

### **Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program**

The board directs the superintendent to establish programs and procedures as mandated by the Federal Motor Carrier Safety Administration (FMCSA) controlled substances, including marijuana (cannabis), and alcohol testing rules.

#### **Prohibited Alcohol And Controlled Substance-Related Conduct**

The following alcohol and controlled substance-related activities are prohibited by the district for drivers required to possess a commercial driver's license (CDL) as part of their job responsibilities. Violations will result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including discharge.

- A. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the FMCSA.
- B. Being on duty or operating a vehicle while the driver possesses alcohol.
- C. Using alcohol while performing safety-sensitive functions.
- D. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- E. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.
- F. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a prescribing authority who has advised the driver and the district that the substance does not adversely affect the driver's ability to safely operate a vehicle. Drivers are required to inform the district of any therapeutic drug use, although not the medication that has been prescribed. The use of any medication that could affect a driver's safe job performance is prohibited while working.
- G. Reporting for duty, remaining on duty or driving if the driver tests positive for controlled substances.

No supervisor having actual knowledge of the above violations will permit a driver to perform or continue to perform safety-sensitive functions.

Cross References:                    5281 - Disciplinary Action and Discharge

5203 - Staff Assistance Program

5201 - Drug-Free Schools, Community and Workplace

Legal References:

49 CFR 40 Procedures for transportation workplace drug and alcohol testing programs

49 CFR 382 Controlled substances and alcohol use and testing

Management Resources:

2012 - April Issue

Policy News, December 2001 Federal Government Amends Bus Driver Drug Testing Rules

Policy News, February 1999 Bus drivers still tested for marijuana

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