18.6% vs 27.3%), or fatal injury (1.4% vs 3.1%) than other motorcyclists.”***

- See p.3 of the study, available here, :
<http://www.ots.ca.gov/pdf/Publications/LaneSplittingReport.pdf>
- The National Highway Traffic Safety Administration (NHTSA) and the Motorcycle Safety Foundation (MSF) have stated:

“There is evidence (Hurt, 1981*) that traveling between lanes of stopped or slow-moving cars (i.e., lane splitting) on multiple-lane roads (such as interstate highways) slightly reduces crash frequency compared with staying within the lane and moving with other traffic.”

Quote from NHTSA’s National Agenda For Motorcycle Safety, available here:
<http://www.nhtsa.gov/people/injury/pedbimot/motorcycle/00-NHT-212-motorcycle/motorcycle51.html>

- The California Highway Patrol has published lane splitting guidelines. While the guidelines do not carry the force of law, they provide clear indicators that lane-splitting can be performed safely.
 - Issued by the California Highway Patrol, California Motorcycle Safety Program in 2013, the guidelines were rescinded in 2014 for administrative reasons but are still viewable on the American Motorcyclist Association’s website, see footnote 4:
<http://americanmotorcyclist.com/rights/positionstatements/lanesplitting.aspx>
- Oregon DOT has stated:

“Conversely to safety concerns with lane-sharing, a potential safety benefit is increased visibility for the motorcyclist. Splitting lanes allows the motorcyclist to see what the traffic is doing ahead and be able to proactively maneuver.”

 - See ODOT’s 2010 literature review at page 12, available here:
http://www.oregon.gov/ODOT/TD/TP_RES/docs/Reports/2010/Motorcycle Lane Sharing.pdf?ga=t

POINT 3: SB694A IS SUPPORTED BY RESPECTED ORGANIZATIONS AND EXPERTS

- The American Motorcycle Association (AMA) supports lane-splitting, and is on record in support of Oregon’s bills to legalize it.
 - See:
<http://www.americanmotorcyclist.com/Rights/PositionStatements/LaneSplitting.aspx>

<http://www.motorcycle-usa.com/2/22071/Motorcycle-Article/AMA-Supports-Oregon-Lane-Splitting-Bills.aspx>

- The Motorcycle Industry Council, a trade group, states: ***“In full consideration of the risks and benefits of lane splitting, the Motorcycle Industry Council supports state laws that allow lane splitting under reasonable restrictions.”***
 - “Position on Lane Splitting,” <<http://www.mic.org/downloads/MIC-Position-on-Lane-Splitting-12-12-11.pdf>>, Motorcycle Industry Council (MIC), December 12, 2011.
- The Editor of *Motorcycle Consumer News*, Dave Searle, supports lane-splitting. This publication receives no advertiser funding; it is the “Consumer Reports” of motorcycling.
 - See: <http://www.mcnews.com/mcn/editorials/2011AprOpenRd.pdf>
- The Editor of *Motorcycle Cruiser Magazine*, Art Friedman, supports lane-splitting. Mr. Friedman was also a member of the Technical Working Group that created NHTSA's National Agenda for Motorcycle Safety (see above).
 - See: http://www.motorcyclecruiser.com/newsandupdates/washington_lane_splitting_la_w/
- David Hough, inducted into the AMA Hall of Fame for motorcycle training and safety writing, supports lane-splitting.
 - See: <http://www.laneshare.org/why-laneshare/>
- Andy Goldfine, founder of the National “Ride to Work Day” event, and Founder/President of Aerostich supports lane-splitting.
 - See: <http://www.ridetowork.org/> (bottom of page, numerous materials)
- Steve Guderian, former policeman and NHTSA Highway Safety Specialist, supports lane-splitting and has performed studies demonstrating its safety benefits.
 - See: <http://www.motorcyclesafetyconsulting.com/LANE%20SHARING%20A%20GLOBAL%20SOLUTION%20FOR%20MOTORCYCLE%20SAFETY.pdf>

Thank you very much for taking the time to carefully review this information. I ask that you give a “do pass” recommendation to SB694A.

Sincerely Yours,

(Mr.) Courtney Olive
 Portland, OR
 District 43