

## **FILTERING - Legal? Acceptable? Necessary?**

You are starting from a baseline prediction of many ill informed road users of Biker = Hooligan /Risk taker. So you are starting from a point of weakness.

### **Legal?**

There is no such offence as 'Filtering' in the eyes of the law, it is an overtake. If you did contravene any law it would fall into the realms of Careless or Dangerous riding. So what is that then?

**Careless Riding** - Is where your standard of riding or driving falls below what is expected of the average careful and competent motorist. So who is that person? Well if you've passed a DVSA driving test it's you. Worth bearing in mind also that even learners bear the same responsibility to perform to that level and if they get it wrong they can and do get prosecuted for the same offence. In certain circumstances the supervisor gets prosecuted as well because they should have taken action to prevent the incident.

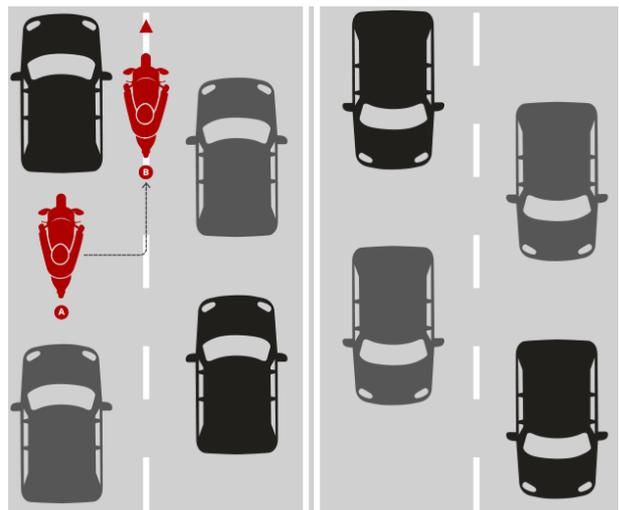
**Dangerous Riding** - Is where your standard of riding falls WELL below that standard. You make judgment calls on other drivers/riders regarding this every day and remember that the person who ultimately will convict you is a Magistrate who has no legal training and is unlikely to have had extra driver training above DVSA level. They will make the same call as you. If it feels uncomfortable or a bit cheeky you're probably getting it wrong so back off, pull into a gap and have a re think!

### **So where must you not overtake? -**

- Where there is a 'No overtaking' sign (until you reach the end of the restriction sign).
- Where the white line in the centre of the road nearest to you is solid unless you can overtake with a sensible gap without any part of your vehicle crossing or straddling that line. (This means you **MUST NOT** cross or straddle it unless it is safe and you need to *enter adjoining premises or a side road*. You may cross the line if necessary, provided the road is clear, to *pass a stationary vehicle, or overtake a pedal cycle, horse or road maintenance vehicle, if they are travelling at 10 mph or less*). Rule 129 Highway Code:
- Rule 191 Highway Code: Within the controlled area (zigzags) of a pedestrian crossing if in doing so the foremost part of your vehicle would pass ahead of the vehicle nearest the crossing. This would apply to the approach side and not the exit side.

### **Be aware**

- Be particularly careful on final approaches to roundabouts where drivers tend to make last minute decisions. If there's a gap they will generally take it. You may very well be in a blind spot.
- A good mantra to adopt when filtering is the one heard on London tube stations, which goes "Mind the gap". If you see or predict a motorist starting to leave a gap you can be fairly sure it is to let someone through it, so slow down and check carefully. It may be however for that driver to turn or perform a 'U' turn, so never commit fully to a course of action and always have an alternative plan, even if that plan is STOP!
- On motorways the most used filtering gap is between lanes two and three, which is where, if anywhere, you are most likely to be expected by others. In addition the gap between lanes one and two is usually smaller due to larger vehicles (not legally allowed in lane three) occupying those lanes. Pay particular attention close to junctions where again drivers do tend to make last minute lunges.



- Be aware that filtering, in the eyes of some misinformed car drivers, is anti social and illegal and they may try to block your path deliberately or worse! Try not to get upset by their apparent ignorance and aggression but also don't forget (where safety permits) to acknowledge the efforts of those who actively try to help you out. We call it 'Passing on the Karma'.
- Keep your speeds low when filtering and remember that a slow ride will always be faster than a quick walk and certainly better progress than the queuing traffic. Be patient and try to anticipate the shortcomings and frustrations of other road users.
- Watch out for pedestrians, (particularly runners with their MP3 players on), moped riders (see MP3 comment!) and cyclists apparently popping out of nowhere. If you hit them you could be in a whole world of pain legally, physically and financially!

### **Common questions regarding filtering**

- ***Can I use a bus lane?*** YES, provided the signs allow it. Some don't and some allow within certain times. Look ahead and read the signs (I know that's a radical idea but do try). Certainly look at the surface in the lane due to what types of vehicles mostly drive in there!
- ***Can I use motorway hard shoulders?*** On smart motorways when permitted to do so YES but see above regarding road surfaces and consider breakdown and accident debris residue.
- ***Can I enter hatched areas?*** If the centre white line nearest to you is broken YES. However, you must consider the condition of the road surface as debris often collects in there. Secondly beware of encroaching into protected turn areas within the hatched area. If you impede another vehicle legally attempting to use one of those you may be prosecuted.
- ***Can I pass the wrong side of centre bollards? (It has been asked!)*** NO!
- ***Can I pass the first stop line at traffic lights to go into the second area with a painted cycle on the road?*** NO! You MUST stop at the first stop line (an endorsable offence if you don't).
- ***Can I filter to the front of the traffic queue and then get away first?*** This one is all about common sense and perceptions of others. It's about making a judgment as to the type of car and its driver, the road surface and the weather conditions and the developing situation ahead. Probably not a great idea on test so come in at least one car behind the lead car. Consider whether you would do the same thing if the lead car were a marked traffic car?

**Finally** consider whether you filter with your visor up, down or partially down to protect your eyes. Quite apart from the pain of being hit in the eye by an insect I don't know any smoker with a full ashtray in their vehicle. Where do the smoldering nub ends go? I would suggest that close proximity traffic is not the place to practice your one handed bike control?

**In conclusion**, the best riders filter using excellent observations constantly scanning the road far ahead and monitoring the foreground for changes. They don't rush but consider options and have alternative plans including STOP! They have positive attitudes towards others and excellent levels of concentration and self-control. Their machine control is sublime enabling them to make smooth unobtrusive passage through congested areas. They are SAFE.

This information should be read in conjunction with guidance from your Observer to avoid misinterpretation and remember that should you be in any doubt DON'T filter, It is not a requirement for your test.

*Marcus McCormick, IAM tester and Chief Observer for BAM 2017*