
SENATE BILL 5401

State of Washington

68th Legislature

2023 Regular Session

By Senators Randall, MacEwen, J. Wilson, Boehnke, Frame, Keiser, Nguyen, Rolfes, and C. Wilson

Read first time 01/16/23. Referred to Committee on Transportation.

1 AN ACT Relating to modifying the operation of motorcycles on
2 roadways laned for traffic; amending RCW 46.61.608; creating a new
3 section; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington
6 state has a Target Zero goal of no deaths on its highways. Dozens of
7 people die annually in motorcycle accidents. Researchers at the safe
8 transportation research and education center at the University of
9 California Berkeley, after evaluating thousands of motorcycle
10 collisions in California, concluded that "lane-splitting
11 motorcyclists were much less often injured during their collisions.
12 They were considerably less likely to suffer head injury, torso
13 injury, extremity injury, and fatal injury than riders who were not
14 lane-splitting." The legislature intends with this act to provide new
15 options to save lives by giving operators of motorcycles a way to
16 legally avoid being rear-ended by other vehicles.

17 **Sec. 2.** RCW 46.61.608 and 2013 c 139 s 1 are each amended to
18 read as follows:

19 (1) All motorcycles are entitled to full use of a lane and no
20 motor vehicle shall be driven in such a manner as to deprive any

1 motorcycle of the full use of a lane. This subsection shall not apply
2 to motorcycles operated two abreast in a single lane.

3 (2) The operator of a motorcycle (~~(shall not)~~) may overtake and
4 pass in the same lane occupied by the vehicle being overtaken.
5 (~~However, this subsection shall not apply when the operator of a~~
6 ~~motorcycle overtakes and passes a pedestrian or bicyclist while~~
7 ~~maintaining a safe passing distance of at least three feet.~~)

8 (3) No person shall operate a motorcycle between lanes of traffic
9 or between adjacent lines or rows of vehicles unless the operator of
10 a motorcycle is traveling at a rate of speed no more than 10 miles
11 per hour over the speed of traffic flow and not more than 35 miles
12 per hour. Any operator of a motor vehicle that intentionally impedes
13 or attempts to prevent any operator of a motorcycle from operating
14 his or her motorcycle as permitted under this subsection is guilty of
15 a traffic infraction.

16 (4) Motorcycles shall not be operated more than two abreast in a
17 single lane.

18 (5) Subsection(~~s (2) and~~) (3) of this section shall not apply
19 to police officers in the performance of their official duties.

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