

Riding Between the Lines : The Legality of Lane Splitting in South Africa

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INTRODUCTION

Lane Splitting is a technique frequently observed by motorcycle riders who manoeuvre between slow-moving vehicles or traffic that has stopped at a traffic light. Whilst this is an effective measure to avoid lengthy travel times, it is important to understand the legislation that governs this practice, in order to avoid any legal implications that may arise.

THE NATIONAL ROAD TRAFFIC ACT

As per Regulation 298 of the National Road Traffic Act Regulations of 17 March 2000, “the driver of a vehicle intending to pass any other vehicle proceeding in the same direction on a public road shall pass to the right thereof at a safe distance and shall not again drive on the left side of the roadway until safely clear of the vehicle so passed, provided that, in the circumstances as aforesaid, passing on the left of such vehicle shall be permissible if the person driving the passing vehicle can do so with safety to himself or herself and other traffic or property which is or may be on such road.” This does not apply to all roads and is limited to roads in an urban area, which have two or more lanes of traffic moving in one direction.

INTERPRETATION

Whilst there is no specific mention of lane splitting, we can decipher the legalese of the Regulation as allowing a motorcycle rider to overtake a vehicle in the same lane on either side, as long as they do so safely and follow all other traffic laws, such as the laws in Regulation 309, which include laws relating to duties of a motorcycle rider.

Although lane splitting may be legal, the motorcycle rider must still obey all other traffic laws and may not overtake, or lane split in a manner that puts themselves or others in danger. It is up to the discretion of the Law Enforcement Officer to determine if riding behaviour while lane splitting was safe and responsible or careless and dangerous.

DUTIES OF THE MOTORCYCLE RIDER

The City of Ekurhuleni, as well as Hein Jonker, who is the Founder and Chief Instructor of the Motorcycle Safety Institute of SA, have released guidelines on how to safely lane split, and necessary precautions riders should follow.

1. Do not travel more the 20km/h faster than other traffic.
2. Do not lane split if traffic is traveling faster than 50km/h.
3. It is safer to lane split in lanes 1 and 2, with the far-left lane to being lane 1, and each lane to the right is numbered sequentially. *It is important to note here that the City of Ekurhuleni and Hein Jonker have a difference of opinion in this regard, as Jonker believes that it is safer for riders to lane split in lanes 2 and 3.
4. Take note of your surroundings before lane splitting, such as the width of the lanes, size of surrounding vehicles, as well as roadway, weather, and lighting conditions.
5. Be alert and anticipate possible movements by other road users.

DUTIES OF OTHER MOTOR VEHICLE DRIVERS

Additionally, there is a responsibility for the drivers of other motor vehicles to ensure the safety of motorcycle riders. There is no legal obligation for a driver to move out of the way for a motorcyclist, however, they must stay in their own lane and indicate should they wish to change lanes. Lane splitting is not illegal, and drivers may not make any reckless moves that may endanger anyone else on the road. Drivers should not discourage riders from lane splitting, as intentionally blocking or hindering a rider in a way that may cause harm, including opening a vehicle door or sticking your arm out, is illegal. Instead, ensure that you are aware of your surroundings by checking your mirrors and blind spots, especially when turning or changing lanes, and signal your intentions beforehand. You should also be cognisant of your following distance, ensuring that others have enough time to stop or manoeuvre in an emergency.

By following these rules, you ensure that, not only the safety of the motorcycle rider is protected, but everyone else on the road as well.

CONCLUSION

When done safely, lane splitting is legal in South Africa, and by following the above-mentioned rules and guidelines, both motorcycle riders and other motor vehicle drivers can ensure that everyone on the road arrives at their destination safely, without any unnecessary antagonism and legal implications.



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