

California Department of Transportation

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July 14, 2022

Ms. Amanda Ray Commissioner
Department of California Highway Patrol
601 North 7th Street
Sacramento, CA 95811

Mr. Steve Gordon
Director
Department of Motor Vehicles
2415 1st Ave., Mail Station F101
Sacramento, CA 95818-2606

Dear Commissioner Ray and Director Gordon:

Senate Bill (SB) 406 (Leyva, Chapter 392, Statutes of 2017) amended section 21655.5 of the Vehicle Code to allow blood transport vehicles to use High Occupancy Vehicle (HOV) lanes, regardless of the number of occupants when transporting blood between collection points and hospitals or storage centers. A blood transport vehicle was defined as a vehicle owned and operated by the American Red Cross or a blood bank that is clearly and identifiably marked as such on all sides of the vehicle. The bill could only take effect if it was determined that the use of those lanes by those vehicles would not cause a reduction of federal aid funds for highways or otherwise be inconsistent with federal law or regulations, or with any agreement between the state and a federal agency or department. On January 17, 2018, the Federal Highway Administration provided Caltrans with an official determination that federal law did not permit blood transport vehicles to access HOV lanes without meeting occupancy requirements.

On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58), which included Section 11527 of the IIJA permitting public authorities with jurisdiction over HOV facilities to allow blood transport vehicles to use the HOV facility without meeting occupancy requirements when those vehicles are transporting blood between a collection point and a hospital or storage center. The public authority must establish requirements for clearly identifying these vehicles.

The California Department of Transportation (Caltrans) has determined, as required by subdivision (g)(1) of Section 21655.5 of the Vehicle Code, that blood transport vehicles

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may now use HOV lanes without meeting occupancy requirements when transporting blood between collection points and hospitals or storage centers. These vehicles are permitted as of the date of this letter.

If you have any questions, please contact me at (916) 654-6130.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Tavares". The signature is stylized and cursive.

TONY TAVARES
Director

c: Toks Omishakin, Secretary, California State Transportation Agency