



## Legislation Text

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**File #:** 191180., **Version:** 1

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### **Approval of the Regional Transit System Substance Abuse Management Policy (B)**

This item is a request to approve updates to the Regional Transit System (RTS) Substance Abuse Management Policy.

The Omnibus Transportation Employee Testing Act of 1991 (OTETA) directed the United States Department of Transportation (USDOT) to promulgate regulations outlining the procedures for transportation workplace drug and alcohol testing. The USDOT regulations titled, “Procedures for Transportation Workplace Drug and Alcohol Testing” are codified as 49 CFR Part 40. The regulations ensure uniform practices for specimen collections, laboratory analysis, medical review, result reporting and the Return-to-Duty process for violating employees. The regulations are applicable to safety-sensitive employees in transportation workplaces throughout the nation (transit, railroad, aviation, commercial drivers, etc.).

The OTETA also directed each transportation administration to craft industry-specific regulations that define which employees are subject to testing, the testing circumstances, policy statement requirements and training requirements, relevant to that industry. Regional Transit System is required to comply with both the USDOT regulations described above, as well as the Federal Transit Administration regulations “Prevention of Prohibited Drug Use and Alcohol Misuse in Transit Operations” which are codified as 49 CFR Part 655.

This policy and the USDOT/FTA testing program apply to all safety-sensitive Regional Transit System employees. The policy also applies to volunteers who are required to hold a Commercial Driver’s License (CDL) and volunteers that receive remuneration in excess of actual expenses accrued while carrying out assigned duties. Adherence to this policy and the USDOT/FTA testing program is a condition of employment in a safety-sensitive position with Transit Agency.

Recipients of Federal Transit Administration (FTA) and/or United States Department of Transportation (USDOT) financial assistance must demonstrate that the appropriate governing entity has reviewed and approved their Substance Abuse Management (SAM) Policy. Earlier this year, RTS underwent a routine audit from the Florida Department of Transportation (FDOT). During this audit, it was discovered that the RTS SAM Policy was based on the previous version of the FDOT template and needed minor updates based on changes to the regulations. The RTS SAM Policy has been updated using the most current policy template disseminated by FDOT that was reviewed and approved by FTA in November 2018. The updated RTS SAM Policy must be approved by the City Commission and resubmitted to FDOT.

All aforementioned costs associated with implementing the Regional Transit System Substance Abuse Management Policy are budgeted and available in the RTS annual operating budget.

The City Commission approve the Regional Transit System Substance Abuse Management Policy.