

Substance Abuse Management Updates

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OFFICE OF FREIGHT, LOGISTICS & PASSENGER OPERATIONS



DAMIS Data Results

- FTA released the statistics collected for testing year 2014 (most current available)
- Largest random testing positive rate in the past 13 years
- Specimens verified positive for THC (marijuana) jumped 40% in a 2-year period
- USDOT continues to broadcast the message that state initiatives regarding marijuana will have no bearing on the DOT drug testing program.



FTA Clarification on Post-Accident Testing

- Post-accident testing is only authorized when the FTA definition of an accident is met (655.4)
- Transit agencies must use only the best information available at the scene to make testing decisions
- Once the testing determination is made to test an employee; the decision cannot be changed after the scene is cleared
- Testing windows (8 hours for alcohol & 32 hours for drugs) relate only to the execution of the tests, not the decision-making process

FTA Clarification on the 90-day rule

- Pre-employment testing is authorized (and required) when an employee is out of safety-sensitive duty for a period of 90 days or greater AND their name has ALSO been removed from the random testing pool for a period of 90 days or more
- If an employee is on an extended leave of 90 days or more, but their name was not removed from the testing pool for 90 days or more, testing is not authorized.

Designated Employer Representative Access

- The DER (also known as a Drug & Alcohol Program Manager) is the point of contact for the collection site, the MRO and the alcohol test technician
- Transit agencies must ensure that a DER is available at all times that testing is being performed by the agency
- A back-up or alternate DER is necessary to ensure that positive test results and other testing program concerns can be promptly addressed in the DER's absence

Testing Industry Updates

- Electronic CCF approved, one lab certified (Allere)
- Oral fluid testing for drugs approved
- Public Interest Exclusion Issued

Compliance Complacency

- 25th anniversary of the Transportation Employee Testing Act
- FTA warns against complacency and urges transit agencies to evaluate their current program for compliance and effectiveness
 - Peer reviews/internal audits
 - Training for DER
 - Updates newsletters, FTA seminars, National Conference



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Resources for Florida Transit Agencies

- FDOT "SAM" program offers FREE training and technical assistance to all Florida transit agencies
- FDOT SAM website
- FDOT Drug and Alcohol Program Manager Certificate Program
- 2 sessions offered during the PDW:
 - Drug and Alcohol Testing Program Oversight Responsibilities (Tues. 8:00-9:45am)
 - Drug and Alcohol Testing Program Challenges and Solutions for Rural Agencies (Wed. 8:00-9:45am)



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