



U.S. Department  
of Transportation  
**Federal Transit  
Administration**  
Office of Safety and Security

# FTA Drug And Alcohol Regulation *Updates*

Winter 1999

Issue 14

## Introduction....

The Federal Transit Administration (FTA) published its final rules on prohibited drug use (49 CFR Part 653) and the prevention of alcohol misuse (49 CFR Part 654) on February 15, 1994. Shortly thereafter, the FTA published the *Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit* to provide a comprehensive overview of the regulations.

Since the *Guidelines* were published there have been numerous amendments, interpretations, and clarifications to the Drug and Alcohol testing procedures and program requirements.

This publication is being provided to update the *Guidelines* and inform your transit system of all of these changes. This Update is the fourteenth in a series.

## Inside....

Court Actions.....	2
Self-Assessment Checklist.....	3-4
NPRM Highlights.....	5-6
Clarifications.....	7
Resource Materials.....	8

## Public Meetings on NPRM

The Department of Transportation (DOT) proposed revisions to its drug and alcohol testing procedures regulation on December 9, 1999. Comments on the Notice of Proposed Rulemaking (NPRM) should be sent to the Docket Clerk, Attn: Docket No. OST-99-6578, Dept. of Transportation, 400 7th St., SW, Room PL401, Washington, DC 20590 by April 7, 2000. Comments should be provided in triplicate. Commenters may also submit their comments electronically at the following web address: <http://dms.dot.gov/submit/>.

The DOT is also conducting three public meetings/listening sessions to discuss the NPRM. The meetings will be held on the following dates:

<b>March 20-21, 2000</b>	<b>Ronald Reagan Building &amp; International Trade Center 1300 Pennsylvania Ave., NW, Washington, DC</b>
<b>March 28, 2000</b>	<b>Hilton Los Angeles Airport 5111 West Century Blvd., Los Angeles, CA</b>
<b>March 30, 2000</b>	<b>Crowne Plaza, Dallas Market Center 7050 Stemmons Freeway, Dallas, TX</b>

The purpose of the meetings is to provide all segments of the transportation industry and the general public with an opportunity to make statements to the docket. The meetings will also give DOT the opportunity to ask questions and ensure that public comments are clearly understood by the Department.

Due to limited space, all attendees must pre-register to attend these meetings. Registration forms are available from the Transportation Safety Institute at (800) 862-4832 ext. 323; the DOT Fax-On-Demand System at (800) 225-3784, document 140; or from the DOT webpage at [www.dot.gov/ost/dapc/](http://www.dot.gov/ost/dapc/). Highlights of the NPRM are provided on pages 5 and 6 of this Newsletter.

## Substance Abuse Seminars Offered

The Federal Transit Administration's (FTA) Office of Safety and Security will be sponsoring four 2-day seminars on the FTA's drug and alcohol testing regulations. The seminars will present the regulatory requirements, current interpretations, and other information necessary to facilitate grantees' self-assessment and compliance with the regulations. The seminars will also present best practices, common mistakes to avoid, and possible corrective actions.

The major topics that will be covered include policy content, contractor oversight, testing procedures, training requirements, service agent roles and responsibilities, testing categories, and recordkeeping.

The seminar will be offered in a lecture format by Ms. Robbie Sarles, an instructor for the Transportation Safety Institute (TSI).

The seminars will be provided free of charge and will be open to grantees, safety-

sensitive contractors, service agents, and all others involved in the implementation of the FTA drug and alcohol regulations. All attendees that participate in the entire two-day seminar will receive TSI certificate of course completion. Attendees will be responsible for their travel arrangements and expenses. The seminars will be offered at the following locations:

<b>Kansas City, MO</b>	<b>May 17-18, 2000</b>
<b>Las Vegas, NV</b>	<b>June 28-29, 2000</b>
<b>Washington, DC</b>	<b>August 16-17, 2000</b>
<b>Atlanta, GA</b>	<b>Oct. 31-Nov. 1, 2000</b>

For further information, contact Carol-Ann Courtney of the Volpe Center National Transportation Systems Center at (617) 494-2686, or email at [courtney@volpe.dot.gov](mailto:courtney@volpe.dot.gov).

# Court Actions

## Where To Find?.....

**49 CFR Part 653, Prevention of Prohibited Drug Use in Transit Operations**  
February 15, 1994  
Federal Register Vol. 59  
Pages 7572-7611

**Amended**  
August 2, 1995  
Federal Register Vol. 60  
Pages 39618-39620  
Primary Topic: Exemption of Volunteers and Post-Accident Testing Provision

December 8, 1998  
Federal Register Vol. 63  
Pages 61612-67613  
Primary Topic: Use of Law Enforcement Post-Accident Test Results

December 14, 1998  
Federal Register Vol. 63  
Pages 68818-68819  
Primary Topic: Random Drug Testing Rate at 50%

January 5, 1999  
Federal Register Vol. 64  
Pages 425-427  
Primary Topic: Safety-sensitive Maintenance Functions

**Technical Corrections**  
March 6, 1995  
Federal Register Vol. 60  
Pages 12296-12300  
Primary Topic: Corrections and Clarifications

The information presented on this page should be used to update Chapter 9 of the *Implementation Guidelines*.

## State Court Reverses Arbitration Award

A bus repairman for the Southwest Ohio Regional Transit Authority (SORTA) was fired for testing positive for marijuana on a random drug test. The employee filed a grievance which led to arbitration. The arbitrator ordered reinstatement of the employee based on the transit authority's failure to consider "mitigating factors", specifically the employee's otherwise clean 18-year work record. The reinstatement was approved by a state trial court.

On December 10, 1999, the Ohio First District Court of Appeals reversed the earlier court decision.

The court ruled that "the duty of common carriers to exercise the highest degree of care consistent with the practical operation of the line, to ensure the safety of their passengers and the rest of the traveling public is a valid, compelling and clearly established public policy." In this case, the court explained, reinstatement of the safety-sensitive employee "would violate the explicit, well-defined, and dominant public policy to ensure the safety of the passengers of common carriers, and the general public by suppressing illegal drug use among transportation employees." The ruling can be

found in *SORTA v. Amalgamated Transit Union Local 627*, Docket No. C-980974, 1999 WL 1127293.

This ruling is consistent with language presented in the preamble to 49 CFR Part 40, page 7354 of the Federal Register published on February 15, 1994.

The preamble clearly states that "no decision by an employer, employee organization, or individual or group appointed by those or other parties [i.e., arbitrator], can have the effect of excusing non-compliance by an employer with a provision of a DOT safety regulation." The preamble goes on to explain that, if a violation of DOT rules occurs, the consequences set forth by the DOT rule must be followed.

Thus, an employee who tests positive or refuses a test must, at a minimum, be removed from a safety-sensitive function. If the employer has a second chance policy and allows the employee to return to work, the employee cannot be reinstated into a safety-sensitive position, until and unless, the return-to-duty requirements of the regulation are met.

## Specimen Adulteration Illegal in SC

Act 65 was recently signed into law in South Carolina. The Act outlaws efforts to obstruct or interfere with alcohol and/or drug tests. Violations of the Act include selling or possessing

adulterants, substituting a specimen, and spiking a specimen. The Act also outlaws the advertising and/or selling of substitute specimens and spiking devices.

Offenders face

penalties including a fine of up to \$5000, and imprisonment of up to three years for a first offense, and a felony conviction of up to five years in prison, and a fine of up to \$10,000 for a second or subsequent offense.

## FTA Requests Notification

In a May 17, 1999, Dear Colleague letter, the FTA Administrator reminded recipients of their obligation to immediately notify FTA of significant litigation that may affect the Federal transit program or individual FTA-assisted projects. This letter was in response to several court cases that challenged various aspects of the FTA drug and alcohol testing regulations (see Updates Issue 11, Page 2), wherein the FTA was not notified.

Early notification of significant litigation provides FTA with more options and opportunities to assist in the defense of FTA

programs and projects. Even if FTA does not participate directly in the litigation, FTA may be able to provide background information and other technical assistance.

FTA need not be notified of routine personnel matters or minor accidents, but should be notified once it becomes clear that an FTA program or regulation is at issue.

To notify FTA of significant pending litigating you should contact the appropriate FTA regional counsel or the Office of the Chief Counsel at (202) 366-4063.

# Self-Assessment Checklist

## Drug Testing Checklist

The Department of Transportation Procedures for Transportation Workplace Drug and Alcohol Testing Programs (49 CFR Part 40) define the procedures to be used for drug testing. All FTA grantees, sub-grantees, and safety-sensitive contractors are required to follow these procedures when conducting drug tests under FTA authority. To assist in clarifying the drug testing procedures, the FTA has developed this checklist for use by employers in their individual program assessments. The checklist includes regulatory requirements, but should not be construed as the “last word” in regulatory compliance. The checklist is merely provided for guidance.

### Drug Testing Procedures

- Have you made provisions to conduct drug tests during all days and hours that the transit system employees perform safety-sensitive functions?
- Does the transit agency test for the following drugs?
  - Marijuana
  - Cocaine
  - Opiates (e.g., heroin, morphine, codeine)
  - Phencyclidine (PCP)
  - Amphetamines (e.g., racemic amphetamine, dextroamphetamine, and methamphetamine)
- If the transit agency tests for additional drugs, is the testing being performed separately from the FTA test? Performing separate tests means that a separate urine specimen must be collected with a non-DOT custody and control form. The employee must be notified whether he or she is being tested under FTA authority or the transit agency’s authority.

### Specimen Collection

- Does the collection site(s) follow the Department of Transportation’s guidelines published in “Procedures for Transportation Workplace Drug and Alcohol Testing Programs”?
- Does the collection site check the donor’s ID? Does the collection site have a procedure in place to confirm donor identity when no ID is presented (i.e., supervisor attests to identity)?
- Does the collection site:
  - Provide a privacy enclosure for urination, a void receptacle, a suitable clean writing surface, and a water source for hand washing, which, if practicable, should be outside the privacy enclosure?;
  - Secure the privacy enclosure when not in use or, if this is not possible, (e.g., when a public restroom is used), visually inspect it prior to specimen collection to ensure that unauthorized persons are not present and that there are no unobserved entrance points?;
  - Have restricted access during specimen collection?;
  - Add bluing agent to the toilet to prevent dilution of the specimen?; and
  - Turn off, tape, or prevent the use of other sources of water (e.g., sink or shower) that are located in the privacy enclosure where urination occurs?
- Does the collection site have a procedure in place for notifying the employer if the employee does not report for the test in the designated time frame?
- Does the collection site use the correct USDOT Chain of Custody and Control forms for DOT/FTA tests (and only DOT tests)? Does the collection site have a secure storage location for specimens and specimen collection materials?
- Are collection sites available to perform collections during all days and hours that transit system employees perform safety-sensitive job duties?

### Collection Site Personnel

- Is the collection site staff trained to prepare the collection site, collect specimens, examine specimens for tampering or adulteration, observe collections, split the specimens, properly label, and preserve the chain of custody of specimens?

## Where To Find?.....

### **49CFR Part 654, Prevention of Alcohol Misuse in Transit Operation**

February 15, 1994  
Federal Register Vol. 59  
Pages 7532-7571

### **Amended:**

May 10, 1995

Federal Register Vol. 60  
Pages 24765-24766

Primary Topic: Suspension of Pre-employment Alcohol Testing

August 2, 1995

Federal Register Vol. 60  
Pages 39618-39620

Primary Topic: Exemption of Volunteers and Post-Accident Testing Provision

December 8, 1998

Federal Register Vol. 63  
Pages 67612-67613

Primary Topic: Use of Law Enforcement Post-Accident Test Results

December 14, 1998

Federal Register Vol. 63  
Pages 68818-68819

Primary Topic: Random Alcohol Testing Rate at 10%

January 5, 1999

Federal Register Vol. 64  
Pages 425-427

Primary Topic: Safety-Sensitive Maintenance Functions

### **Technical Corrections:**

March 6, 1995

Federal Register Vol. 60  
Pages 12296-12300

Primary Topic: Corrections and Clarifications

The information presented on this page should be used to update Chapters 7 of the *Implementation Guidelines*.

# Checklist Continued

## Where to Find? .....

### 49 CFR Part 40, Procedures for Transportation Workplace Drug Testing Programs

#### Amended:

February 15, 1994  
Federal Register Vol. 59  
Pages 7340-7366

Primary Topic: DOT Alcohol Testing Procedures  
Procedures for Split Sample  
Procedures for Drug Testing

August 19, 1994  
Federal Register Vol. 59  
Pages 42996-43018  
Primary Topic: Clarified Urine Specimen and Collection Procedures and Clarified Alcohol Testing Procedures

April 19, 1995  
Federal Register Vol. 60  
Pages 19535-19537  
Primary Topic: Standardized Chain of Custody and Control Form

April 20, 1995  
Federal Register Vol. 60  
Pages 19675-19681  
Primary Topic: Established Procedures for Use of Non-evidential Alcohol Screening Devices

The information presented on this page should be used to update Chapter 7 of the *Implementation Guidelines*.

### Collection Site Personnel (continued from page 3)

- Are all Chain of Custody procedures followed?
- Are employees that are subject to testing provided with instructions explaining their responsibilities in specimen collections?

### Split Sample

- Is the split specimen procedure being utilized at the collection site? After the specimen has been collected, it must be divided into two specimen bottles (30 ml of urine in one bottle and 15 ml in the second bottle)?
- Are procedures in place to have a split sample (15ml) transferred to a second DHHS lab for analysis?

### Insufficient Volume in Specimen

- Is the collection site following the correct procedures if the employee being tested is unable to produce a sufficient amount of urine for the test? Specifically, does the collector:
  - Discard the original specimen, and
  - Obtain another urine sample within three hours of the previous test. The employee cannot drink more than 40 ounces of fluid during the three hours?
- Does the employer refer the employee for a medical examination if 45 ml of urine cannot be provided within three hours?
- Does the examining physician provide the MRO with a statement indicating whether or not the insufficient specimen was the result of a genuine medical condition?
- Does the MRO notify the employer in writing of the medical examination conclusion?
- If there is no medical explanation for the insufficient specimen, is the test regarded as a refusal to be tested? (See Summer 1996 *Update*).

### Observed Collections

- Are procedures in place to require the collection site personnel to conduct a mandatory observed collection immediately after the first collection in the following circumstances?
  - The employee's urine sample is outside the normal temperature range and the employee declines to provide an oral body temperature measurement or the oral body temperature varies by more than 1 C/1.9 F from the specimen temperature; or
  - The collection site person observes conduct that clearly and unequivocally indicates an attempt to adulterate or substitute the sample.
- Does the transit system, at its option, have a procedure to determine if an observed collection will be conducted in the following circumstances?
  - The most recent urine specimen provided by the employee was determined by the laboratory to have a specific gravity of less than 1.003 and a creatinine concentration below 0.2 g/l; or
  - The employee has previously been determined to have used a controlled substance without medical authorization and the particular test is being conducted under the FTA regulation as a return-to-duty or follow-up test.



### Privacy/Confidentiality

- Does the collection site have adequate measures in place to protect the privacy of the employee and the integrity of the collection process?
- Does the collection site have adequate measures in place to communicate confidential matters to the employer's designated representative?

# NPRM Highlights

## Highlights of Proposed Revisions to Part 40

The Department of Transportation first published 49 CFR Part 40 over ten years ago, and it has been amended several times since. The regulation defines detailed procedural requirements for drug and alcohol testing. On December 9, 1999, a Notice of Proposed Rule Making was published in the Federal Register (Vol. 64, No. 236, Pages 69075-69136) that proposes revisions to Part 40.

Highlights of the NPRM are provided below with references to the appropriate NPRM text. Readers should be cautioned that the NPRM is extensive and these highlights should not be considered all inclusive. Readers are strongly encouraged to read the NPRM text including the preamble to obtain their own understanding of the proposed revisions. See article on page 1 for how to comment on the NPRM.

**Section 40.3** Introduces the term "service agent" to mean all parties who provide services to employers to meet DOT drug and alcohol testing requirements. (i.e., collection sites, laboratories, MROs, SAPs, BATs, TPAs, and consortia).

**Section 40.11** Requires regulated employers and service agents to sign a contract/agreement that includes a standard contract clause requiring the service agent to comply with Part 40 procedures.

**Section 40.33** Requires that collectors read and understand DOT rules and guidance concerning collections, demonstrate proficiency by completing five consecutive error-free trial collections, and receive training as needed; individuals who train or evaluate collectors must be "sufficiently knowledgeable" about the testing requirements and procedures.

**Section 40.61** Collectors must inform employers of no-shows or delayed arrivals; the testing process must begin without delay; the alcohol test must be completed before the urine collection process begins; specimens must not be collected from unconscious employees; collectors must inspect employee pocket contents; collectors must inspect boots worn by employees; collector must not require the employee to sign a consent, release, waiver of liability or indemnification agreement.

**Section 40.63** Includes additional conditions and procedures for observed collections including situations involving unsuitable specimens or when a previous test was cancelled due to the unavailability of a split specimen. The DOT seeks comments on whether an observed collection retest should be required following a dilute specimen, and whether employers should

be permitted to reject a negative test result when a specimen is reported as dilute.

**Section 40.91** Laboratories would be required to test for nitrates, pH, creatinine, and in certain circumstances, specific gravity. Labs may also test for pyridine, glutaraldehyde, bleach, and soap. The DOT seeks comments on the pros and cons of mandatory adulterant testing.

**Section 40.101** Conflicts of interest between the laboratory and MRO are prohibited. The DOT seeks input on whether other conflicts of interest exist between service agents (i.e., labs and collection sites, MRO and collection sites) and whether limitations should be placed on these relationships.

**Section 40.103** Employers with fewer than 2000 DOT covered employees would no longer be required to provide blind specimens. For larger employers, blind specimens would only have to be provided at a one-percent rate, up to a cap of fifty per quarter.

**Section 40.111** Laboratory reports providing an aggregate statistical summary of test results would be provided to employers on a semi-annual basis rather than quarterly. The DOT would like to know if information identifying the number of specimens that were canceled and/or adulterated would be useful to employers.

**Section 40.121** MRO's would be required to take a training course every two years or certify that they have reviewed and understand Part 40 and applicable DOT agency regulations and guidance.



## Where To Find?.....

### Part 40 Amendments, Cont.

July 16, 1996  
Federal Register Vol.61  
Pages 37015-37017  
Primary Topic: Use of Labs Outside the U. S.

July 17, 1996  
Federal Register Vol.61  
Pages 37222-37224  
Primary Topic: Expansion of SAP Definition

July 19, 1996  
Federal Register Vol.61  
Pages 37693-37700  
Primary Topic: Insufficient Specimen

November 25, 1998  
Federal Register Vol. 63  
Pages 65128-65129  
Primary Topic: Opiate Threshold

Notice of Proposal Rulemaking  
December 9, 1999  
Federal Register Vol. 64  
Pages 69075 - 69136.  
Primary Topic: Enhance testing procedures and incorporate past interpretations and guidance.

The information presented on this page should be used to update Chapter 7 and 8 of the Implementation Guidelines.

# NPRM Highlights Continued

## Q & A

**Q:** Where can I get the Drug and Alcohol Testing Results 1998 Annual Report?

**A:** The 1998 Annual Report that summarizes the transit industry's drug and alcohol test results for 1998 can be downloaded from the Office of Safety and Security web site at <http://transit-safety.volpe.dot.gov> or by contacting:

Alison Thompson  
USDOT/Volpe Center, DTS-78  
55 Broadway, Kendall Square  
Cambridge, MA 02155  
Fax: (617) 494-2684  
Email: [thompsona@volpe.dot.gov](mailto:thompsona@volpe.dot.gov)

The information presented on this page should be used to update Chapter 7 and 8 of the Implementation Guidelines.

## Highlights of NPRM (Continued from Page 5)

**Section 40.129** The NPRM seeks input on whether the MRO should inform the employer of a confirmed positive test result from the laboratory allowing the employer to "stand-down" the employee pending completion of the MRO verification process, or whether the MRO should not inform the employer of the confirmed positive until the verification process has been complete.

**Section 40.145** The proposed rule defines the minimum attempt for the MRO to contact an employee with a confirmed positive test result from the lab as two attempts within a 24-hour period. The proposed rule explicitly states what MROs have to tell employees during the verification process and the steps that the MRO must take to verify the test result. The proposal would require the MRO to tell the employee that, if the employee requests the split to be tested, that test is not contingent on the employee's advance payment for the test.

**Section 40.153** At this time, the employee does not have the right to a test of the split specimen if the primary specimen is adulterated or substituted. The DOT is seeking comments on whether the employee must be given the opportunity to have the split tested under these circumstances.

**Section 40.155** The DOT proposes that the employee must return for a second collection if collector error or some other non-correctable fatal flaw resulted in a laboratory's rejecting a specimen for testing.

**Section 40.195** The DOT seeks input on whether a medical evaluation to assess the presence of drug use in the case of an employee with a permanent or long-term disability should be conducted for all test categories in addition to pre-employment.

**Section 40.213** The proposed rule requires retraining of STTs or BATs if a previous mistake resulted in a canceled test.

**Section 40.281** The proposed rule specifies additional training requirements for SAPs and clarifies the role of the employer, employee, and SAP in the return-to-duty process.

**Section 40.307** The DOT seeks comments on

whether the minimum of six follow-up tests the first year is sufficient or whether the minimum should be raised (e.g., twelve tests the first year).

**Section 40.329** The NPRM specifies that MROs would be required to report drug test information directly, and only, to actual employers. The NPRM would authorize MROs who work for more than one DOT employer to inform those other employers he/she represents of an individual who tested positive or refused a test. The DOT seeks input on whether this provision should be broadened to allow the MRO to disclose information to employers the MRO does not serve.

**Section 40.333** The DOT seek comments on whether a service agent should be required to report to the DOT situations when they become aware where covered employers continue to allow covered employees to perform safety-sensitive functions despite having violated a DOT agency regulation.

**SUBPART R** The DOT is proposing to create a "public interest exclusion" that would be a directive from the DOT prohibiting its regulated employers to use a service agent that fails or refuses to provide its services as Part 40 requires. The PIE would stay in effect for a period of 1 to 5 years, and service agents would have the opportunity to contest the PIE issuance. The DOT also proposed three alternative scenarios and is soliciting comments on which best serves the intended purpose.

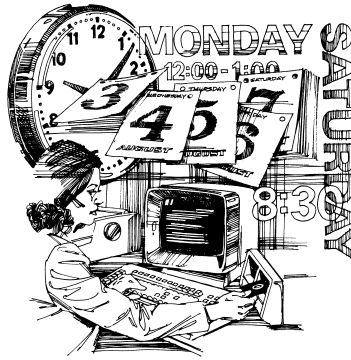


## MIS Report Reminder

1999 Drug and Alcohol MIS reports are due by March 15, 2000. The reports must be submitted to: USDOT/Volpe Center, Drug and Alcohol MIS Program Office, DTS-781, 55 Broadway, Kendall Square, Cambridge, MA 02142-1093.

Recipients of Section 5311 funds should forward their MIS reports to their local state Department of Transportation. Check with your local state DOT representatives for due date,

contact person, and mailing address.



Employers are strongly encouraged to provide supplemental information on any data abnormalities in their reports. Additionally, employers are encouraged to express their opinions of the software and make suggestions for improvements.

If you have questions or require clarification on any aspect of the report or software, please contact the Drug and Alcohol MIS Project Office at (617) 494-6336.

## Results Allowed At Disciplinary Hearings

The FTA drug and alcohol regulations (653.75 and 654.55) define the specific circumstances when the employer is permitted to disclose test results to third parties. Third party hearing examiners that conduct disciplinary proceedings on behalf of employers are not specifically named. Subsequently, clarification has been sought on whether an employer is allowed to permit disclosure of positive drug and alcohol test results to these decision makers in employee disciplinary proceedings.

The restrictions on information

disclosure were intended to prohibit disclosure of test results by employers to third parties who are not involved in the internal management of the employer's alcohol and substance abuse program.

Since hearing examiners conducting disciplinary proceedings on behalf of an employer are involved in the management of that employer's alcohol and substance abuse program, they are allowed to have access to test results under the regulations.

## Second Opinions Not Allowed

The integrity of the drug testing process as delineated in 49 CFR Part 40 depends in large part upon the expertise of the Medical Review Officer (MRO). The MRO is responsible for verifying a confirmed laboratory positive as either positive or negative based on his/her professional judgment and the employee's medical history and support documentation provided. An employer, employee, or employee representative who disagrees with the MRO's assessment of the facts, has no

authority to seek a second opinion. The employer must act only on the conclusion of the MRO.

Likewise, the regulation does not allow for a second opinion in an insufficient volume circumstance when a physician determines that there is no legitimate medical explanation for the failure of the employee to provide a sufficient amount of breath or urine, and therefore, deems the insufficient volume a refusal.

Second opinions are

also not allowed on SAP evaluations, SAP return-to-duty assessments, and SAP follow-up testing schedule decisions.

SAPs and MROs are required to have the academic training, knowledge, and clinical experience to perform their respective functions under the DOT testing regulations, and thus, their decisions hold.

The regulation therefore does not allow employees or employers to "shop around" for second opinions.

## Q & A

**Q:** Where can I get additional MIS reporting forms and instructions?

**A:** Additional reporting materials and assistance are available from the Office of Safety and Security website, located at <http://transit-safety.volpe.dot.gov/damis>, or by calling the Drug and Alcohol Project Office at (617) 494-6336.

The information presented on this page should be used to update Chapters 2 and 9 of the *Implementation Guidelines*.

# Resource Materials

## Who Should Be Receiving This Update?

In an attempt to keep each transit system well informed, we need to reach the correct person within each organization. If you are not responsible for your system's Drug and Alcohol program, please forward this update to the person (s) who is and notify us of the correct listing. If you know of others who would benefit from this publication, please contact us at the following address to include them on the mailing list. This publication is free.

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**FTA home page:** [www.fta.dot.gov](http://www.fta.dot.gov)

*FTA Office of Chief Counsel:* [www.fta.dot.gov/office/counsel](http://www.fta.dot.gov/office/counsel)

*FTA Office of Safety & Security:* <http://transit-safety.volpe.dot.gov>

*FTA Letters of Interpretation:* [www.fta.dot.gov/library/legal](http://www.fta.dot.gov/library/legal)

*DHHS-Certified Laboratories: Center for Substance Abuse Prevention:* [www.health.org/labs/index.htm](http://www.health.org/labs/index.htm)

**FTA, Office of Safety and Security: (202) 366-2896**

*Drug and Alcohol Consortia Manual*

*Drug and Alcohol Testing Results: 1995, 1996, 1997, and 1998 Annual Reports*

*Random Drug Testing Manual*

*Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit*

*Identification of Drug Abuse and/or Alcohol Misuse in the Workplace: An Interactive Training Program*

**USDOT Drug and Alcohol Documents FAX on Demand: 1 (800) 225-3784**

**USDOT, Office of Drug Enforcement and Program Compliance: (202) 366-3784**

*Urine Specimen Collection Procedures Guideline*

*SAP Procedures Guidelines for Transportation Workplace Drug and Alcohol Testing Programs*

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# FTA Drug and Alcohol Regulation Updates

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