

Lane Splitting and Motorcycle Safety Laws in Florida

A Palm Beach Gardens motorcycle accident lawyer explains what injured riders need to know

Traffic on I-95 in Florida slows to a crawl. A motorcycle rider looks at the narrow gap between lanes and sees a way through. It might feel like a smart move in the moment, especially when cars are stopping and starting and the rider is worried about getting hit from behind. But in Florida, that decision can create serious legal problems just as quickly as it creates physical danger.

At the [Law Offices of Casey D. Shomo, P.A.](#), we know [motorcycle crashes](#) often happen in a split second and leave riders dealing with painful injuries, missed time from work, and insurance companies already looking for a way to shift the blame. Lane splitting is one of those issues insurers love to focus on because it gives them an argument, even when the driver who hit the rider was careless, distracted, or reckless. That's why injured riders need a clear understanding of what Florida law says and how those rules can affect a motorcycle accident claim.

If you were hurt in a motorcycle crash in Palm Beach Gardens or anywhere else in Florida, details matter. Whether the crash happened on Okeechobee Boulevard, Military Trail, I-4, or U.S. 1, the facts surrounding lane splitting can shape the entire case, including who gets blamed and how much compensation may be available. That's why Palm Beach Gardens motorcycle accident lawyer Casey D. Shomo wants to meet with you.

What does Florida law say about lane splitting?

Florida law takes a clear position on lane splitting, and it's one that surprises many riders, especially those who have lived in other states. Under [Florida Statute § 316.209](#), lane splitting is prohibited statewide. Motorcyclists are not allowed to ride between lanes of traffic or pass between adjacent lines or rows of vehicles. The same statute also makes clear that motorcycles are entitled to the full use of a lane, which is important because it means other drivers cannot crowd riders out of their space on the road.

This means lane splitting is illegal throughout Florida, whether traffic is stopped on I-95 near West Palm Beach or moving slowly through downtown Tampa. That legal restriction matters because it often becomes a central issue after a crash. If a rider was lane splitting at the time of a collision, insurance companies will point to that violation as evidence that the rider contributed to the accident.

But that does not automatically end your case. Florida follows what is called a modified comparative negligence rule under [Florida Statute § 768.81](#), which means fault can be shared. Even if you were partly responsible, you may still recover compensation as long as you were not more than 50 percent at fault, although your recovery can be reduced by your share of responsibility.

Why does lane splitting create so much danger in Florida traffic?

The biggest problem with lane splitting is not just that it violates the law. The bigger problem is that it puts a rider in a place where drivers are not expecting a motorcycle to be. On busy Florida roads, that lack of expectation can be enough to cause a serious crash, especially when drivers are already making quick decisions in heavy traffic.

A driver creeping forward on Southern Boulevard may glance in the mirror, check one blind spot, and start drifting over the line without ever thinking a motorcycle is coming up between lanes. A driver on the Florida Turnpike may crack a door after a traffic stop or suddenly angle into the shoulder to get around congestion. Riders have very little room to react when they are caught in that narrow space.

Several factors tend to make these crashes worse:

- Drivers often change lanes without fully checking blind spots.
- Stop-and-go traffic leaves little time for anyone to react.
- SUVs and trucks block sight lines and make riders harder to see.
- Distracted drivers may focus on phones, navigation screens, or passengers instead of traffic.
- Tight spacing between vehicles leaves riders with nowhere to escape once a car moves unexpectedly.

When those conditions come together, a motorcycle rider can get pinned, sideswiped, or thrown to the pavement in an instant. That is one reason why these crashes often result in serious injuries rather than minor damage.

Why do some riders still try to lane split anyway?

Many riders do not lane split because they are trying to show off or ignore the rules. In many cases, they do it because they believe it's the safer option in a dangerous traffic situation. A rider sitting exposed in a long line of stopped traffic may be worried about a distracted driver coming up too fast from behind and causing a rear-end collision.

That concern is rational. Motorcyclists are far more vulnerable than drivers inside passenger vehicles, and being struck from behind can cause devastating injuries. So some riders make a split-second decision to move between lanes because they think it will reduce the chance of being crushed between cars.

That instinct may make sense from a rider's point of view, but it still creates legal risk in Florida. Even when the rider's motivation was self-protection, insurers will still argue that lane splitting was illegal and therefore careless. In a Florida motorcycle accident case, that means the rider's

decision can become part of the fault analysis, whether or not it was made out of fear for personal safety.

How does lane splitting affect fault after a motorcycle crash?

Fault is one of the first things insurance adjusters look at after a motorcycle crash, and lane splitting gives them something concrete to point to right away. Because the practice is prohibited, the insurer may try to frame the entire crash as the rider's fault before the full investigation is even complete.

That does not mean their argument is correct. A driver can still be legally responsible for a motorcycle crash even if the rider was lane splitting. For example, a driver may have changed lanes without signaling, failed to check mirrors, drifted while texting, or opened a vehicle door into traffic. Those facts still matter because they help explain how the crash actually happened.

In many cases, the real question is not whether lane splitting occurred. The real question is how much it actually contributed to the crash compared to the driver's conduct. That is where a skilled Palm Beach Gardens motorcycle accident lawyer can make a major difference, because the facts need to be developed in a way that shows the full story instead of the insurance company's convenient version of it.

What evidence helps show what really happened?

Motorcycle accident cases involving lane splitting often turn on the quality of the evidence. The rider may know exactly what happened, but unless the physical evidence, witness testimony, and crash documentation support that version of events, the insurance company will keep pushing its own narrative.

Some of the most useful evidence in these cases often includes:

- The police report and any traffic citations issued at the scene.
- Photographs showing vehicle positions, lane markings, debris, and damage patterns.
- Traffic camera footage or surveillance video from nearby businesses.
- Witness statements from other drivers, pedestrians, or passengers.
- Vehicle damage that shows the angle and point of impact.
- Medical records that connect the collision to the rider's injuries.

The sooner this evidence is gathered, the better. Video may be erased within days. Witness memories fade quickly. Skid marks, debris, and vehicle positions disappear almost immediately once the road is cleared. That is why these cases should be treated with urgency from the beginning.

What injuries are common in lane splitting motorcycle accidents?

When a crash happens during lane splitting, the rider is often trapped in a confined area between moving or stopped vehicles. That creates a violent mechanism of injury because the rider may hit a vehicle, the pavement, or both. Even when speeds are not especially high, the body absorbs the impact with very little protection.

Some of the most common injuries in these crashes include:

- Traumatic brain injuries
- Neck and back injuries
- Spinal cord injuries
- Broken arms, legs, ribs, or pelvis bones
- Severe road rash and soft tissue damage
- Internal bleeding or organ damage

These are not injuries that always heal quickly. Many riders need surgery, physical therapy, follow-up treatment, and time away from work. In the most serious cases, the crash changes the rider's ability to earn a living and live independently, which is exactly why the legal side of the case needs to be taken seriously from the start.

Can an injured rider still recover compensation?

Yes, an injured rider may still be able to recover compensation even if lane splitting was part of the crash. Florida law does not automatically bar every claim just because the rider violated a traffic rule. What matters is how fault is assigned after all the facts are considered.

That makes these cases very fact-specific. If a rider was moving slowly between stopped vehicles and a driver suddenly turned across traffic without looking, the driver may still carry a substantial share of the blame. If a driver was distracted, impaired, aggressive, or simply not paying attention, those facts can strengthen the rider's case even when lane splitting is part of the story.

Compensation in a Florida motorcycle accident claim may include payment for medical bills, lost income, future treatment, pain and suffering, and the long-term impact of a serious injury. In other words, the legal issue is not just about who violated a rule. It is about who caused real harm and what that harm has cost the injured rider.

What should you do after a Florida motorcycle crash involving lane splitting?

The hours and days after the crash matter more than most people realize. Riders are often dealing with pain, confusion, and pressure from insurers, which makes it easy to say something that gets used against them later. That is one reason it helps to think in terms of protecting both your health and your case right away.

There are several steps that can make a real difference after a motorcycle accident:

- Get medical treatment as soon as possible, even if you think your injuries may not be severe.
- Make sure law enforcement responds and creates a crash report.
- Take photographs of the scene, the vehicles, your motorcycle, and your injuries if you can do so safely.
- Do not give a recorded statement to the other driver's insurer without legal advice.
- Keep records of treatment, missed work, and out-of-pocket costs.
- Talk to a motorcycle accident lawyer before the insurance company shapes the story for you.

Those steps help preserve evidence and protect your position before important details are lost. They also help your attorney start building the case while the facts are still fresh.

Why is it important to talk to a Palm Beach Gardens motorcycle accident lawyer quickly?

Insurance companies do not wait around after a motorcycle crash. They start evaluating fault quickly, and if lane splitting is mentioned anywhere in the report, they may treat that issue as if the entire case is already decided. That is often when riders get pushed into unfair settlements or discouraged from pursuing a claim at all.

At the Law Offices of Casey D. Shomo, P.A., we know that lane-splitting cases are rarely as simple as the insurer wants them to be. Drivers still have duties on the road. They still have to watch where they are going, check their mirrors, signal their movements, and avoid careless conduct that puts motorcyclists in danger. When they fail to do that, they should be held accountable.

Florida also has strict time limits for filing many injury claims under [Florida Statute § 95.11](#), which is another reason delay can hurt a case. Waiting too long can mean losing evidence, losing leverage, or in some situations, losing the right to bring a lawsuit at all.

If you were hurt in a motorcycle accident in Palm Beach Gardens or anywhere else in Florida, don't simply assume the insurance company has the last word just because lane splitting may have been involved. [Contact](#) our law firm to learn more about your legal options. We can answer your questions, explain how Florida's laws apply to your case and take steps to secure the compensation you deserve for your financial losses.