

Jackson County Transit

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MEMO

DATE: January 9, 2024
TO: Jackson County Board of Commissioners
FROM: April L Alm, Director, Jackson County Transit
SUBJECT: Zero Tolerance Drug and Alcohol Testing Policy

The NC Department of Transportation, Immobility Mobility Division has provided the latest Drug and Alcohol Policy template that has been recommended by both Federal Transit Administration (FTA) and NCDOT Integrated Mobility Division.

The purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test.

On May 2, 2023, the USDOT published an updated final rule with revisions to 49 CFR Part 40. This regulation is the USDOT's drug and alcohol testing regulation. The newly revised version of 49 CFR Part 40 became effective on June 1, 2023 and then later the updated template was provided in November based on the FTA's direction.

Attached is the red-lined version of the Jackson County Drug and Alcohol Testing Policy so that all new changes can easily be identified. At the January 16, 2023 Board of Commissioners meeting, Jackson County Transit will request the adoption of the latest version of the Jackson County Transit Drug and Alcohol Testing policy as presented.