

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4972

By Delegate Linville

[Introduced January 29, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §17C-7-9 of the Code of West Virginia, 1931, as amended; and to
2 amend the code by adding a new section, designated §17C-7-9a, relating to motorcycle
3 lane-splitting; providing definitions; prohibiting lane-splitting; providing limited safety
4 exceptions; creating penalties; and authorizing rulemaking.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 7. DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING,
ETC.**

§17C-7-9. Driving on roadways laned for traffic; penalty.

1 (a) Whenever any roadway has been divided into two or more clearly marked lanes for
2 traffic the following rules in addition to all others consistent herewith shall apply:

3 (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall
4 not be moved from such lane until the driver has first ascertained that such movement can be
5 made with safety.

6 (2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the
7 center lane which is clearly marked as a left turn lane except in preparation for a left turn or where
8 such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is
9 proceeding and is signposted to give notice of such allocation.

10 (3) ~~Official signs may be erected directing slow moving traffic to use a designated lane or
11 designating those lanes to be used by traffic moving in a particular direction regardless of the
12 center of the roadway and drivers of vehicles shall obey the directions of every such sign~~

13 (b) Any person violating the provisions of this section is guilty of a misdemeanor and, upon
14 conviction thereof, shall be fined not more than \$100; upon a second conviction within one year
15 thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction, shall be
16 fined not more than \$500.

§17C-7-9a. Prohibition on motorcycle lane splitting; exceptions; penalty.

1 (a) Definitions. — For purposes of this section:

2 (1) "Motorcycle" has the meaning provided in §17C-1-4 of this code.

3 (2) "Lane splitting" means operating a motorcycle between rows of stopped or moving
4 vehicles in the same direction of travel, or between adjacent lanes of traffic, within the same
5 roadway.

6 (3) "Lane filtering" means a form of lane splitting conducted only when surrounding traffic is
7 stopped or moving slowly.

8 (b) General rule. — No person may engage in lane splitting or lane filtering on any public
9 roadway in this state.

10 (c) Full lane use preserved. — A motorcycle is entitled to the full use of a single traffic lane;
11 and no motor vehicle shall be operated in a manner that deprives a motorcycle of the full use of a
12 lane, consistent with §17C-7-9 of this code.

13 (d) Exceptions. — Subsection (b) does not apply when:

14 (1) Directed by a law-enforcement officer or flagger controlling traffic;

15 (2) Necessary to avoid an immediate hazard, road debris, or a disabled vehicle, provided
16 the operator exercises due care and returns to a single lane as soon as practicable; or

17 (3) Participating in a parade, escorted ride, or other event permitted by the appropriate
18 road authority with traffic-control measures in place.

19 (e) Penalty. — A person violating this section is guilty of a misdemeanor and, upon
20 conviction thereof, shall be fined not more than \$100; upon a second conviction within one year
21 thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction, shall be
22 fined not more than \$500.

23 (f) Rulemaking and education. — The Division of Highways and the Division of Motor
24 Vehicles may promulgate rules for legislative approval in accordance with the provisions of §29A-
25 3-1 *et seq.* of this code to implement interpretive guidance and incorporate the provisions of this
26 section into driver licensing and motorcycle-safety materials.

NOTE: The purpose of this bill is to expressly prohibit motorcycle lane splitting and lane filtering in West Virginia while preserving a motorcycle's full use of a lane.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.