

M e m o r a n d u m

Date: December 9, 2013

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To: Office of Administrative Law
Attention: Ms. Elizabeth Heidig
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

OFFICE OF ADMINISTRATIVE LAW
DEBRA BOLEN
REGISTRAR OF STATE

ENDORSED FILED
IN THE OFFICE OF
2013 DEC -9 PM 3: 17

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Office of the Commissioner

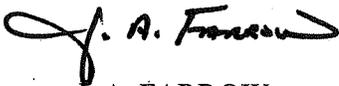
File No.: 1.9486.13946.063.2013-610

Subject: CERTIFICATION PURSUANT TO TITLE 1, SECTION 280,
LANE SPLITTING GUIDELINES

This memorandum is submitted in response to a petition filed with the California Office of Administrative Law on October 7, 2013, by Mr. Ken Mandler. The petition alleges that the lane splitting guidelines posted on the general California Highway Patrol (CHP) Web site are an "underground regulation."

The guidelines in question were developed in response to a need identified by a committee of traffic safety stakeholders and motorcycle safety experts representing public, governmental, private, and academic communities. The committee, known as Challenge Area 12, Improve Motorcycle Safety, is one of seventeen challenge area committees which make up the larger Strategic Highway Safety Plan (SHSP) to reduce traffic fatalities in the state. In support of the SHSP Challenge Area 12 effort, the guidelines were placed on the CHP Web site to help improve public safety by raising awareness of the activity. The lane splitting guidelines are not statutory in nature, do not implement any statute, and do not represent any change to California law or CHP policy. The guidelines are a public education tool only, designed to improve the safety of motorcycle riders and the overall motoring public.

Pursuant to Title 1 of the California Code of Regulations, Section 280(a), I certify that the CHP will not issue, use, enforce, or attempt to enforce the public education information which constitutes the lane splitting guidelines described above.



J. A. FARROW
Commissioner

cc: Mr. Ken Mandler

