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**Federal Transit
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March 1997



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The Drug and Alcohol Testing Results 1995 Annual Report is a compilation and analysis of mass transit drug and alcohol testing reported by transit systems in the United States during 1995. The report covers testing for alcohol and the following drug types: marijuana (THC), cocaine, phencyclidine (PCP), opiates, and amphetamines. The test types covered are: pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up.

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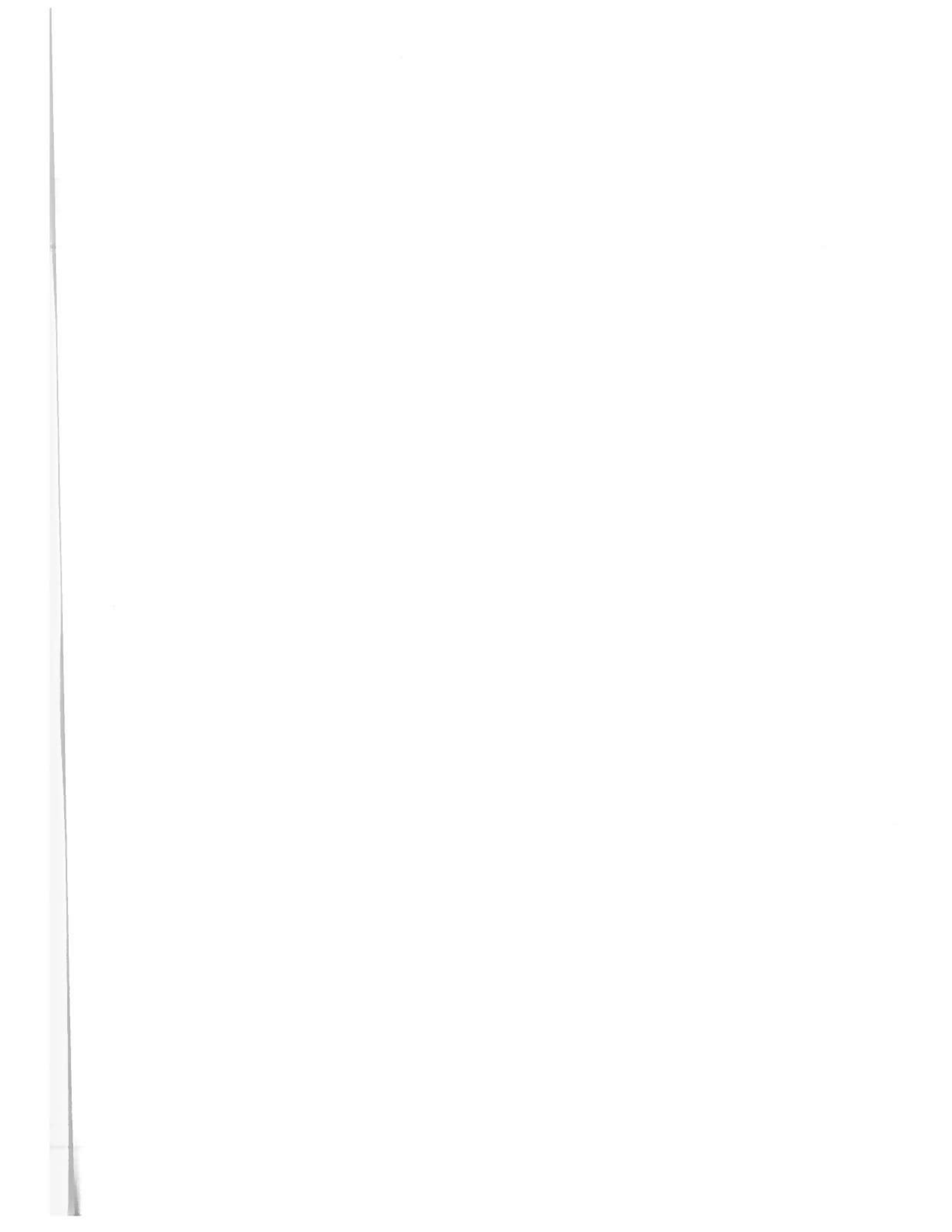
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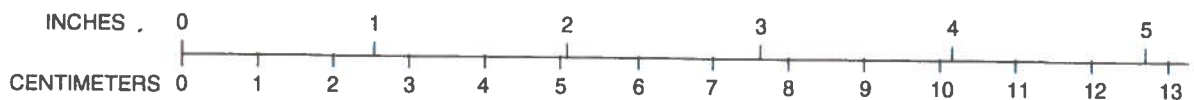
PREFACE

This report represents the culmination of a year-long process of data collection, analysis, database development, and report writing that required the efforts of many dedicated people. Thanks to Judy Meade, Director of the Office of Safety & Security, Federal Transit Administration who provided guidance and technical review of the report, and her staff, including Patricia Grant who fielded calls and provided guidance to the reporting entities. Thank you also to Lenora Burke and William Hathaway of the Volpe National Transportation Systems Center for their support, guidance, and review. The report was prepared by Science Applications International Corporation (SAIC) with the following principal authors: Jean Ault, Peter Berty, Kimberly Browning, Brad Center, and Richard Silver.

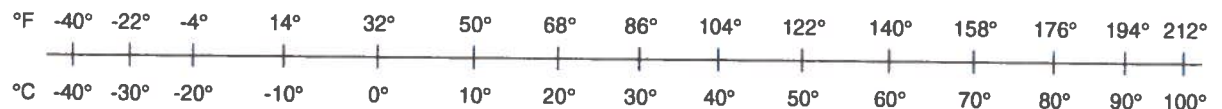
METRIC/ENGLISH CONVERSION FACTORS

ENGLISH TO METRIC	METRIC TO ENGLISH
<p style="text-align: center;">LENGTH (APPROXIMATE)</p> <p>1 inch (in) = 2.5 centimeters (cm) 1 foot (ft) = 30 centimeters (cm) 1 yard (yd) = 0.9 meter (m) 1 mile (mi) = 1.6 kilometers (km)</p>	<p style="text-align: center;">LENGTH (APPROXIMATE)</p> <p>1 millimeter (mm) = 0.04 inch (in) 1 centimeter (cm) = 0.4 inch (in) 1 meter (m) = 3.3 feet (ft) 1 meter (m) = 1.1 yards (yd) 1 kilometer (km) = 0.6 mile (mi)</p>
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EXECUTIVE SUMMARY

INTRODUCTION

This report presents the results of mandatory drug and alcohol testing conducted by transit systems receiving funds from the Federal Transit Administration (FTA). Under the Omnibus Transportation Employee Test Act passed by Congress in 1991, the FTA was required to establish regulations for drug and alcohol testing of transit employees performing safety-sensitive functions. These regulations require that each recipient of FTA funds (1) implement an antidrug program to deter and detect the use of prohibited drugs by employees covered under the FTA rule, (2) establish a program to prevent the misuse of alcohol, and (3) report the results of its programs to FTA on an annual basis. This is the first annual report summarizing the results of drug and alcohol tests from transit agencies that operate primarily in areas of 200,000 or more in population. These large operators were required to begin their drug and alcohol testing programs on January 1, 1995. All other operators were required to have programs in place on January 1, 1996.

Compliance with FTA's drug and alcohol testing program is a condition of Federal grant funding assistance. Failure of a recipient to implement and carry out a drug and alcohol testing program—either in its own operations or in those of an entity operating on its behalf—will result in the suspension of Federal transit funding to the recipient. Because a recipient may not always directly provide mass transit services, the FTA uses the term “operator” or “employer” to describe those who actually provide transit services and who, therefore, must comply with the testing program. The direct recipient of FTA funds, however, is the entity legally responsible to FTA for compliance.

DISTRIBUTION OF TRANSIT SYSTEMS AND CONTRACTORS

FTA received drug and alcohol reporting forms for calendar year 1995 from 548 individual employers representing 277 large operators (277 sets of forms from 169 recipients and 108 subrecipients) and 271 contractors. Approximately half of all employers reported no positive drug test results, and 13.2 percent of employers reported no positive alcohol test results. Overall, transit systems submitted more forms with at least one positive drug and one positive alcohol test result than did contractors.

The largest number of employees performing safety-sensitive functions are engaged in revenue vehicle operation, followed by revenue vehicle and equipment maintenance. Revenue vehicle control/dispatch, commercial driver's license (CDL)/nonrevenue vehicle, and armed security personnel together make up less than 12 percent of the overall labor force (transit systems and contractors). Contractors comprise a relatively small percent of the total number of FTA-covered employees at 14 percent. Contractors are used by 62 percent of the large operators.

DRUG TEST RESULTS

All employers must establish an antidrug program that encompasses testing and training for employees and supervisors performing safety-sensitive functions. Supervisors are trained to recognize the signs and symptoms of prohibited drug use. FTA's rule specifies that safety-sensitive employees may not use any of five prohibited substances (or their metabolites): marijuana, cocaine, opiates (e.g., heroin, morphine, codeine), amphetamines (e.g., racemic, amphetamine, dextroamphetamine, and methamphetamine), or phencyclidine (PCP).

If a covered employee has a verified positive result from the drug test, the employee must be removed from the safety-sensitive position, be informed of available educational and treatment programs, and be referred to a substance abuse professional to determine whether the employee has a drug problem. To return to a safety-sensitive position, the employee must properly complete a course of treatment prescribed by the substance abuse professional and take a return-to-duty drug test with a verified negative result.

The 1995 drug testing program performed by large transit employers revealed the following findings:

- A total of 119,749 specimens were collected for drug testing. Of that figure, 2,564 specimens tested positive for one or more of the five prohibited drugs. Random drug testing accounted for 54 percent of the positive specimens (1,390 positive specimens).
- The percent of positive random test results was 1.73 industry-wide, as shown in Exhibit ES-1. The positive random test results were the same for transit systems and slightly higher (2.02%) for contractors.

Employers	Number of Specimens Collected	Number of Positive Specimens	Percent Positive
Transit Systems	71,933	1,218	1.69%
Contractors	8,506	172	2.02%
Totals	80,439	1,390	1.73%

- FTA's regulations require that the number of random drug tests conducted must equal at least 50 percent of the total number of safety-sensitive employees. Transit systems had a higher rate of compliance with the 50 percent drug testing requirement than did contractors. Approximately 60 percent of the transit systems randomly tested at least 50 percent of their covered employees for drugs. In comparison, approximately 46 percent of the contractors met the testing requirement.

- Of the six test types (pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up), the highest percent of positive specimens was for reasonable suspicion testing (6.28). The percent of positive specimens for the other five test types varied from 1.7 to 3.77.
- Random drug testing detected the lowest overall percent of positive results (1.73%).
- Although there was some variation in the percent of positive random tests across employee categories, the overall percent of positive random tests for each of the employee categories was at or below 2.0. The lowest percent was 0.61 for armed security personnel, and the highest percent was 2.05 for revenue vehicle and equipment maintenance employees.
- Marijuana and cocaine were detected most frequently in the specimens that tested positive for drugs. Of the 2,564 positive specimens, 54 percent tested positive for marijuana and 41 percent tested positive for cocaine.
- There were 174 accidents reported that resulted in a positive post-accident drug test. Of these accidents, three had fatalities.

ALCOHOL TEST RESULTS

Transit systems are required to establish and conduct an alcohol misuse prevention program in which employees performing safety-sensitive functions are tested for the misuse of alcohol and supervisors are trained to recognize the signs and symptoms of alcohol misuse. **Employers may not allow safety-sensitive employees to consume alcohol under four specific circumstances:**

(1) 4 hours before performing a safety-sensitive function; (2) while performing a safety-sensitive function; (3) after a fatal accident, unless the employee has received a post-accident test or 8 hours have elapsed, whichever occurs first; or (4) after a nonfatal accident unless the employee's involvement can be completely discounted as a contributing factor to the accident, the employee has been tested, or 8 hours have elapsed.

Alcohol screening tests may be conducted with either a saliva testing device or a nonevidential breath testing device. A confirmation test must be conducted if the result of a screening test is an alcohol concentration of 0.02 or greater and must be conducted using an evidential breath testing device (EBT). The alcohol concentration level is the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath. An employer can only take action based on the confirmation test results.

An employee with an alcohol concentration of 0.02 or greater but less than 0.04 must be removed from duty for 8 hours or until a retest shows an alcohol concentration of less than 0.02. An employee with an alcohol concentration of 0.04 or greater must be prohibited from performing any safety-sensitive duties, removed from his/her safety-sensitive position, and be evaluated by a substance abuse professional to determine whether the employee has an alcohol problem. To

return to a safety-sensitive position, the employee must properly complete a course of treatment prescribed by the substance abuse professional and pass a return-to-duty alcohol test.

The 1995 alcohol testing program performed by large transit employers revealed the following findings:

- A total of 68,529 alcohol screening tests were conducted. Of that figure, 204 positive confirmation tests resulted. A positive confirmation test has a result of 0.04 or greater. Random alcohol testing accounted for 40 percent of the positive specimens (82 positive confirmation tests).
- The FTA alcohol testing rule includes a definition for violation rate. The definition describes the violation rate as the number of positive random tests at the higher (≥ 0.04) concentration level plus the number of employees who refused a random test, divided by the total number of random tests plus the number of employees who refused a random test. The violation rate for all employers (transit systems and contractors) is 0.24 percent.
- The percent of positive random test results for alcohol was 0.17 industry-wide, as shown in Exhibit ES-2. The percent for transit systems was 0.18 and for contractors it was 0.06.

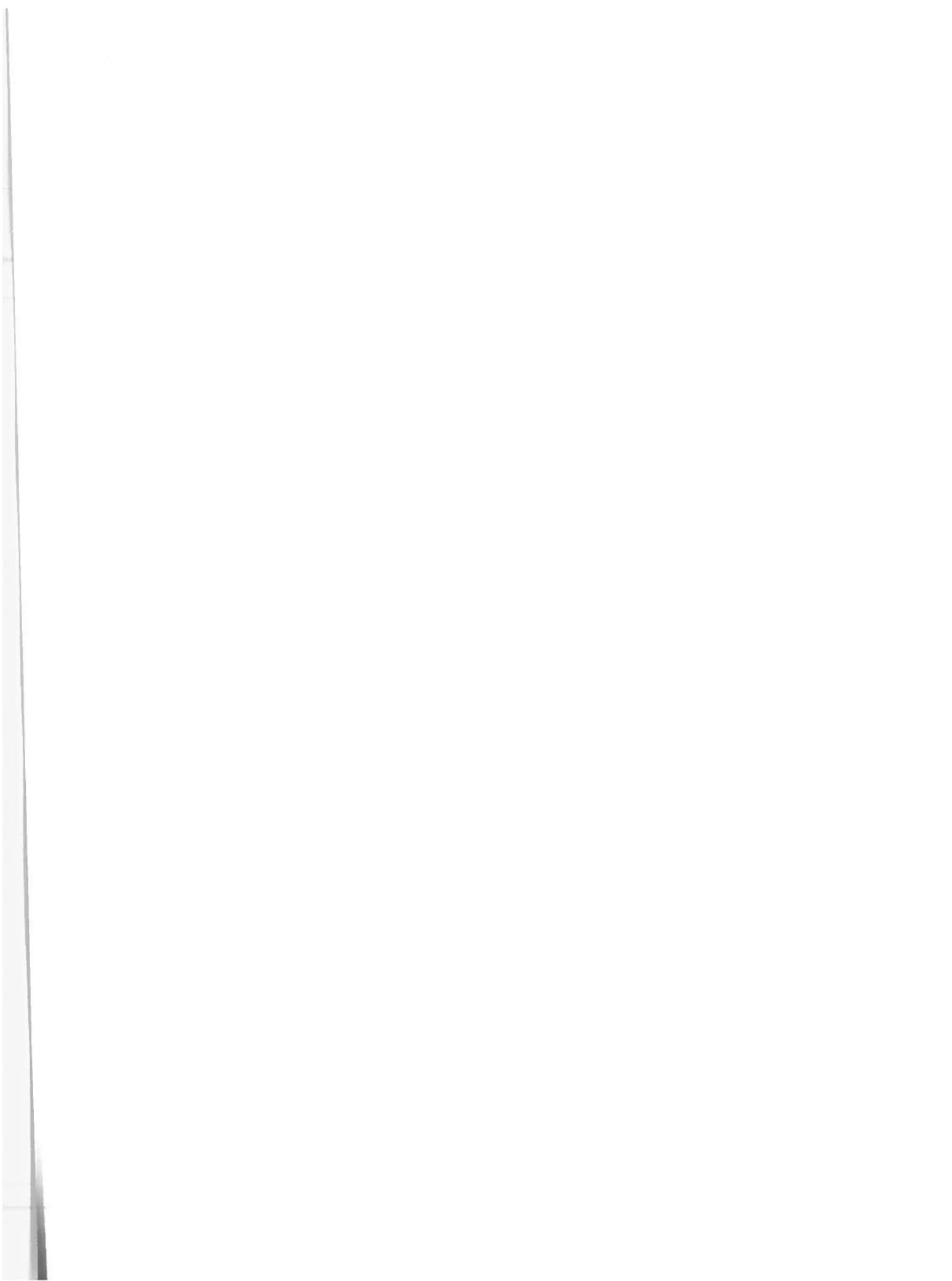
Employers	Number of Screening Tests	Number of Positive Results	Percent Positive
Transit Systems	43,149	79	0.18%
Contractors	4,667	3	0.06%
Totals	47,816	82	0.17%

- FTA's regulations require that the number of random alcohol tests conducted must equal 25 percent of the total number of safety-sensitive employees. Transit systems had a higher rate of compliance with this requirement than did contractors. Approximately 61 percent of the transit systems randomly tested at least at the 25 percent rate. In comparison, approximately 47 percent of the contractors met the testing requirement.
- Of the six test types, the highest percent of positive tests was for reasonable suspicion testing (9.36). The percent of positive results for the other five test types varied from 0.04 to 0.65.
- There was little variation in the percent of positive random tests across employee categories. Overall, the percent of positive random tests for each employee category was at or below 0.35. The lowest percent was 0.04 for revenue vehicle control/dispatch, and the highest percent was 0.31 for revenue vehicle and equipment maintenance employees.
- There were 45 accidents reported that resulted in a positive post-accident alcohol test. Of these accidents, there were no fatalities.

COMPARISON OF DRUG AND ALCOHOL RESULTS

A comparison of the 1995 drug and alcohol testing program performed by large transit employers revealed the following findings:

- Random testing was the most often administered type of test for both drug and alcohol, accounting for 67.2 percent of all drug testing and for 69.8 percent of all alcohol testing.
- Compared to contractors, transit systems conducted more random drug and alcohol tests than any other type of test. Random drug testing conducted by transit systems accounted for 74 percent of all testing by this group. Random drug testing by contractors, on the other hand, accounted for 38 percent of all their testing. Random alcohol testing among transit systems accounted for 73 percent of all testing by transit systems and approximately 50 percent of all contractor testing.
- Random testing detected a much higher percent of drug use. Results of random drug testing in transit systems show a positive rate of 1.69 percent, while the positive rate for alcohol is only 0.18 percent. The positive rates for contractors show an even larger difference: random drug testing results for contractors were 2.02 percent positive, whereas random alcohol testing results were only 0.06 percent positive.
- Reasonable suspicion testing resulted in the highest percent of positive test results for both drug and alcohol testing: 6.29 for drug and 9.36 for alcohol tests. In addition, this testing procedure was used least often regardless of the substance (drug or alcohol).
- Revenue vehicle and equipment maintenance employees had the highest percent of positive test results for both random drug and alcohol testing: 2.05 for random drug testing and 0.31 for random alcohol testing.
- CDL/nonrevenue vehicle employees had the highest percent of positive test results for both drugs and alcohol for reasonable suspicion testing: 21.62 percent were positive for one or more drugs and 26.47 percent were positive for alcohol.
- Region 7 ranked the highest, among all FTA regions, in the overall percent of positive drug and alcohol tests. Region 8 ranked second for the overall percent of positive drug tests and fifth for the overall percent of positive alcohol tests. Region 5 ranked third for the overall percent of positive alcohol tests and third for the overall percent of drug tests, and was similar to Regions 2 and 3 for the overall percent of positive alcohol tests.



1. INTRODUCTION

This report presents the results of mandatory drug and alcohol testing conducted by transit systems receiving funds from the Federal Transit Administration (FTA). Under the Omnibus Transportation Employee Testing Act passed by Congress in 1991, the FTA was required to establish regulations for drug and alcohol testing of transit employees performing safety-sensitive functions. This is the first annual report summarizing the results of drug and alcohol tests administered under the FTA regulations.

The FTA regulations require that each recipient of certain FTA funds implement an antidrug program to deter and detect the use of prohibited drugs by transit employees and to establish programs to prevent accidents and injuries resulting from the misuse of alcohol. Covered under these regulations are employees of transit systems that receive grant funds and employees of contractors to those transit systems. Large operators were required to begin their drug and alcohol testing programs in 1995 and report the results of their testing in 1996. The testing results for these operators is the subject of this report. All other operators were required to begin programs in 1996. Large operators are defined as those who primarily operate in areas of 200,000 or more in population. Small operators are those that operate in areas of less than 200,000 in population. These definitions are unaffected by the size of the transit system (the number of vehicles in the fleet or the number of employees).

Transit systems that receive funding from the FTA sources listed in Exhibit 1-1 are required to have drug and alcohol testing programs.¹ Under the FTA regulations, all such entities, called recipients, must certify to the FTA that they have implemented the required drug and alcohol testing programs and must report the results of their programs to the FTA on an annual basis. The results must be submitted to the FTA on specific Management Information System (MIS) forms approved by the Office of Management and Budget.

Exhibit 1-1. FTA Federal Funding Sources

Section 5307. Block Grants

Section 5309. Discretionary Grants and Loans

Section 5311. Financial Assistance for Other Than Urbanized Areas

Not all recipients provide mass transit services directly. Instead, some rely on other public or private entities to provide such services, in whole, or in part. In these cases, the direct recipient of FTA funds is legally responsible for assuring that any entity operating on its behalf is in compliance with the FTA testing rules.

¹ The section numbers for the funding sources listed in Exhibit 1-1 are different than those listed on the Management Information System forms. Section 5307 corresponds to Section 9, Section 5309 corresponds to Section 3, and Section 5311 corresponds to Section 18.

1.1 Who Must Comply

Compliance with the FTA drug and alcohol testing program is a condition of Federal assistance. Failure of a recipient to implement and carry out a drug and alcohol testing program—either in its own operations or in those of an entity operating on its behalf—will result in the suspension of Federal transit funding to the recipient. Because a recipient may not always directly provide transit services, the FTA uses the term “operator” or “employer” to describe those who actually provide transit services and who, therefore, must comply with the testing program. The direct recipient of FTA funds, however, is always legally responsible to FTA.

Under FTA’s drug and alcohol testing rules, all employees who perform safety-sensitive functions must be tested for both drugs and alcohol. Safety-sensitive functions are defined as those that involve:

- Operating a revenue service vehicle, including operating the vehicle when it is not in revenue service
- Operating a nonrevenue service vehicle, when the vehicle is required to be operated by a driver who holds a Commercial Driver’s License (CDL)
- Controlling dispatch or movement of a revenue service vehicle
- Maintaining a revenue service vehicle or equipment used in revenue service, unless the recipient receives Section 5311 funding and contracts out such services
- Carrying a firearm for security purposes.

Maintenance contractors that perform routine, ongoing repair or maintenance work are included in this definition if their employees perform any of the identified safety-sensitive functions. In addition, supervisors who directly perform any of the safety-sensitive functions are included in the testing requirements. Contractors that perform less routine activities, such as warranty, overhaul, component rebuilds, or rehabilitation work, are not included in the definition of safety-sensitive.

1.2 Types of Tests

Employees who perform safety-sensitive functions are subject to six different types of tests: pre-employment, random, post-accident, reasonable suspicion, return to duty, and follow-up. Prior to employment, each prospective employee, including individuals who are being transferred into safety-sensitive positions, must undergo pre-employment testing for drugs. Employees may not be hired or perform a safety-sensitive function unless they have a verified negative drug test result. FTA suspended required pre-employment testing for alcohol on May 10, 1995, as a result of a U.S. Court of Appeals decision.²

² A verified negative pre-employment alcohol test result was required until May 10, 1995.

Random testing serves both detection and deterrent purposes, and must be unannounced and unpredictable. The tests must be based on a scientifically valid selection method. The total number of random tests conducted must equal at least 50 percent (for drugs) and 25 percent (for alcohol) of the total number of employees performing safety-sensitive functions. All safety-sensitive employees must have an equal chance of being selected for testing each time a selection is made, must be included in the selection pool, and must remain in the pool after being tested.

Post-accident testing is required for accidents where there is loss of life and for nonfatal accidents that meet certain conditions, unless the employee's performance can be discounted as a contributing factor. When an accident occurs, the surviving safety-sensitive employee operating the vehicle must be tested, as well as other safety-sensitive personnel not on the vehicle whose performance could have contributed to the accident. Tests are to be administered as soon as possible but no later than 8 hours after the accident for alcohol and 32 hours for drugs.

Reasonable suspicion testing is conducted when an employer has reason to believe that an employee has used a prohibited drug or has misused alcohol as defined in the regulations. This testing must be based on a specific, contemporaneous, articulate observation by a trained supervisor concerning the appearance, behavior, speech, or body odor of the safety-sensitive employee.

Employer's policy statements may permit an employee who violated the regulations (e.g., previously tested positive for drugs, had an alcohol result of 0.04 or greater, refused to submit to a test), to return to duty to perform a safety-sensitive function upon completion of rehabilitation. The employee must, however, be evaluated by a substance abuse professional and pass a return-to-duty test. The purpose of the return-to-duty test is to verify that the individual is presently free of alcohol and/or any prohibited drugs, and is able to return to work without any undue safety concerns.

Once an employee is allowed to return to duty, the employee is subject to unannounced follow-up testing for at least 12 but no more than 60 months. The frequency of the testing is to be established by the substance abuse professional as long as a minimum of six tests are performed during the first 12 months following the employee's return to duty. Follow-up testing is separate from, and in addition to, random testing.

1.3 Drug Testing Program Overview

Transit systems must establish an antidrug program that focuses on testing and training for safety-sensitive employees and supervisors. FTA regulations specify that safety-sensitive employees may not use any of five prohibited substances (or their metabolites): marijuana, cocaine, opiates (e.g., heroin, morphine, codeine), amphetamines (e.g., racemic, amphetamine, dextroamphetamine, and methamphetamine), or phencyclidine (PCP).

If a covered employee has a verified positive drug test result, the employee must be removed from the safety-sensitive position, be informed of the available educational and treatment programs, and be referred to a substance abuse professional to determine whether the employee has a drug problem. To return to a safety-sensitive position, the employee must properly complete the course of treatment prescribed by the substance abuse professional and take a drug test with a verified negative result.

1.4 Alcohol Testing Program Overview

Transit systems are required to establish and conduct an alcohol misuse prevention program in which employees performing safety-sensitive functions are tested for the misuse of alcohol and supervisors are trained to recognize the signs and symptoms of alcohol misuse. Employers may not allow safety-sensitive employees to consume alcohol under the following circumstances:

- Four hours before performing a safety-sensitive function
- While performing a safety-sensitive function
- After a fatal accident unless a post-accident test has been administered, or 8 hours have elapsed (whichever occurs first)
- After a nonfatal accident unless the employee's involvement can be completely discounted as a contributing factor to the accident, the employee has been tested, or 8 hours have elapsed.

Alcohol screening tests may be conducted with either a saliva testing device or a nonevidential breath testing device. If the result of a screening test is an alcohol concentration of 0.02 or greater, a confirmation test must be performed. The confirmation test must be conducted using an evidential breath testing device (EBT), which is listed on the Conforming Product List (CPL) of the National Highway Transportation Safety Administration (NHTSA). The confirmation test must be conducted at least 15 minutes, but not more than 20 minutes, after the completion of the screening test. If the initial screening test and confirmatory test results are not identical, the confirmation test result is deemed the final result. An employer can take action based on the confirmation test results only.

An employee with an alcohol concentration of 0.02 or greater but less than 0.04 must be removed from duty for at least 8 hours or until a retest conducted by the employer shows an alcohol

concentration of less than 0.02. If an employer elects to remove the employee from duty for 8 hours, the employer is not required, subsequently, to administer an alcohol test before the employee resumes performing a safety-sensitive function unless the employee exhibits signs of alcohol misuse upon returning to work.

An employee with an alcohol concentration of 0.04 or greater must be prohibited from performing any safety-sensitive functions, removed from his or her safety-sensitive position, and be referred to a substance abuse professional to determine whether the employee has an alcohol problem.

1.5 FTA Regions

The Federal Transit Administration comprises the 10 regions identified in Exhibit 1-2. The data provided by these regions has facilitated the comparison of drug and alcohol test results and the identification of regional trends and patterns.

Exhibit 1-2. U.S. States and Territories Reporting to the 10 FTA Regions

Region 1	Region 2	Region 3	Region 4	Region 5
Connecticut Maine Massachusetts New Hampshire Rhode Island Vermont	New Jersey New York Puerto Rico Virgin Islands	Delaware District of Columbia Maryland Pennsylvania Virginia West Virginia	Alabama Florida Georgia Kentucky Mississippi North Carolina South Carolina Tennessee	Illinois Indiana Michigan Minnesota Ohio Wisconsin
Region 6	Region 7	Region 8	Region 9	Region 10
Arkansas Louisiana New Mexico Oklahoma Texas	Iowa Kansas Missouri Nebraska	Colorado Montana North Dakota South Dakota Utah Wyoming	American Samoa Arizona California Guam Hawaii Nevada	Alaska Idaho Oregon Washington

1.6 Methodology

FTA published rules for drug and alcohol testing in the *Federal Register*, including the associated MIS forms that transit systems must use to compile and submit their drug and alcohol test results. Appendix A in this document presents the MIS forms. Each transit system is responsible for submitting its forms, as well as forms for all of its subrecipients, operators, and contractors. Separate forms must be used for each entity. The forms containing the 1995 calendar year information were to be completed and submitted to FTA by March 15, 1996.

After receiving forms from each transit system, FTA reviewed the documents for accuracy and completeness. Accuracy reviews focused on the internal consistency of the information reported and checks to make sure that the totals reported were supported by the information submitted. Completeness reviews focused on ensuring that all required information was provided. When questions concerning a form were identified, the employer was contacted and requested to verify the information reported or to provide the missing information. Approximately 90 percent of the employers submitting forms were contacted to clarify responses or to obtain additional information, including original signatures.

During the review of the forms, it was noted that employers may have reported the total number of covered employees in several different ways. The employers could have reported either (a) the total employment at the time the data form was completed (or at the end of the reporting year or at some other point during the reporting year), (b) an average of the monthly or quarterly employment totals, or (c) the greatest number of people employed at any given time during the reporting year (peak employment). FTA requires that selection (c) be used to report the number of employees.

Periodically, a check was made to identify if any transit systems or contractors failed to submit the appropriate drug and alcohol forms. The FTA *National Transit Database* list of transit systems and contractors was used in addition to the *Transit Profiles: Agencies in Urban Areas Exceeding 200,000 Population* to determine which employers should have submitted forms. Employers were contacted that were listed in these sources but for whom forms had not been received, as well as employers who submitted a drug or alcohol form only. Contact was made first by phone. If no response was received, then a letter was sent to the director of the transit system or contractor. If no response to the letter was made, a follow-up phone call was then attempted.

Once FTA was confident that the vast majority of the information had been received and the forms verification process had been completed, the information on each form was entered into a data base. The data base underwent extensive quality control reviews during and after the data entry process. The data base was then used to generate the figures included in this report.

This report presents the results of the drug and alcohol testing conducted by large operators in 1995. To clarify the terms used throughout this report, Exhibit 1-3 presents a glossary of selected common terms.

Exhibit 1-3. Glossary of Common Terms

Contractor: a person or organization that provides a service for a recipient, subrecipient, employer, or operator consistent with a specific understanding or arrangement. The understanding can be a written contract or an informal arrangement that reflects an ongoing relationship between the parties.

Covered employee: a person, including a volunteer, applicant, or transferee, who performs a safety-sensitive function for a recipient, subrecipient, employer, or operator.

Employer: a recipient or other entity that provides mass transportation services or which performs a safety-sensitive function for such recipient or other entity. This term includes subrecipients, operators, and contractors.

Large Operator: a recipient or subrecipient primarily operating in an area of 200,000 or more in population.

Recipient: an entity receiving Federal financial assistance under section 5307, 5309, or 5311 of the Federal Transit Act or under sections 103(e)(4) of title 23 of the U.S. Code.

Safety-Sensitive Function X any of the following duties:

- Operating a revenue service vehicle, including when not in revenue service
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License
- Controlling dispatch or movement of a revenue service vehicle
- Maintaining a revenue service vehicle or equipment used in revenue service, unless the recipient receives section 5311 funding and contracts out such services
- Carrying a firearm for security purposes.

Small Operator: a recipient or subrecipient primarily operating in an area of less than 200,000 in population.

Transit System: the public entity that receives the Federal grant (direct grant recipient), whether or not that recipient provides mass transit services directly.

Verified Negative (drug test result): a drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use.

Verified Positive (drug test result): a drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use.



2. GENERAL INFORMATION—DRUG AND ALCOHOL TEST RESULTS

This section provides information concerning transit systems and contractors submitting drug and alcohol forms. The discussion presents data on the number of forms received and on the distribution of employees (transit systems and contractors) by employee category, as well as those covered by the U.S. Coast Guard. In addition, the section includes information on the compliance of transit systems and contractors with the requirements for drug and alcohol random testing (percent of employees tested), their commitment to training employees and supervisors, and sources of FTA funds.

2.1 Distribution of Transit Systems and Contractors

FTA received drug and alcohol forms for calendar year 1995 from 548 individual employers representing 277 large operators (277 sets of forms from 169 recipients and 108 subrecipients) and 271 contractors. Exhibit 2-1 identifies the number of drug and alcohol forms received. Large operators are defined as those systems operating primarily in an urbanized area of 200,000 or more in population.

Approximately half of all employers reported no positive drug test results, and 87 percent of employers reported no positive alcohol test results. Exhibit 2-1 shows the percentage of drug and alcohol forms with positive test results for transit systems and contractors. In general, a larger percentage of forms submitted by transit systems had at least one positive drug and one positive alcohol test result than did forms submitted by contractors.

Exhibit 2-1. Number of Drug and Alcohol Forms Received and Percent with at Least One Positive Test Result

Employer	Number of Forms Received		Percent With at Least One Positive Test Result	
	Drug Forms	Alcohol Forms	Drug Forms	Alcohol Forms
Transit Systems	277	276	52%	21%
Contractors	271	268	48%	6%
Totals	548	544	50%	13%

The largest number of employees performing safety-sensitive functions are employed in revenue vehicle operation (62%); followed by revenue vehicle and equipment maintenance (26%). Revenue vehicle control/dispatch, commercial driver's license/non-revenue vehicle, and armed security personnel together make up less than 12 percent of the overall labor force (transit system and contractors). Exhibit 2-2 presents the distribution of covered employees by employee category for transit systems and contractors, and the accompanying pie charts (Exhibits 2-3 through 2-5) illustrate these results. Contractors comprise a relatively small percentage of the total number of FTA-covered employees at 14 percent. On a percentage basis, when contractors are used, they are more often used as CDL/nonrevenue vehicle employees (33%) and are least often used in revenue vehicle operations and as armed security personnel (12% and 11%, respectively). Based on the information submitted, 130 or 62 percent of the transit systems used contractors to perform some of their safety-sensitive functions.

Exhibit 2-2. Number of Covered Employees by Employee Category and the Percent of the Labor Force That Was Contracted

Employee Category	Number of Covered Employees			Percent of Labor Force Contracted
	Transit Systems	Contractors	Totals	
Revenue Vehicle Operation	86,365	12,130	98,495	12%
Revenue Vehicle and Equipment Maintenance	35,028	7,104	42,132	17%
Revenue Vehicle Control/Dispatch	8,345	1,925	10,270	19%
CDL/Non-Revenue Vehicle	2,968	1,431	4,399	33%
Armed Security Personnel	3,336	421	3,757	11%
Total Number of Employees	136,042	23,011	159,053	14%

Exhibit 2-3. Number and Percent of Covered Employees in Each Employee Category

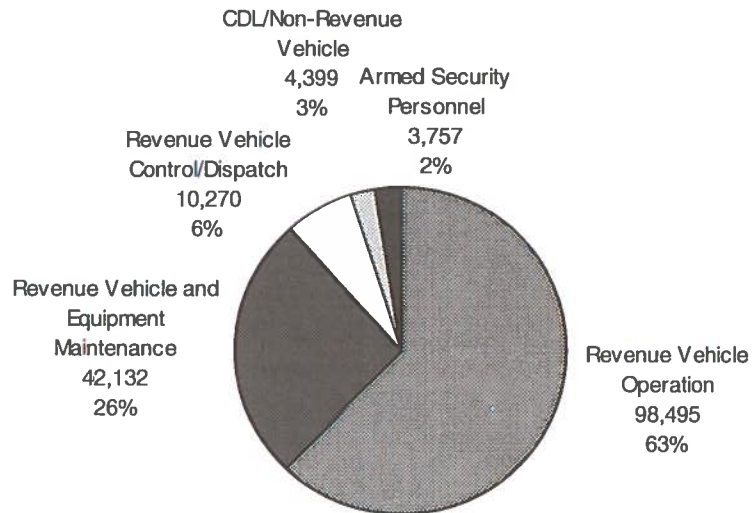


Exhibit 2-4. Number and Percent of Transit System Covered Employees in Each Employee Category

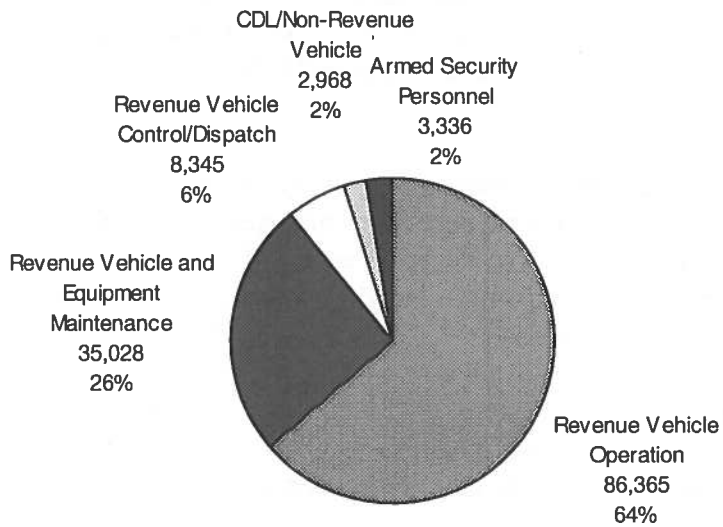
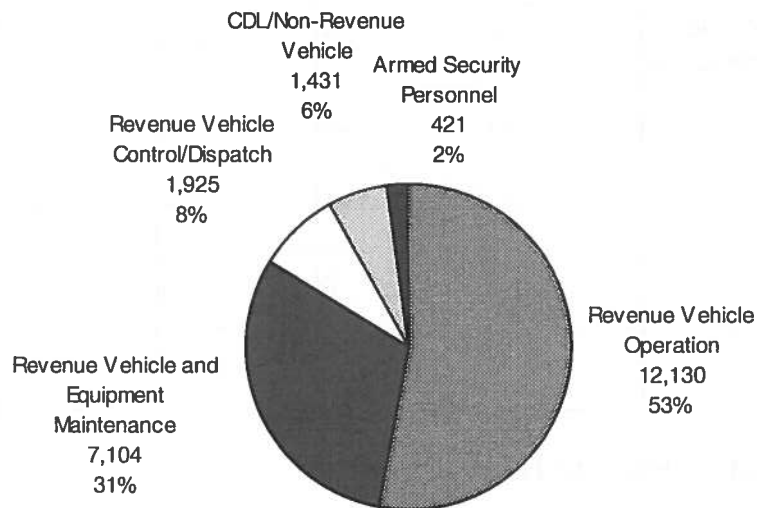


Exhibit 2-5. Number and Percent of Contractor Covered Employees in Each Employee Category



2.2 U.S. Coast Guard Employees

Because some U.S. Coast Guard (USCG) employees perform safety-sensitive functions for employers receiving FTA funds and their contractors, FTA requires that the number of USCG-covered employees be reported separately on the FTA Drug Testing MIS Data Collection Form. Numbers of USCG-covered employees are not required to be reported on the FTA Alcohol Testing MIS Data Collection Form.

Twenty employers reported employees performing safety-sensitive functions covered by the USCG. These transit systems and their contractors employed 2,736 USCG safety-sensitive employees or approximately 2 percent of the total reported FTA-covered employees. As compared to FTA covered employees only, a larger percent of USCG-covered employees are involved in revenue vehicle operations (71 percent of all USCG-covered employees versus 62 percent of the FTA covered employees). There were no reported USCG armed security personnel.¹ Contractors make up a larger overall percent of the USCG employment (39.1%) compared to the overall FTA covered employee workforce (14%). Exhibit 2-6 identifies the number of USCG-covered employees by employee category.

Exhibit 2-6. Distribution of USCG Covered Employees Among the Five Employee Categories for the 20 Employers Reporting USCG Covered Employees

Employee Category	Number of Employees			Percent of Total	
	Transit Systems	Contractors	Totals	Transit Systems	Contractors
Revenue Vehicle Operation	1,387	563	1,950	71%	29%
Revenue Vehicle and Equipment Maintenance	32	377	409	8%	92%
Revenue Vehicle Control/Dispatch	21	69	90	23%	77%
CDL/Non-Revenue Vehicle	226	61	287	79%	21%
Armed Security Personnel	0	0	0	—	—
Total Number of Employees	1,666	1,070	2,736	61%	39%

2.3 Random Testing Percent Requirements

One of the most important aspects of FTA's drug and alcohol testing program is the requirement that each employer conduct the required level of random testing. In 1995, the number of random drug tests conducted was required to equal at least 50 percent of the total number of safety-

¹ Because the drug testing results for USCG-covered employees were commingled with the results for FTA-covered employees, a separate presentation of the drug testing results for USCG-covered employees was not possible.

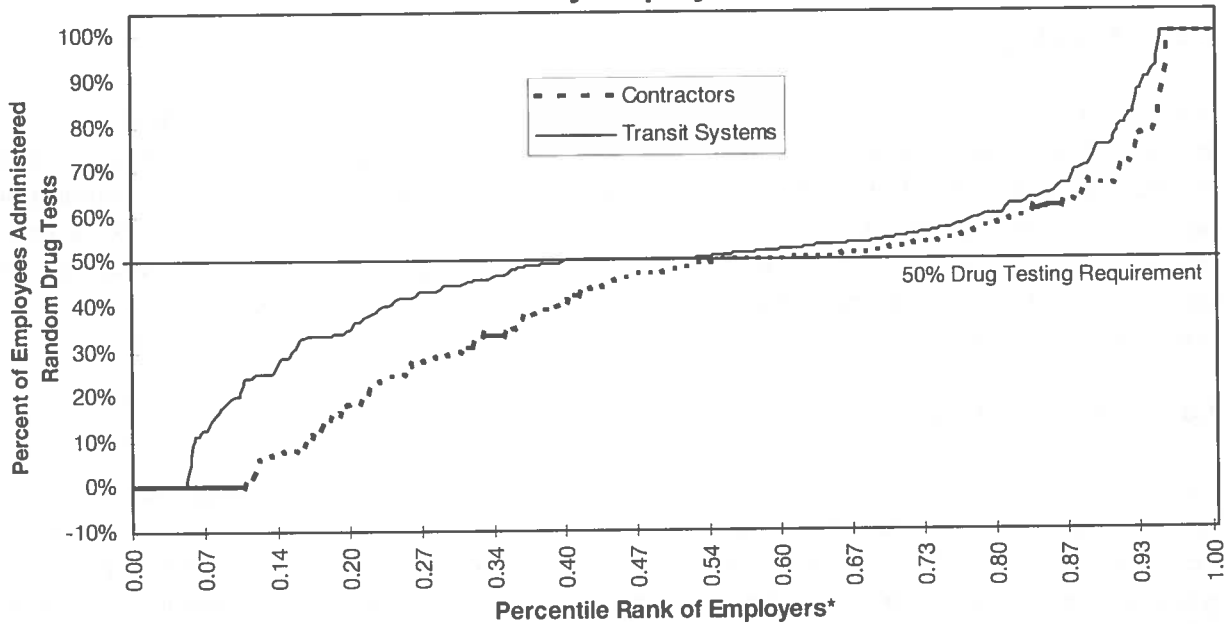
sensitive employees. The number of random alcohol tests conducted was required to equal at least 25 percent of the total number of safety-sensitive employees.

Transit systems had a higher rate of compliance with the random testing requirement than did contractors. Approximately 60 percent of the transit systems randomly tested at least 50 percent of their covered employees for drugs and randomly tested at least 25 percent of their covered employees for alcohol. In comparison, approximately 46 percent of the contractors met the random testing requirements. This information is presented in Exhibit 2-7 and further illustrated in Exhibits 2-8 and 2-9. In Exhibits 2-8 and 2-9, the tails at the left side indicate these employers that did not test any of their safety-sensitive employees, and the tails at the right side indicate these employers that tested 100 percent of their safety-sensitive employees.

Exhibit 2-7. Percent of Employers That Met the Required Testing Levels

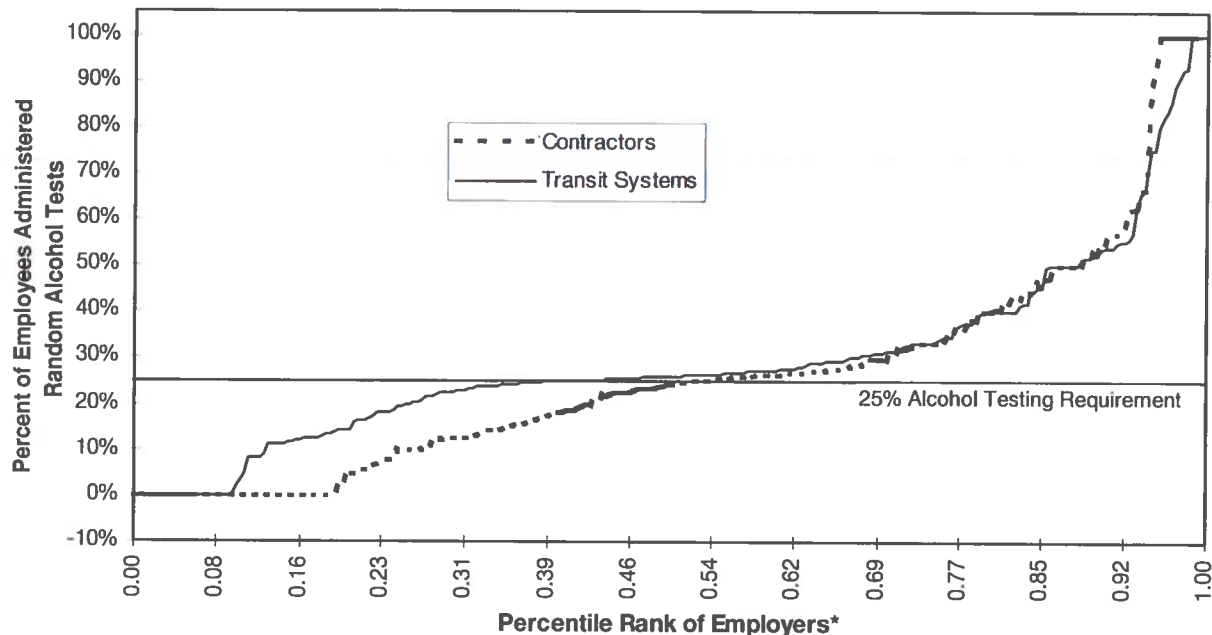
Parameter	Drug Testing		Alcohol Testing	
	Transit Systems	Contractors	Transit Systems	Contractors
Met Requirement	60%	46%	61%	47%
Did Not Meet Requirement	40%	54%	39%	53%

Exhibit 2-8. Percent of Employees Administered Random Drug Tests by Employers



* Employers are ranked according to the percents of respective employees tested. The rankings have been normalized by dividing each rank order position by the total number of forms submitted (277 from transit systems and 271 from contractors).

Exhibit 2-9. Percent of Employees Administered Random Alcohol Tests by Employers



* Employers are ranked according to the percents of respective employees tested. The rankings have been normalized by dividing each rank order position by the total number of forms submitted (276 from transit systems and 268 from contractors).

2.4 Training

Based on the information reported, 92,730 employees (58%) of the covered employees have received at least 60 minutes of training on the consequences, manifestations, and behavioral cues of illegal drug use. In addition, 13,238 supervisory personnel received 60 minutes of training on the specific contemporaneous physical, behavioral, and performance indicators of probable drug use, and 16,303 supervisory personnel received similar training related to alcohol. However, the total number of supervisory personnel working for the transit systems is unknown, and it is unknown if and how many supervisors were also performing safety-sensitive functions.

2.5 Federal Funds

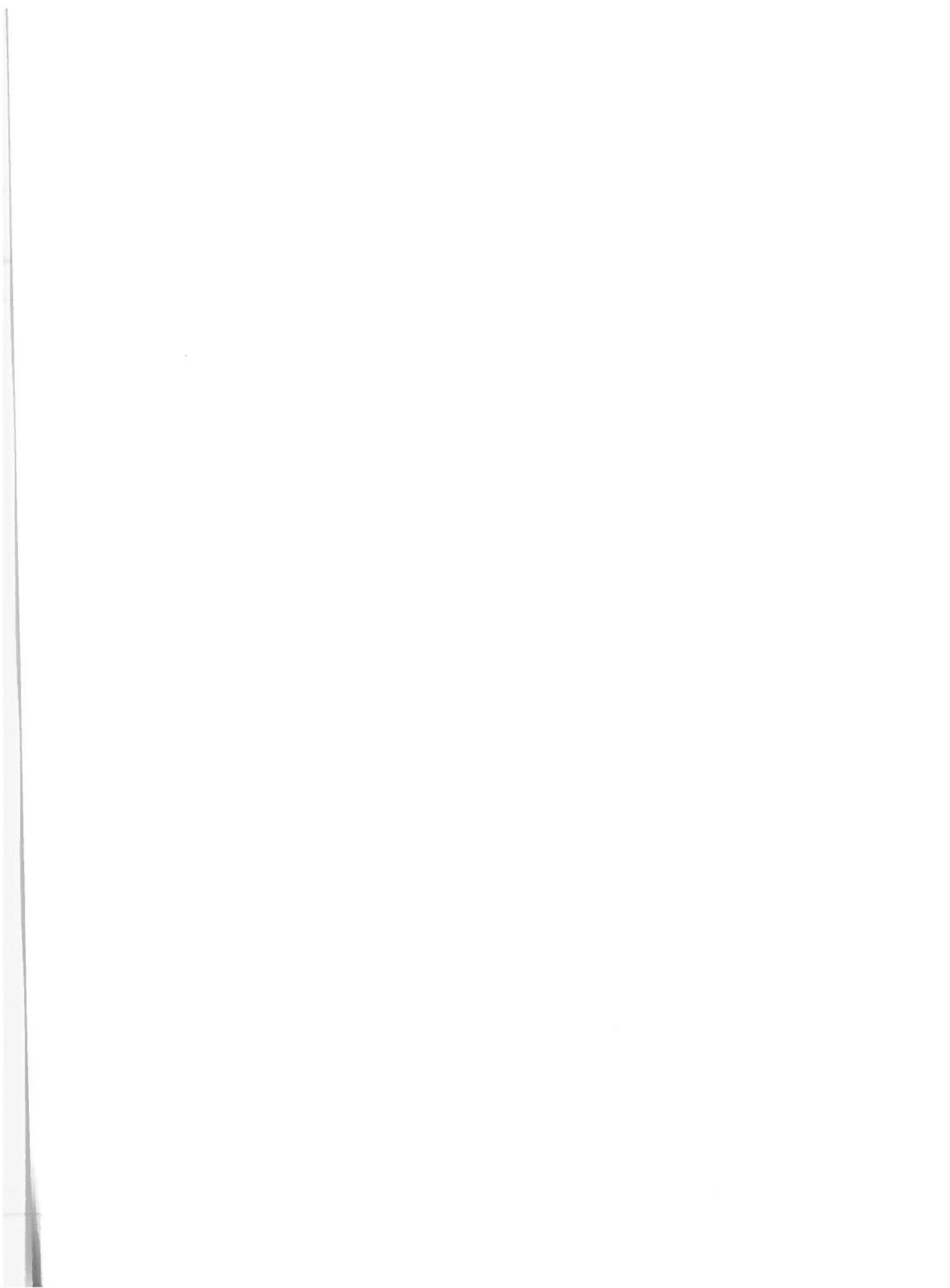
Transit systems were requested to provide information concerning the FTA funds they received. Specifically, transit systems were requested to identify the particular sections under which they receive Federal funds (i.e., Sections 5307, 5309, 5310², and 5311). Many of the 169 transit systems receive funding under multiple sections, as shown in Exhibit 2-10. Section 5307 refers to block grants for capital projects and to finance the planning, improvement, and operating costs of equipment, facilities, and associated capital maintenance items for use in mass transportation. Section 5309 refers to discretionary grants and loans for capital projects, new and existing fixed

² Recipients of Section 5310 funds are not required to comply with the FTA drug and alcohol rules, unless they provide contract services to recipients of Section 5307, 5309, and 5311 funds. In those instances, they are reporting as contractors.

guideway systems, an efficient mass transportation system coordinated with other transportation systems, the introduction of new technologies, the enhancement of urban economic development or the incorporation of private investment, and mass transportation projects to meet the needs of the elderly and/or individuals with disabilities. Section 5310 refers to grants and loans for special needs of elderly individuals and individuals with disabilities. Section 5311 refers to financial assistance for other than urbanized areas.

Exhibit 2-10. Number and Percent of Transit Systems That Receive Federal Funds by Source of Funding

Section	Number of Transit Systems	Percent of Transit Systems
5307	152	90%
5309	97	57%
5310	17	10%
5311	40	24%



3. DRUG TEST RESULTS

This section provides background information and a summary of the 1995 drug testing results. A more indepth examination of these results can be found in Sections 3.2 and 3.3 which present the test results by test type and employee category, respectively. Drug testing differs from alcohol testing in that the sample taken for analysis is urine, not breath. The prohibited drugs for which each urine specimen must be tested are marijuana, cocaine, phencyclidine (PCP), opiates, and amphetamines.

3.1 Introduction

A total of 119,749 specimens were collected for drug testing in 1995. Overall, 2.14 percent of the collected specimens tested positive for one or more of the five prohibited drugs; among transit systems the percent positive was 1.99 percent, and among contractors it was 2.82 percent. Exhibit 3-1, which presents these results, is a composite of all drug test categories (pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up).

Employer	Number of Specimens Collected	Number of Positive Specimens	Percent Positive
Transit Systems	97,545	1,937	1.99%
Contractors	22,204	627	2.82%
Totals	119,749	2,564	2.14%

The results of the random drug testing provide an indication of the overall level of industry-wide drug usage among covered transit system and contractor employees. The results of the other test types are given only when specified conditions apply.

In all, 1.73 percent of specimens collected through random drug testing were verified to be positive for one or more of the five prohibited drugs, as shown in Exhibit 3-2. Both transit systems and contractors had approximately the same percent of positive random testing results (1.69% and 2.02%, respectively). The FTA drug rule provides that if the results from industry-wide drug testing are less than 1 percent for 2 consecutive years, then the FTA may lower the required random drug testing rate to 25 percent from the current 50 percent requirement. In 1995, the industry-wide random testing positive rate exceeded 1 percent. A total of 80,439 specimens were collected for random drug testing in 1995. Exhibit 3-3 illustrates the number of specimens collected by both transit systems and contractors.

3.2 Results of Drug Tests Presented by Test Types

Five types of drug testing information were required of transit systems and their contractors: pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up.

Employer	Number of Specimens Collected	Number of Positive Specimens	Percent Positive
Transit Systems	71,933	1,218	1.69%
Contractors	8,506	172	2.02%
Totals	80,439	1,390	1.73%

Exhibit 3-3. Distribution of Random Drug Test Specimens Collected by Employer Type

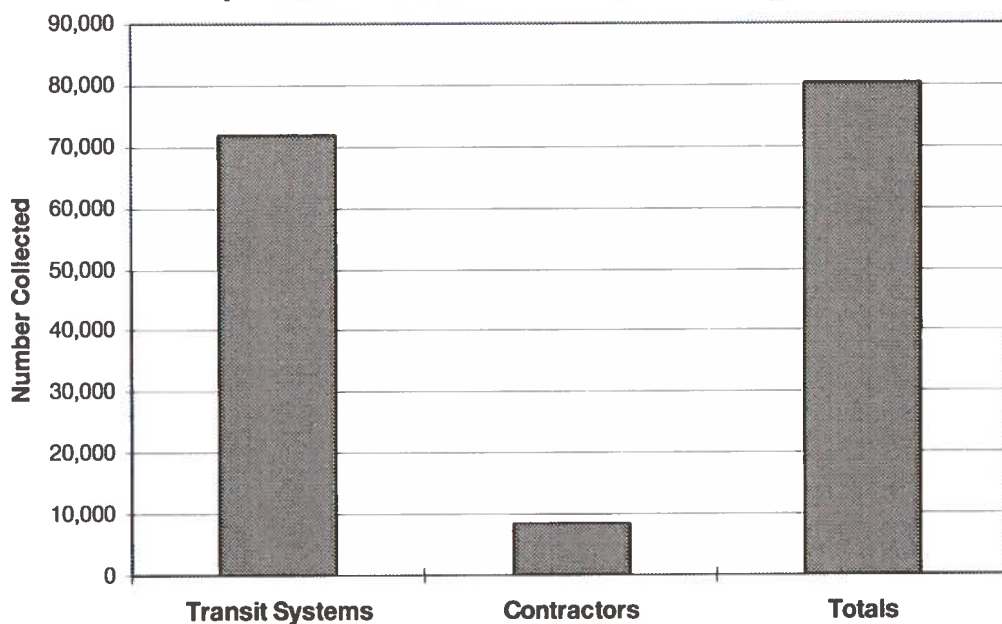


Exhibit 3-4 presents drug test results by test type for transit systems and contractors, and provides their combined totals. The exhibit presents the number of specimens collected, the number of positive results, and the percent of positive results. The totals indicate that the positive drug test results show some variation when viewed by test types. Overall, 6.28 percent of the reasonable suspicion tests were positive. Return-to-duty and follow-up tests were between 3 and 4 percent. Pre-employment testing resulted in 2.98 percent of the specimens testing positive. Approximately 2 percent of the post-accident and under 2 percent of the random tests were positive for drugs.

The results for transit systems closely parallel the overall results (which is to be expected because transit system employees represent 81 percent of tests administered). The positive results are higher for contractors than they are for transit systems for pre-employment, random, reasonable suspicion, and return-to-duty testing. The results for contractors and transit systems are basically equal for post-accident testing, and transit systems have a higher rate of positive results for follow-up testing.

3.2.1 Pre-employment Drug Test Results

Pre-employment drug test results produced an overall positive result of 2.98 percent. Transit system and contractor results were similar with 2.68 and 3.32 percent positive, respectively.

Within the pre-employment category, revenue vehicle operators had the highest overall percent of positive results (3.28 percent). For transit systems, this employee category was also the highest at 3.08 percent, and for contractors it was the second highest at 3.47 percent. For contractors, the highest employee category was revenue vehicle and equipment maintenance personnel, which had 3.98 percent positive test results.

3.2.2 Random Drug Test Results

Exhibit 3-4 shows that random testing was by far the most frequently conducted test industry-wide (80,439 of 119,749 tests or 67% of all tests). Random testing also was the most frequently conducted test type by transit systems (74%); however, random testing was not the most frequently conducted test type by contractors (38%). Contractors conducted more pre-employment tests than any other test type (56%).

Random testing accounted for the lowest percent of positive results compared to the other testing categories, resulting in a positive result of 1.73 percent industry-wide. This low positive rate remained consistent for both transit systems (1.69%) and contractors (2.02%).

In addition, within the random testing category, one job category (revenue vehicle and equipment maintenance) consistently had the highest percent of positive drug test results. Industry-wide, the rate was 2.05 percent, for transit systems it was 2.01 percent, and for contractors the positive test rate was higher at 2.99 percent.

3.2.3 Post-Accident Drug Test Results

Positive post-accident tests were 2.17 percent for transit systems and 2.15 for contractors. Within this test type there were no positive tests for armed security personnel or revenue vehicle control/dispatch. Contractor tests revealed that positives for revenue vehicle and equipment maintenance vehicle personnel were at 9.09 percent, nearly 6 percentage points higher than any other job category for either contractors or transit systems. For transit systems, the CDL/nonrevenue vehicle category reported the most positives at 3.41 percent.

3.2.4 Reasonable Suspicion Drug Test Results

Reasonable suspicion tests produced the highest percent of positive results for transit systems, contractors, and industry-wide (5.85%, 11.94%, and 6.28%, respectively). However, while this testing type accounted for the highest percent of positive results, it was the least often used test type. Overall, it accounted for only 939 tests or 0.8 percent of all drug tests administered.

Exhibit 3-4. Drug Test Results by Test Type and Employee Category

Test Type	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
TOTALS BY TEST TYPE, ALL EMPLOYEE CATEGORIES									
Pre-employment	13,972	375	2.68%	12,407	412	3.32%	26,379	787	2.98%
Random	71,933	1,218	1.69%	8,506	172	2.02%	80,439	1,390	1.73%
Post-accident	5,760	125	2.17%	1,023	22	2.15%	6,783	147	2.17%
Reasonable Suspicion	872	51	5.85%	67	8	11.94%	939	59	6.28%
Return to Duty	1,661	56	3.37%	91	10	10.99%	1,752	66	3.77%
Follow-up	3,347	112	3.35%	110	3	2.73%	3,457	115	3.33%
Totals	97,545	1,937	1.99%	22,204	627	2.82%	119,749	2,564	2.14%
TOTALS									
Employee Category	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
PRE-EMPLOYMENT									
Revenue Vehicle Operation	10,606	327	3.08%	10,688	371	3.47%	21,294	698	3.28%
Rev. Veh. and Equip. Maint.	1,930	36	1.87%	829	33	3.98%	2,759	69	2.50%
Rev. Vehicle Control/Disp.	622	4	0.64%	383	5	1.31%	1,005	9	0.90%
CDL/Non-Revenue Vehicle	332	7	2.11%	253	3	1.19%	585	10	1.71%
Armed Security Personnel	482	1	0.21%	254	0	0.00%	736	1	0.14%
RANDOM									
Revenue Vehicle Operation	44,998	754	1.68%	6,598	132	2.00%	51,596	886	1.72%
Rev. Veh. and Equip. Maint.	18,598	374	2.01%	770	23	2.99%	19,368	397	2.05%
Rev. Vehicle Control/Disp.	4,105	45	1.10%	614	12	1.95%	4,719	57	1.21%
CDL/Non-Revenue Vehicle	2,100	33	1.57%	346	3	0.87%	2,446	36	1.47%
Armed Security Personnel	2,132	12	0.56%	178	2	1.12%	2,310	14	0.61%

Exhibit 3-4. Drug Test Results by Test Type and Employee Category (continued)

Employee Category	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
POST-ACCIDENT									
Revenue Vehicle Operation	5,016	110	2.19%	999	21	2.10%	6,015	131	2.18%
Rev. Veh. and Equip. Maint.	521	12	2.30%	11	1	9.09%	532	13	2.44%
Rev. Vehicle Control/Disp.	76	0	0.00%	6	0	0.00%	82	0	0.00%
CDL/Non-Revenue Vehicle	88	3	3.41%	7	0	0.00%	95	3	3.16%
Armed Security Personnel	59	0	0.00%	0	0	—	59	0	0.00%
REASONABLE SUSPICION									
Revenue Vehicle Operation	667	29	4.35%	58	6	10.34%	725	35	4.83%
Rev. Veh. and Equip. Maint.	132	14	10.61%	5	1	20.00%	137	15	10.95%
Rev. Vehicle Control/Disp.	31	1	3.23%	1	0	0.00%	32	1	3.13%
CDL/Non-Revenue Vehicle	36	7	19.44%	1	1	100.00%	37	8	21.62%
Armed Security Personnel	6	0	0.00%	2	0	—	8	0	0.00%
RETURN TO DUTY									
Revenue Vehicle Operation	1,146	41	3.58%	62	6	9.68%	1,208	47	3.89%
Rev. Veh. and Equip. Maint.	380	10	2.63%	12	1	8.33%	392	11	2.81%
Rev. Vehicle Control/Disp.	42	1	2.38%	12	3	25.00%	54	4	7.41%
CDL/Non-Revenue Vehicle	59	2	3.39%	4	0	0.00%	63	2	3.17%
Armed Security Personnel	34	2	5.88%	1	0	—	35	2	5.71%
FOLLOW-UP									
Revenue Vehicle Operation	2,115	85	4.02%	91	1	1.10%	2,206	86	3.90%
Rev. Veh. and Equip. Maint.	950	16	1.68%	2	0	0.00%	952	16	1.68%
Rev. Vehicle Control/Disp.	171	2	1.17%	13	1	7.69%	184	3	1.63%
CDL/Non-Revenue Vehicle	94	9	9.57%	0	0	—	94	9	9.57%
Armed Security Personnel	17	0	0.00%	4	1	25.00%	21	1	4.76%

Within the reasonable suspicion category, CDL/nonrevenue vehicle personnel tested positive most frequently with an industry-wide positive rate of 21.62 percent. Revenue vehicle and equipment maintenance employees had the next highest rate (within this test type) at 10.95 percent positive overall; all but one of those positives were for transit system personnel. Among contractors, revenue vehicle control/dispatch and armed security personnel had no positive results for reasonable suspicion tests. Among transit systems employees, no positive results were found for the six tests conducted for armed security personnel.

3.2.5 Return to Duty Drug Test Results

Overall, 3.77 percent of the specimens tested in the return-to-duty category were positive. Transit systems similarly reported positive test results of 3.37 percent. Contractors, however, reported significantly higher positive test results at 10.99 percent. This figure (10.99%) represents 10 positive tests out of the 91 return-to-duty tests administered by contractors.

The revenue vehicle control/dispatch employee category had the highest percent of positive results at 7.41 percent. Armed security personnel employees ranked second in the percent of positive results with 5.71 percent. All of these positive results for armed security personnel occurred for transit system employees. The positive test results for contractor revenue vehicle control/dispatch was 25.00 percent (3 of 12 tests were positive).

3.2.6 Follow-Up Drug Test Results

Overall results for follow-up testing revealed a 3.33 percent positive rate. Transit system tests exhibited almost the same percent of positive test results (3.35%). Contractors reported a positive result of 2.73 percent. However, contractors conducted only 110 tests with 3 positive results. The vast majority of tests in this category were conducted by transit systems (3,347 or 97%)

Overall within this test type, the CDL/nonrevenue vehicle employee category accounted for the highest percent of positive results and the armed security personnel category was second (9.57 percent and 4.76 percent, respectively).

3.3 Results of Drug Tests Presented by Employee Category

This section presents drug test results by employee category for transit systems and contractors, and their combined totals. Exhibit 3-5 identifies the number of specimens collected, the number of positive results, and the percent of positive results. The results for transit systems closely parallel the overall results when compared by employee categories because of the large majority (97,545 of 119,749 or 81%) of tests performed by transit systems.

More than two-thirds (69 percent) of the specimens were collected from revenue vehicle operators, approximately one-fifth (20 percent) from revenue vehicle and equipment maintenance employees, and the remainder (11 percent) from employees in the other three categories: revenue vehicle control/dispatch, CDL/nonrevenue vehicle, and armed security personnel.

The random testing data shows some variation when viewed by employee category. Industry-wide, none of the employment categories had positive test results above the 2 percent mark. The category with the highest percent of positive results was revenue vehicle and equipment maintenance with 2.05 percent. The category with the lowest percent of positive results was armed security personnel with 0.61 percent.

3.3.1 Drug Test Results for Revenue Vehicle Operation Category

Employees in the category of revenue vehicle operators were the most frequently tested industry-wide (83,044 of 119,749 tests or 69% of all tests). Transit systems employees were tested at a slightly lower rate (66% of all tests) and contractors at a somewhat higher rate (83% of all tests).

Random testing for this employee category resulted in 1.72 percent of the specimens testing positive overall. Transit systems recorded a positive rate of 1.68 percent, while contractors were slightly higher at 2.00 percent. In contrast to random testing, reasonable suspicion testing resulted in 4.83 percent of the tests being positive in this employee category. Reasonable suspicion testing was also higher than random testing with both the transit systems and contractors (4.35% and 10.34%, respectively). For contractors, the difference between the percent positive for these two types of tests (for this employee category) was over 8.0 percentage points.

3.3.2 Drug Test Results for Revenue Vehicle and Equipment Maintenance Category

Random drug testing of revenue vehicle and equipment maintenance employees produced an overall positive result of 2.05 percent. This was the highest positive rate for random testing among all employee categories. Transit system employees in this category had a random positive test rate of 2.01 percent; contractors were slightly higher at 2.99 percent.

Within this employee category, reasonable suspicion testing accounted for the highest percent of positive specimens for transit systems (10.61%) and contractors (20.00%). For transit systems and contractors, the lowest percent of positives within this employee category was follow-up tests (1.68 % and 0.00%, respectively). Post-accident and return-to-duty tests for contractors in this employee category also had a higher percent of positives than the random testing (9.09% and 8.33%).

3.3.3 Drug Test Results for Revenue Vehicle Control/Dispatch Category

Overall random testing of this employee category resulted in 1.21 percent of the specimens testing positive. Results for transit systems were similar, with transit systems reporting 1.1 percent. Results for contractors were slightly higher at 1.95 percent positive.

In addition, within this employee category, return-to-duty tests had the highest percent of positive test results overall (7.41%). At the contractor level, the positive rate for return-to-duty tests was 25.00 percent. There were no positive results (for either transit systems or contractors) for post-

Exhibit 3-5. Drug Test Results by Employee Category and Test Type

Employee Category	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
TOTALS BY EMPLOYEE CATEGORY, ALL TEST TYPES									
Revenue Vehicle Operation	64,548	1,346	2.09%	18,496	537	2.90%	83,044	1,883	2.27%
Rev. Veh. and Equip. Maint.	22,511	462	2.05%	1,629	59	3.62%	24,140	521	2.16%
Rev. Vehicle Control/Disp.	5,047	53	1.05%	1,029	21	2.04%	6,076	74	1.22%
CDL/Non-Revenue Vehicle	2,709	61	2.25%	611	7	1.15%	3,320	68	2.05%
Armed Security Personnel	2,730	15	0.55%	439	3	0.68%	3,169	18	0.57%
Totals	97,545	1,937	1.99%	22,204	627	2.82%	119,749	2,564	2.14%
Test Type	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
REVENUE VEHICLE OPERATION									
Pre-employment	10,606	327	3.08%	10,688	371	3.47%	21,294	698	3.28%
Random	44,998	754	1.68%	6,598	132	2.00%	51,596	886	1.72%
Post-accident	5,016	110	2.19%	999	21	2.10%	6,015	131	2.18%
Reasonable Suspicion	667	29	4.35%	58	6	10.34%	725	35	4.83%
Return to Duty	1,146	41	3.58%	62	6	9.68%	1,208	47	3.89%
Follow-up	2,115	85	4.02%	91	1	1.10%	2,206	86	3.90%
REVENUE VEHICLE AND EQUIPMENT MAINTENANCE									
Pre-employment	1,930	36	1.87%	829	33	3.98%	2,759	69	2.50%
Random	18,598	374	2.01%	770	23	2.99%	19,368	397	2.05%
Post-accident	521	12	2.30%	11	1	9.09%	532	13	2.44%
Reasonable Suspicion	132	14	10.61%	5	1	20.00%	137	15	10.95%
Return to Duty	380	10	2.63%	12	1	8.33%	392	11	2.81%
Follow-up	950	16	1.68%	2	0	0.00%	952	16	1.68%

Exhibit 3-5. Drug Test Results by Employee Category and Test Type (continued)

Test Type	TRANSIT SYSTEMS			CONTRACTORS			TOTALS		
	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive	Number of Specimens Collected	Number of Positive Results	Percent Positive
REVENUE VEHICLE CONTROL/DISPATCH									
Pre-employment	622	4	0.64%	383	5	1.31%	1,005	9	0.90%
Random	4,105	45	1.10%	614	12	1.95%	4,719	57	1.21%
Post-accident	76	0	0.00%	6	0	0.00%	82	0	0.00%
Reasonable Suspicion	31	1	3.23%	1	0	0.00%	32	1	3.13%
Return to Duty	42	1	2.38%	12	3	25.00%	54	4	7.41%
Follow-up	171	2	1.17%	13	1	7.69%	184	3	1.63%
CDL/NON-REVENUE VEHICLE									
Pre-employment	332	7	2.11%	253	3	1.19%	585	10	1.71%
Random	2,100	33	1.57%	346	3	0.87%	2,446	36	1.47%
Post-accident	88	3	3.41%	7	0	0.00%	95	3	3.16%
Reasonable Suspicion	36	7	19.44%	1	1	100.00%	37	8	21.62%
Return to Duty	59	2	3.39%	4	0	0.00%	63	2	3.17%
Follow-up	94	9	9.57%	0	0	—	94	9	9.57%
ARMED SECURITY PERSONNEL									
Pre-employment	482	1	0.21%	254	0	0.00%	736	1	0.14%
Random	2,132	12	0.56%	178	2	1.12%	2,310	14	0.61%
Post-accident	59	0	0.00%	0	0	—	59	0	0.00%
Reasonable Suspicion	6	0	0.00%	2	0	—	8	0	0.00%
Return to Duty	34	2	5.88%	1	0	—	35	2	5.71%
Follow-up	17	0	0.00%	4	1	25.00%	21	1	4.76%

accident tests, and only one positive reasonable suspicion test for transit system employees. Follow-up tests for contractor employees in this employee category had a positive rate of 7.69 percent, whereas transit system employees had a positive rate of 1.17 percent.

3.3.4 Drug Test Results for CDL/Nonrevenue Vehicle Category

Overall random testing of this employee category resulted in 1.47 percent of the specimens testing positive. Results for transit systems were very similar (1.57%) but were lower for contractors (0.87%).

Other testing within this employee category revealed that reasonable suspicion had the highest percent of positive test results (21.62% overall). This was true for transit systems, with a 19.44 percent rate. For contractors, the rate was 100.00 percent (one test with a positive result). The results of follow-up testing within this category were also higher than the results for random testing with 9.57 percent of the specimens testing positive. However, contractors had no positive results for follow-up testing, nor did they have any positive results for post-accident testing or return-to-duty testing. The actual number of tests conducted for these three test types was small (11 tests).

3.3.5 Drug Test Results for Armed Security Personnel Category

Overall positive random test results for armed security personnel were at 0.61 percent. Therefore, armed security personnel had the lowest overall random test percent, compared to the other employee categories. Of the 18 total positive results for this employee category, 14 occurred in random testing. In addition, no post-accident, reasonable suspicion, or return-to-duty tests were conducted by contractors for armed security personnel.

3.4 Distribution of Positive Drug Test Results

This section presents the distribution of positive drug test results for employees who tested positive for one or more of the five prohibited drugs. To be recorded as a positive result, an employee may, for example, have tested positive for a specific drug or a combination of drugs. Section 3.5 (Positive Multidrug Test Results) examines only instances where an employee tested positive for two or more drugs at the same time (e.g. marijuana and cocaine, cocaine and PCP).

3.4.1 Distribution of Positive Drug Test Results for One or More Drugs

Of the total 119,749 specimens collected for drug testing, 81 percent (97,545) were collected by transit systems, and 19 percent (22,204) were collected by contractors (see Exhibit 3-6). Of the 119,749 total specimens collected, 2,564 tested positive for one or more drugs (2.14%). Transit systems reported 1,937 total positive results, and contractors reported 627, as shown in Exhibit 3-7. Contractors had a higher percent of positive drug tests results, as shown in Exhibit 3-8. Contractors performed 19 percent of the testing but reported 24.5 percent of the total positives, as shown in Exhibit 3-9.

3.4.2 Distribution of Positive Drug Test Results by Type of Drug

Of the five prohibited drugs, marijuana was found most frequently (1,430 of 2,564 specimens or 55.6 percent), followed closely by cocaine (1,084 or 42.2 percent). As indicated in Exhibit 3-10, these two drugs were found far more frequently than any of the other three drugs. The occurrence of PCP was less than 1 percent of all positive specimens. Even though contractors collected only 19 percent of the specimens, they had just under one-third of the positive results for marijuana, one-third of the positive results for PCP, and one-third of the positive results for amphetamines. Contractors, however, had only 18 percent of the positive results for cocaine (see Exhibit 3-11).

The figures in Exhibit 3-11 show the number of positive specimens by drug type for contractors and transit systems. The figures in the columns should not be added together because this will result in double counting those employees who tested positive for more than one drug at the same time (see Exhibit 3-7 for the number of specimens positive for one or more drugs). For example, if an employee tested positive for both marijuana and cocaine it would have been recorded as one positive result. However, if the figures from Exhibit 11 are added together, then this one positive result will be counted both as one positive marijuana test and one positive cocaine test.

The overall number of positive test results for marijuana was 1,430: 993 for transit systems and 437 for contractors (see Exhibit 3-12). For cocaine, the overall number of positive test results was 1,084: 892 for transit systems and 192 for contractors. The number of positive test results

Exhibit 3-6. Distribution of All Drug Test Specimens Collected by Employer Type

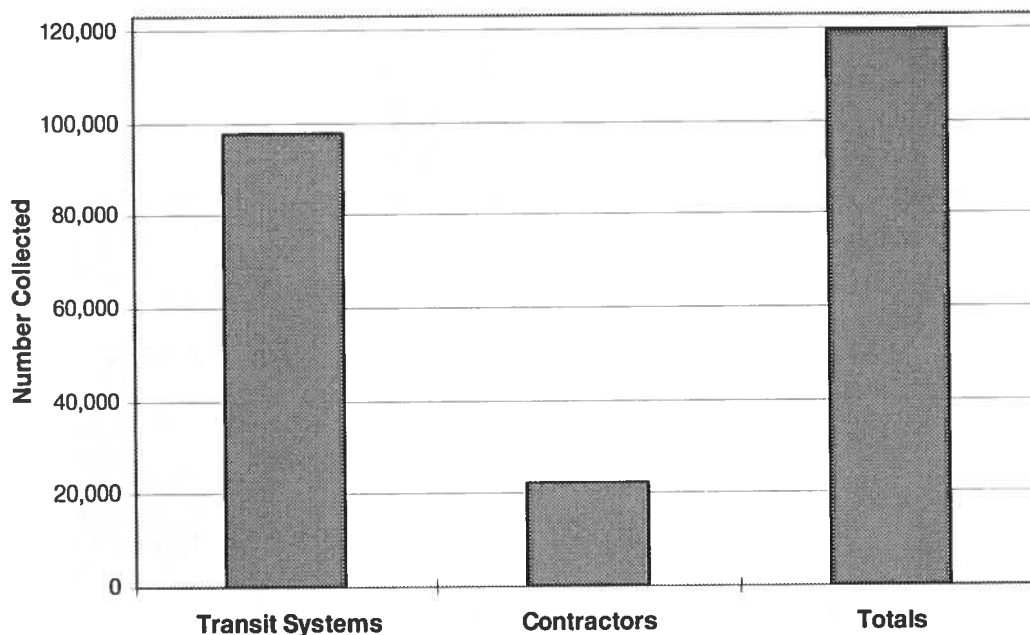


Exhibit 3-7. Distribution of Specimens Positive For One or More Drugs by Employer Type

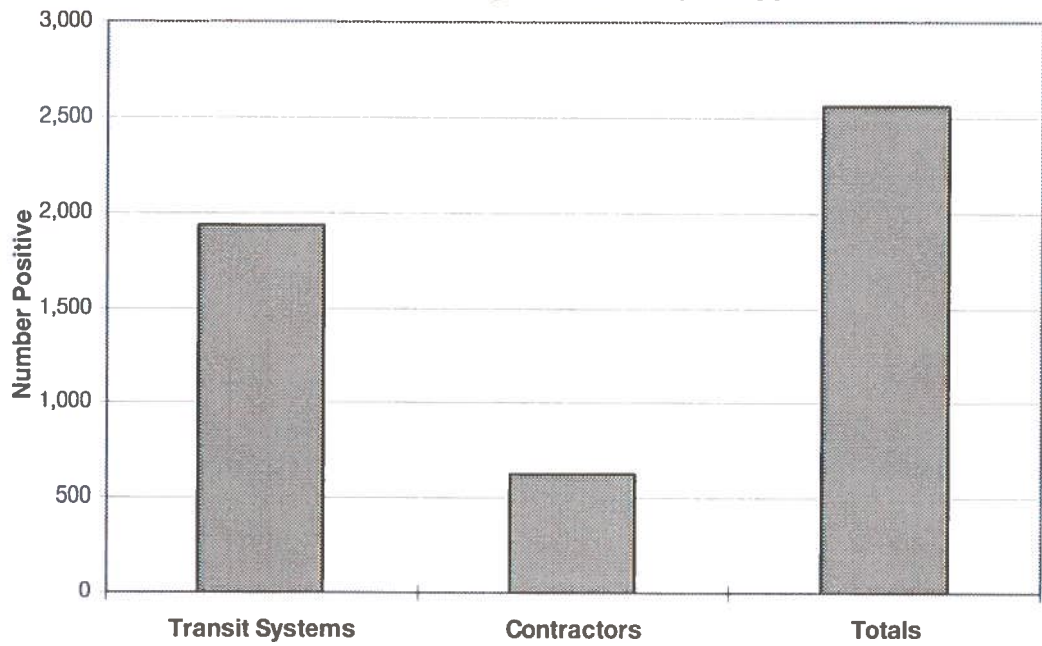


Exhibit 3-8. Percent of Specimens Positive For One or More Drugs by Employer Type

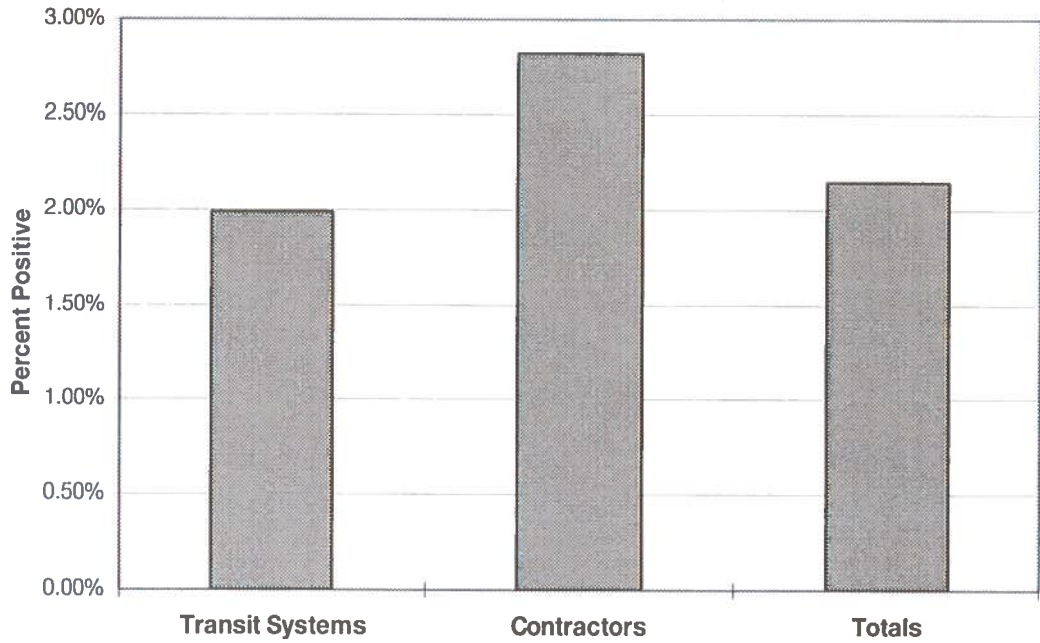
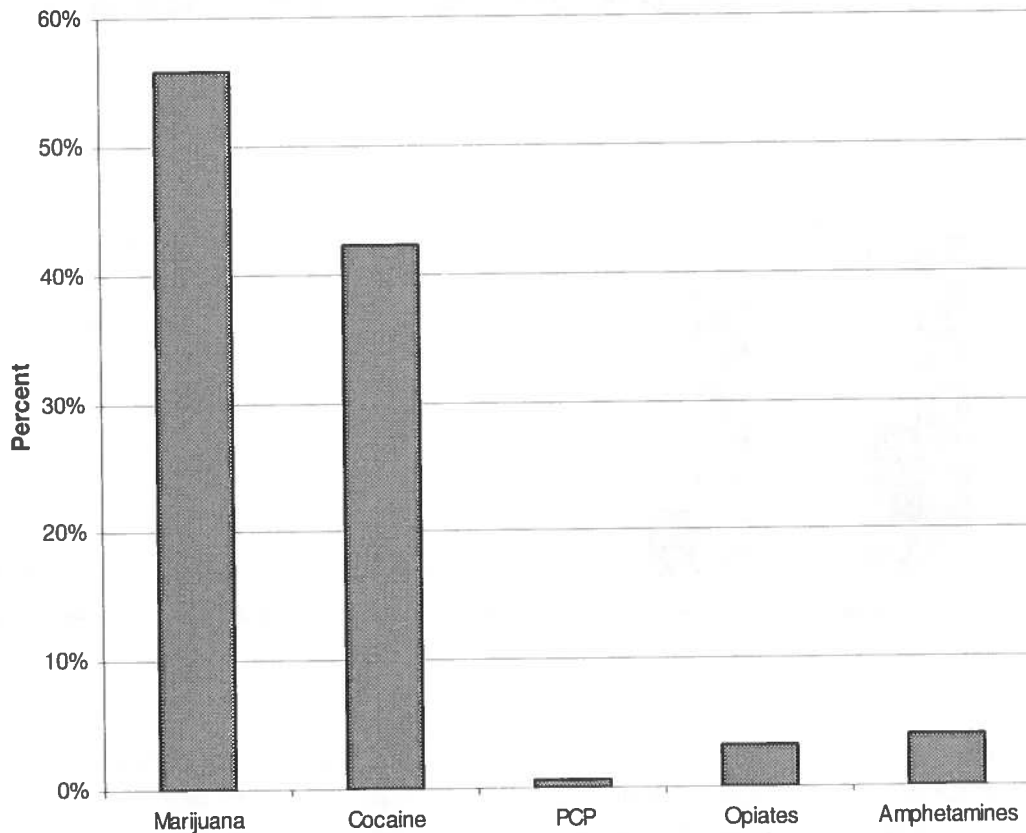


Exhibit 3-9. Number of Specimens Collected and Number of Positive Specimens and the Proportion of the Totals That Each Represents

Parameter	Transit Systems		Contractors		Totals
	Number	Percent of Total	Number	Percent of Total	Number
Number of Specimens Collected	97,545	81%	22,204	19%	119,749
Number of Positive Specimens	1,937	76%	627	24%	2,564

Exhibit 3-10. Percent of All Positive Drug Specimens That Contained Each Type of Drug

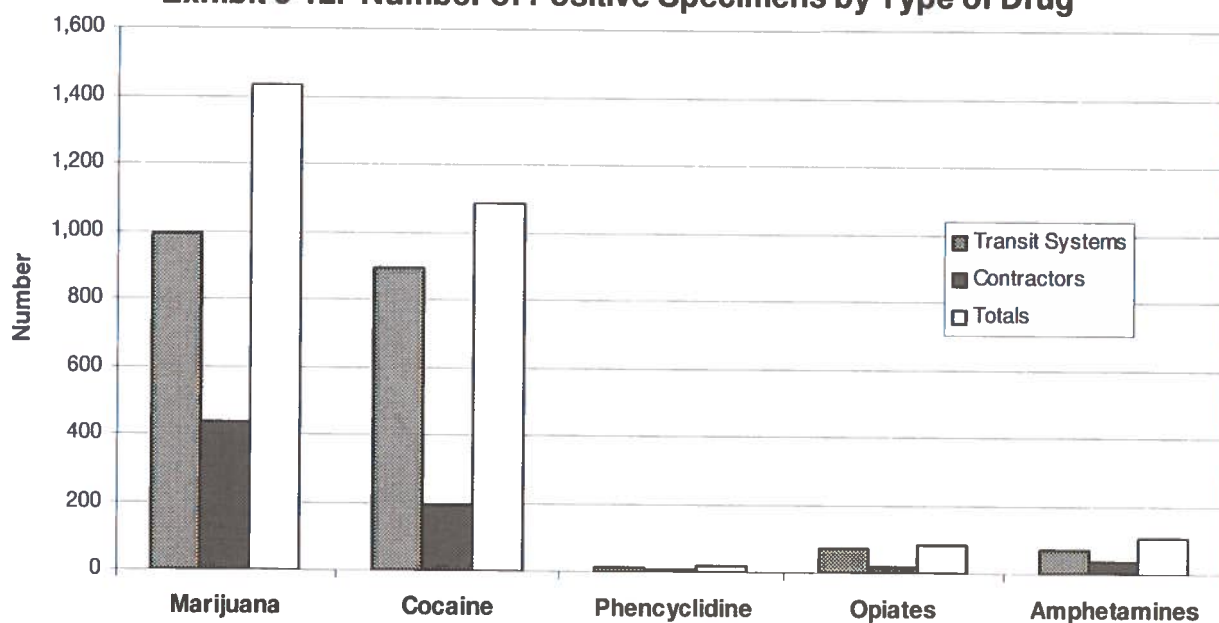


for amphetamines was 68 for transit systems and 35 for contractors, respectively. For transit systems, the number of positive test results for opiates was greater than 4.5 times the number of positive test results for contractors, at 69 and 15, respectively. There were very few positive test results for PCP (a total of 15): 10 positive for transit systems and 5 positive for contractors.

Exhibit 3-11. Number and Percent of All Positive Specimens That Contained Each Type of Drug by Employer Type

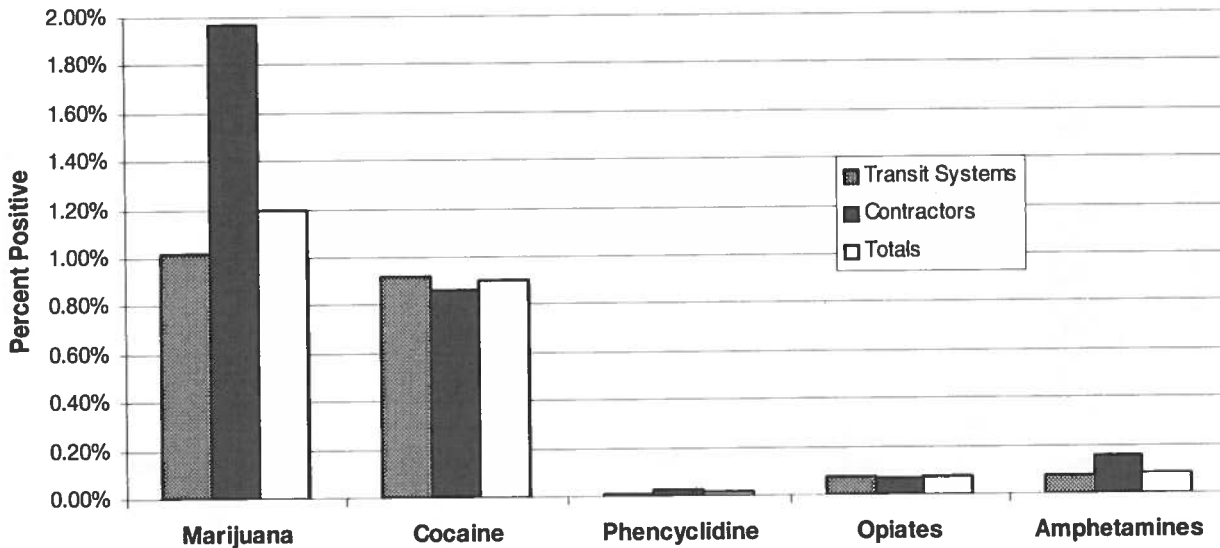
Type of Drug	Transit Systems		Contractors		Totals
	Number	Percent of Total	Number	Percent of Total	Number
Marijuana	993	69%	437	31%	1,430
Cocaine	892	82%	192	18%	1,084
Phencyclidine	10	67%	5	33%	15
Opiates	69	82%	15	18%	84
Amphetamines	68	66%	35	34%	103

Exhibit 3-12. Number of Positive Specimens by Type of Drug



The overall percent positive for marijuana was 1.19 percent, 1.02 percent for transit systems, and 1.97 percent for contractors (see Exhibit 3-13). For cocaine, the overall percent positive was 0.91 percent. For transit systems, the rate was also 0.91 percent; it was 0.86 percent for contractors. For contractors, the percent positive was 0.07 percent and 0.16 percent for opiates and amphetamines, respectively, and 0.07 percent for each of those drugs for transit systems. There were only a few positive test results for PCP.

Exhibit 3-13. Percent of Positive Specimens by Type of Drug



3.5 Positive Multidrug Test Results

Specimens were tested for all five prohibited drugs, and some specimens were found positive for more than one drug. More than two-thirds (69% -- 52 total specimens) of the 75 reported multidrug specimens contained marijuana and cocaine. For example, 48 specimens (64% of the total) contained just marijuana and cocaine, while 4 others contained marijuana, cocaine, and some other drug, as illustrated in Exhibit 3-14 (note that in Exhibit 3-14 the number of positive specimens is shown on the left y-axis, and the percent is shown on the right y-axis). Marijuana and amphetamines were found in 11 (15%) of the 75 reported multidrug specimens. The other drug combinations each amounted to less than 10 percent of the multidrug specimens.

3.6 Positive Drug Test Results by FTA Region

This section reports drug test results by FTA region. Among the 10 FTA regions, Regions 7 and 8 (with 3.17 percent and 3.11 percent, respectively) had the highest percents of specimens positive for one or more drugs (see Exhibit 3-15). Region 5 was third with 2.94 percent positive. Regions 9 and 6 (with 2.37 percent and 2.16 percent, respectively) were also above the overall percent positive of 2.1 percent. The other four regions had positive percents below that mark.

Exhibit 3-16 presents the regional distribution of drug positives by drug type. The most obvious trend is that marijuana had the highest number of positive results in 8 out of the 10 regions, although in Region 3, the percent of positive marijuana and cocaine drug tests were almost the same. In Region 1, amphetamines ranked the highest, and in Region 2, cocaine ranked the highest.

Exhibit 3-14. Number and Percent of Specimens Testing Positive For Multiple Drugs

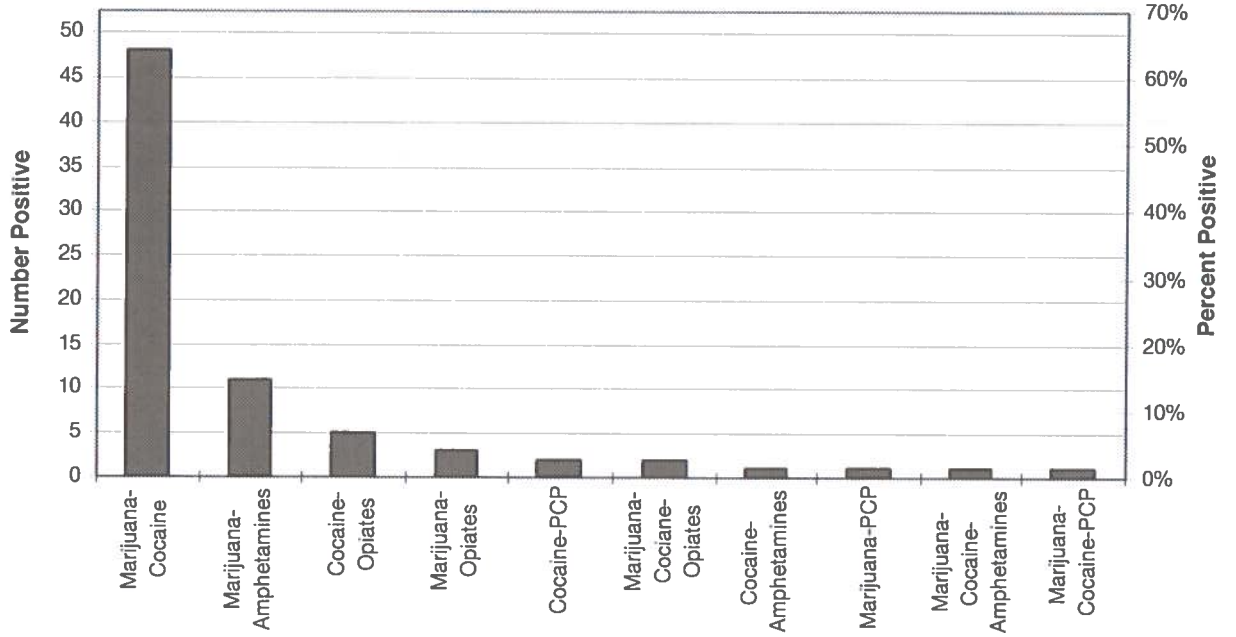
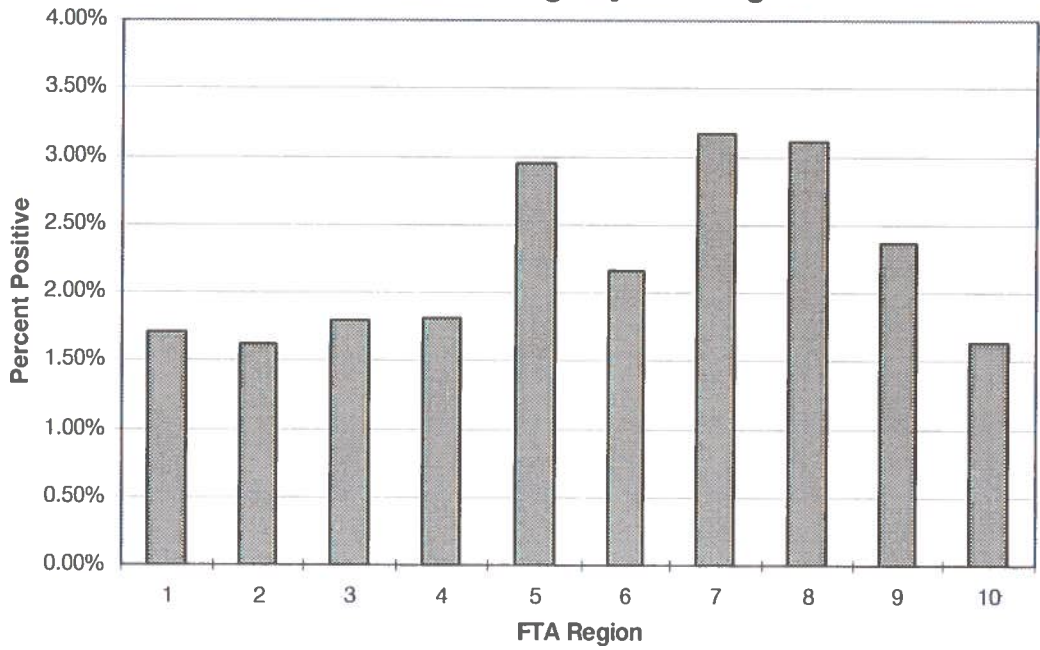


Exhibit 3-15. Percent of Specimens Testing Positive For One or More Drugs by FTA Region



Region 8 had the highest percent of specimens positive for marijuana (2.11 percent). Regions 7 and 5 were second and third (with 1.79 percent and 1.73 percent, respectively). Seven regions were below 1.5 percent for the number of positive drug test results. Regions 7 and 5 had the highest percents of specimens positive for cocaine (1.39 percent and 1.29 percent, respectively). The other eight regions were at or below 1.0 percent for cocaine. Across the FTA regions, the percent of tests positive for PCP were all at or below 0.1 percent. The percent of positive test results for opiates across FTA regions also were very low. Only Region 4 (with 0.69 percent) had a result above 0.1 percent. Region 1 had the highest percent of specimens positive for amphetamines (1.36 percent). Regions 4 and 9 were the only other regions with results above 0.1 percent (0.69 percent and 0.38 percent, respectively).

3.7 Drug Test Refusals

When directed to provide specimens for drug testing, some covered employees refused to be tested. In 1995 very few covered employees refused to be tested for drugs. In fact, there were only 23 reported instances of a covered employees refusing a random drug test and 355 instances of a covered employee refusing a nonrandom drug test (a total of 378 refusals). On the other hand, there were 119,749 reported instances of covered employees cooperating with drug testing (both random and nonrandom).

3.8 Return-to-Duty Positive Rate

The number of employees returned to duty during this reporting period who had a positive drug test or refused a drug test was 671. Because the consequences for refusing a drug test and for testing positive are the same, the MIS form used to collect information from employers combined the figures in these two areas.

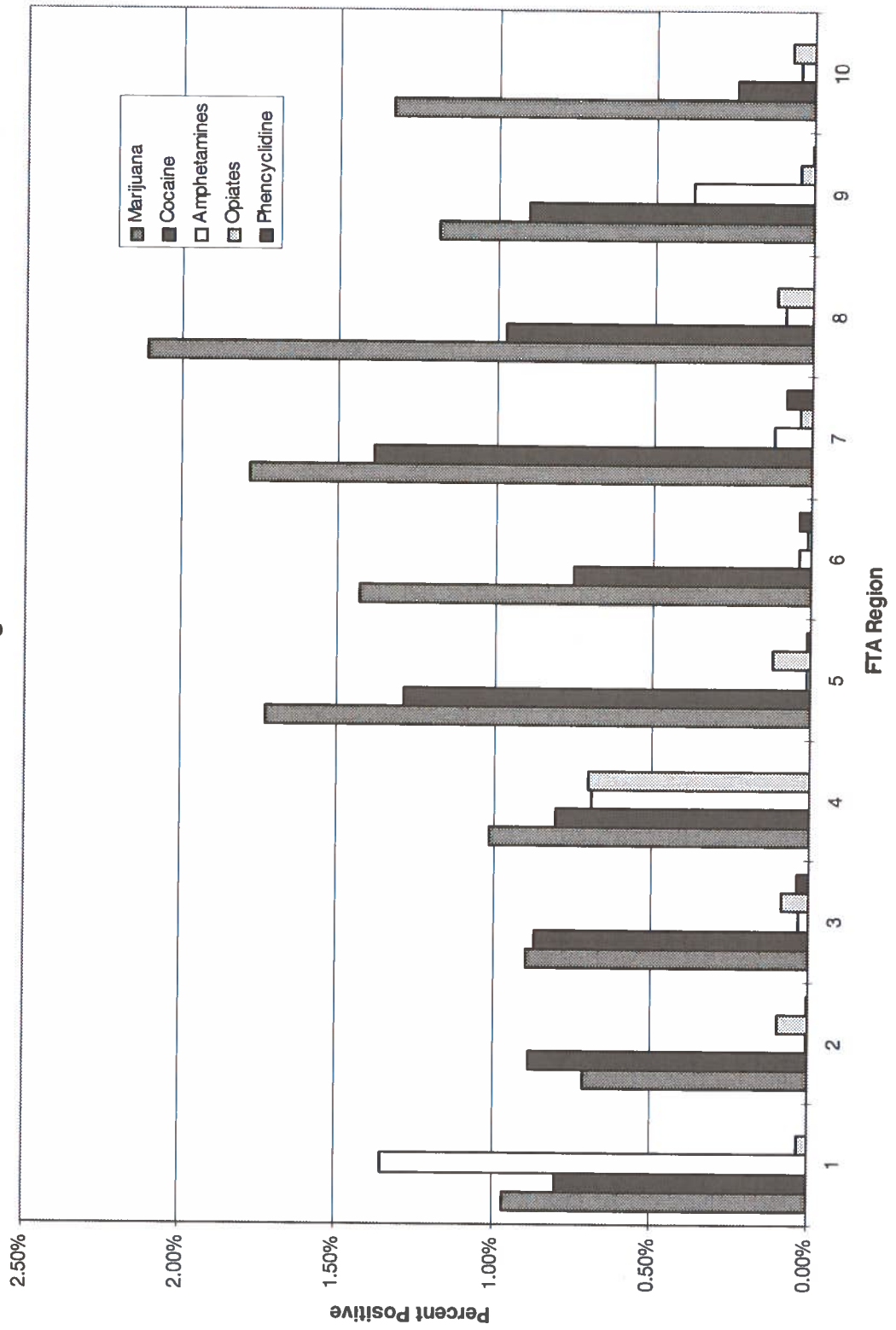
3.9 Pre-Employment Drug Test Results

There were 787 positive specimens among the 26,379 pre-employment drug tests administered in 1995 (3.0 percent). The number of persons denied a safety-sensitive position as a result of a positive test was 742, which is 2.8 percent of the total number of pre-employment tests and more than 94 percent of the prospective employees that tested positive in the pre-employment tests.

3.10 Post-Accident Drug Test Results

The reported number of accidents that resulted in a positive post-accident drug test was 174. Even though 174 accidents were reported that resulted in a positive post-accident drug test, there were only 147 positive post-accident drug tests reported. This discrepancy, which cannot be reconciled using the available data, may be due to the underreporting of the number of positive post-accident drug tests or the misclassification of some of the post-accident drug tests.

Exhibit 3-16. Percent of Specimens Testing Positive For Each of the Drug Types by FTA Region



3.11 Comparison of Transit System and Contractor Positive Random Drug Test Results

In four out of the five job categories, contractors had a higher percent of positive random drug test results than did transit systems (see Exhibit 3-17). The lone exception was the CDL/nonrevenue vehicle category, in which the transit systems positive percent was 1.57 and the contractor percent was 0.87. The largest differential was in the revenue vehicle and equipment maintenance category, where contractors had 2.99 percent positive and transit systems had 2.01 percent positive.

Contractors conducted a total of 8,506 random drug tests. This is 10.57 percent of all the random drug tests conducted. From these tests, contractors had a total of 172 positive results or 12.4 percent of the total number of positive random drug tests (1,390 positive tests). Overall, the employee category with the highest percent of positive random results was revenue vehicle and equipment maintenance personnel (2.05). The employee category with the lowest percent of positive random test results was armed security personnel with 0.61. The remaining three employee categories all had overall positive percents between 1.0 and 2.0.

Exhibit 3-17. Comparison of Positive Random Drug Test Results by Employer Type and Employee Category

Employee Category	Transit Systems			Contractors			Totals		
	Number Specimens	Number Positive	Percent Positive	Number Specimens	Number Positive	Percent Positive	Number Specimens	Number Positive	Percent Positive
Revenue Vehicle Operation	44,998	754	1.68%	6,598	132	2.00%	51,596	886	1.72%
Revenue Vehicle and Equipment Maintenance	18,598	374	2.01%	770	23	2.99%	19,368	397	2.05%
Revenue Vehicle Control/ Dispatch	4,105	45	1.10%	614	12	1.95%	4,719	57	1.21%
CDL/Non-Revenue Vehicle	2,100	33	1.57%	346	3	0.87%	2,446	36	1.47%
Armed Security Personnel	2,132	12	0.56%	178	2	1.12%	2,310	14	0.61%
Totals	71,933	1,218	1.69%	8,506	172	2.02%	80,439	1,390	1.73%

4. ALCOHOL TEST RESULTS

This section provides background information on the 1995 alcohol testing procedures and a summary of the alcohol test results. Section 4.1 identifies overall results, while Sections 4.2 and 4.3 present a detailed examination of the findings according to test type and employee category.

4.1 Introduction

The Federal Transit Administration regulations prohibit covered employees who perform safety-sensitive functions from reporting to duty or staying on duty while having an alcohol concentration of 0.02 or greater. In addition, employees are prohibited from using alcohol within 4 hours prior to performing safety-sensitive functions and from consuming alcohol while on-call. Because employees are prohibited from using alcohol while performing safety-sensitive functions, an employer who has knowledge that an employee is using alcohol must prohibit that employee from performing these functions. An employee must be given the opportunity to acknowledge use of alcohol at the time he or she is called to duty and must be given an alcohol test if the employee claims to be able to perform his or her safety-sensitive function. The FTA has provided two different sets of consequences (see Exhibit 4-1) should an alcohol confirmation test show that an employee's alcohol concentration is (1) 0.02 or greater but less than 0.04 or (2) 0.04 or greater. A positive alcohol test result is considered to be a confirmation test result that shows an alcohol concentration of 0.04 or greater. The alcohol concentration level is the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath.

Alcohol tests are conducted in two parts: a screening test followed by a confirmation test. The screening test is conducted to determine if the employee's level of alcohol concentration is prohibitive. The confirmation test follows the screening test for those employees whose test results indicate a 0.02 or greater alcohol concentration.

The data collected by the FTA from transit systems and contractors include information on both the number of screening tests conducted, the number of confirmation tests conducted, and the number of positive results from these confirmation tests. In this report, the alcohol test results are derived from the number of confirmation tests conducted and found to be positive.

Overall, the positive test results for both transit systems and contractors as identified in Exhibit 4-2 were low. Exhibit 4-2 shows that transit systems had a slightly higher overall percent of positive results compared to contractors. These percents reflect the positive test results of all alcohol test categories (pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up).

Exhibit 4-1. Consequences of Positive Alcohol Test for Covered Employees

An employee with a concentration of 0.02 or greater but less than 0.04 must be removed from duty for 8 hours or until a retest shows an alcohol concentration of less than 0.02.

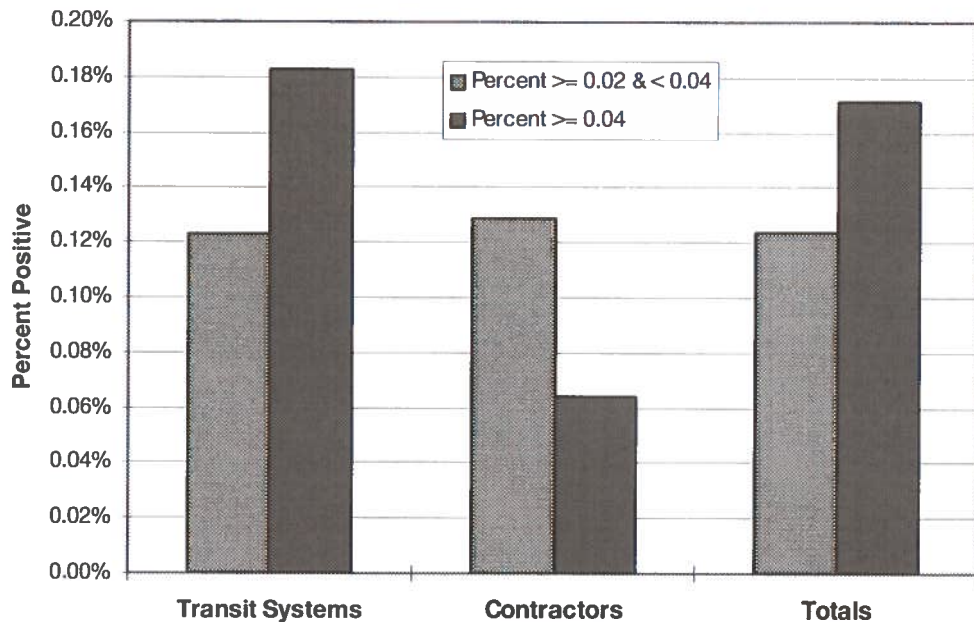
An employee with an alcohol concentration of 0.04 or greater must be prohibited from performing in any safety-sensitive position, removed from his or her safety-sensitive position, be told about educational and treatment programs available, and be referred to a substance abuse professional.

Exhibit 4-2. Overall Alcohol Test Results

Employer	Total Number of Tests	Number Positive (≥ 0.04)	Percent Positive
Transit Systems	59,279	186	0.31%
Contractors	9,250	18	0.19%
Totals	68,529	204	0.30%

Unlike the more planned or event-triggered pre-employment, post-accident, reasonable suspicion, return-to-duty, and follow-up tests, random tests are conducted without notice. Random testing was the type of test conducted most frequently (47,816 out of a total 68,529 tests conducted). Exhibit 4-3 provides the random test results for transit systems and contractors and their combined total at both the lower level (0.02 to < 0.04) and at the higher level (≥ 0.04) alcohol concentrations. All positive random test results are under one-fifth of one percent, even lower than the overall results.

Exhibit 4-3. Percent of Random Alcohol Tests Positive at Both Levels



Industry-wide, the occurrence of positive random alcohol tests was very low, at both the lower level of ≥ 0.02 but less than 0.04 (0.12%) and the higher level, ≥ 0.04 (0.17%). Transit systems had a greater percent of positive random alcohol test results at the higher level of ≥ 0.04 than did contractors (0.18% vs. 0.06%). At the lower level of ≥ 0.02 but less than 0.04, the percent positive for transit systems is nearly identical to the percent positive for contractors (0.12% and 0.13%, respectively). The actual number of positive random alcohol tests, however, differs substantially (53 for transit systems and 6 for contractors).

4.2 Results of Alcohol Testing Presented by Test Type

Alcohol test information was requested from transit systems and their contractors for six test types: pre-employment, random, post-accident, reasonable suspicion, return-to-duty, and follow-up. The number of pre-employment tests conducted may appear low because the requirement for conducting pre-employment alcohol testing was suspended as of May 10, 1995.

Exhibit 4-4 presents the alcohol test results, by test type and by employee category, for transit systems and contractors and identifies the combined totals industry-wide. This exhibit also presents the number of screening tests administered, the number of positive test results, and the percent of positive test results.

It should be noted that in Exhibits 4-4 and 4-5 and throughout this section, the number of confirmation tests conducted has not been used to calculate the percent positive results. A confirmation test is conducted when a screening test result indicates a 0.02 or greater alcohol concentration. Based on the information submitted, FTA was concerned that the numbers of confirmation tests were overstated. Forty-seven employers reported exactly the same number of confirmation tests as screening tests, and the number of confirmation tests conducted by these employers was 85 percent of the total number of confirmation tests conducted (13,241 confirmation tests conducted by all employers and 11,282 confirmation tests conducted by just 47 employers). Of the 8,758 random confirmation tests conducted, 91 percent were conducted by just 37 employers who reported conducting exactly the same number of screening tests (8,758 random confirmation tests conducted by all employers and 7,991 confirmation tests conducted by just 37 employers). If all of the confirmation tests reported were actually conducted in the proper manner (after a screening test result of 0.02 or greater), then the number and percent of positive alcohol test results reported for all these employers should be greater than the national average; however, this was not the case. The percent positive alcohol test results for all these employers were similar to the national average.

The totals indicate that the positive alcohol test results vary little for four out of the five test types. All but one had positive results below one percent: pre-employment, 0.04 percent; random, 0.17 percent; post-accident, 0.20 percent; return-to-duty, 0.15 percent; and follow-up, 0.65 percent. Reasonable suspicion testing found 9.36 percent of the specimens tested to be positive.

4.2.1 Pre-employment Alcohol Test Results

As previously mentioned, FTA suspended the requirement for pre-employment alcohol testing as of May 10, 1995. The suspension of this test accounts for the low number of pre-employment tests given as compared to the number of pre-employment drug tests administered (9,634 alcohol tests and 26,365 drug tests; see Section 3 for commentary on the pre-employment drug tests). Of the 9,634 pre-employment alcohol tests, 4 (or 0.04%) were positive.

4.2.2 Random Alcohol Test Results

Random testing was by far the most frequently conducted test industry-wide (47,816 of 68,529 tests or 69.77%), as shown in Exhibit 4-4. Because of its frequent use, the results in this category are the most indicative of alcohol use in general by transit system and contractor employees. Of the random alcohol tests conducted, 0.17 percent were positive.

Exhibit 4-4. Alcohol Test Results by Test Type and Employee Category*

Test Type	TRANSIT SYSTEMS				CONTRACTORS				TOTALS			
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
TOTALS BY TEST TYPE, ALL EMPLOYEE CATEGORIES												
Pre-employment	5,914	1,417	1	0.02%	3,720	393	3	0.08%	9,634	1,810	4	0.04%
Random	43,149	8,352	79	0.18%	4,667	406	3	0.06%	47,816	8,758	82	0.17%
Post-accident	5,790	1,466	13	0.22%	743	76	0	0.00%	6,533	1,542	13	0.20%
Reasonable Suspicion	883	158	76	8.61%	57	21	12	21.05%	940	179	88	9.36%
Return to Duty	1,248	391	2	0.16%	56	4	0	0.00%	1,304	395	2	0.15%
Follow-up	2,295	557	15	0.65%	7	0	0	0.00%	2,302	557	15	0.65%
Totals	59,279	12,341	186	0.31%	9,250	900	18	0.19%	68,529	13,241	204	0.30%
TOTALS												
Employee Category	TRANSIT SYSTEMS				CONTRACTORS				TOTALS			
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
PRE-EMPLOYMENT												
Revenue Vehicle Operation	4,280	1,092	1	0.02%	2,946	330	3	0.10%	7,226	1,422	4	0.06%
Rev. Veh. and Equip. Maint.	977	185	0	0.00%	437	28	0	0.00%	1,414	213	0	0.00%
Rev. Vehicle Control/Disp.	219	16	0	0.00%	144	6	0	0.00%	363	22	0	0.00%
CDL/Non-Revenue Vehicle	153	30	0	0.00%	80	29	0	0.00%	233	59	0	0.00%
Armed Security Personnel	285	94	0	0.00%	113	0	0	0.00%	398	94	0	0.00%
RANDOM												
Revenue Vehicle Operation	27,002	5,354	41	0.15%	3,575	272	2	0.06%	30,577	5,626	43	0.14%
Rev. Veh. and Equip. Maint.	11,228	2,146	35	0.31%	496	41	1	0.20%	11,724	2,187	36	0.31%
Rev. Vehicle Control/Disp.	2,332	381	1	0.04%	382	51	0	0.00%	2,714	432	1	0.04%
CDL/Non-Revenue Vehicle	1,365	193	1	0.07%	110	42	0	0.00%	1,475	235	1	0.07%
Armed Security Personnel	1,222	278	1	0.08%	104	0	0	0.00%	1,326	278	1	0.08%

* Due to data reporting anomalies, the number of confirmation tests are presented for informational purposes only. The percents positive are based on the number of screening tests, not on the number of confirmation tests, conducted.

Exhibit 4-4. Alcohol Test Results by Test Type and Employee Category (continued)*

Employee Category	TRANSIT SYSTEMS					CONTRACTORS					TOTALS					
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
POST-ACCIDENT																
Revenue Vehicle Operation	5,102	1,333	13	0.25%	723	70	0	0.00%	5,825	1,403	13	0.22%				
Rev. Veh. and Equip. Maint.	474	91	0	0.00%	11	0	0	0.00%	485	91	0	0.00%				
Rev. Vehicle Control/Disp.	76	5	0	0.00%	3	1	0	0.00%	79	6	0	0.00%				
CDL/Non-Revenue Vehicle	81	8	0	0.00%	5	5	0	0.00%	86	13	0	0.00%				
Armed Security Personnel	57	29	0	0.00%	1	0	0	0.00%	58	29	0	0.00%				
REASONABLE SUSPICION																
Revenue Vehicle Operation	678	94	38	5.60%	50	20	11	22.00%	728	114	49	6.73%				
Rev. Veh. and Equip. Maint.	123	42	27	21.95%	5	1	1	20.00%	128	43	28	21.88%				
Rev. Vehicle Control/Disp.	44	4	1	2.27%	1	0	0	0.00%	45	4	1	2.22%				
CDL/Non-Revenue Vehicle	34	17	9	26.47%	0	0	0	—	34	17	9	26.47%				
Armed Security Personnel	4	1	1	25.00%	1	0	0	0.00%	5	1	1	20.00%				
RETURN TO DUTY																
Revenue Vehicle Operation	869	290	1	0.12%	44	1	0	0.00%	913	291	1	0.11%				
Rev. Veh. and Equip. Maint.	282	80	1	0.35%	5	1	0	0.00%	287	81	1	0.35%				
Rev. Vehicle Control/Disp.	29	7	0	0.00%	5	0	0	0.00%	34	7	0	0.00%				
CDL/Non-Revenue Vehicle	41	9	0	0.00%	2	2	0	0.00%	43	11	0	0.00%				
Armed Security Personnel	27	5	0	0.00%	0	0	0	—	27	5	0	0.00%				
FOLLOW-UP																
Revenue Vehicle Operation	1,440	323	11	0.76%	7	0	0	0.00%	1,447	323	11	0.76%				
Rev. Veh. and Equip. Maint.	684	190	4	0.58%	0	0	0	—	684	190	4	0.58%				
Rev. Vehicle Control/Disp.	87	36	0	0.00%	0	0	0	—	87	36	0	0.00%				
CDL/Non-Revenue Vehicle	63	8	0	0.00%	0	0	0	—	63	8	0	0.00%				
Armed Security Personnel	21	0	0	0.00%	0	0	0	—	21	0	0	0.00%				

* Due to data reporting anomalies, the number of confirmation tests are presented for informational purposes only. The percents positive are based on the number of screening tests, not on the number of confirmation tests, conducted.

For both transit systems and contractors, random testing was the most frequently used test, accounting for 72.89 percent and 50.45 percent of the tests administered, respectively. Random testing, while used the most frequently, accounted for the second lowest percent of positive results compared to the other testing categories. The percents of positive random tests were 0.18 for transit system personnel and 0.06 for contractors.

For random alcohol tests, the revenue vehicle and equipment maintenance employee category had the highest percent of positive alcohol test results (0.31). The other four employee categories had 0.14 percent or less positive test results. Contractors reported no positive test results for revenue vehicle control/dispatch, CDL/nonrevenue vehicle, and armed security personnel categories.

4.2.3 Post-Accident Alcohol Test Results

Positive post-accident test results were 0.20 percent overall and were found exclusively within transit systems (13 out of 6,533). All of the positive test results were found for one transit system in one employee category: revenue vehicle operation.

4.2.4 Reasonable Suspicion Alcohol Test Results

Reasonable suspicion testing produced the highest percent of positive results for transit system employees and contractors, as well as industry-wide (8.61, 21.05, and 9.36, respectively). However, while this test type accounted for the highest percent of positive results, it was the least often administered test. In total, this test type accounted for 940 tests or 1.36 percent of all alcohol tests administered.

Almost all the reasonable suspicion positive test results, 76 out of 88, were for transit system personnel. Within transit systems, revenue vehicle and equipment maintenance, CDL/nonrevenue vehicle operator, and armed security personnel each had more than 20 percent positive test results. CDL/nonrevenue vehicle operators had the most positive test results at 26.47 percent, for transit system personnel and overall. For contractors, 11 out of the 12 positive test results were for revenue vehicle operators.

4.2.5 Return-to-Duty Alcohol Test Results

Overall, 0.15 percent of the return-to-duty tests were found positive. Of the 1,304 tests conducted industry-wide, all but 56 were conducted by transit systems. Only two positive test results were detected overall, both for transit system personnel. Contractors reported no positive test results.

4.2.6 Follow-up Alcohol Test Results

Overall results for follow-up testing revealed that 0.65 percent of tests were positive. All of the positive test results (15 out of 2,302) were reported by transit systems. Two employee categories account for all the positive results: revenue vehicle operation and revenue vehicle and equipment maintenance (0.76% and 0.58%, respectively).

4.3 Results of Alcohol Testing Presented by Employee Category

Exhibit 4-5 presents the information for alcohol testing by employee category and test for transit systems and contractors and identifies the combined totals industry-wide. This exhibit indicates the number of screening tests administered, the number of positive test results, and the percent of positive tests.

There is some variation in the percent of random positive alcohol test results among employee categories. The revenue vehicle and equipment maintenance employee category had the highest percent of overall positive results (0.31). The revenue vehicle operation employee category had the second highest percent positive rate (0.14). The remaining employee categories had positive rates below 0.10 percent.

4.3.1 Alcohol Test Results for Revenue Vehicle Operation Category

As Exhibit 4-5 demonstrates, more tests were conducted on revenue vehicle operators industry-wide (46,716 of 68,529 tests or 68%) than any other employee category. This finding is also true for transit systems (66%) and for contractors (79%). Although the revenue vehicle operation category comprised 68 percent of the total tests administered, it accounted for only 59 percent of the positive test results industry-wide.

Within the revenue vehicle operator employee category, reasonable suspicion testing accounted for the highest percent of positive tests (6.73). The percent of positive tests for random testing and all other testing types was less than 1 percent. Little variation in the percent of positive tests exists when comparing positive random testing results for the revenue vehicle operation category with other employee categories. All of the positive results are less than 1 percent.

4.3.2 Alcohol Test Results for Revenue Vehicle and Equipment Maintenance Category

The percent of positive random alcohol tests for this employee category was 0.31 (36 of 11,724 tests). Of the 36 positive random tests, 97 percent were for transit system employees.

Within the revenue vehicle and equipment maintenance employee category, reasonable suspicion testing accounted for the most positive tests (21.88%). Industry-wide, positive follow-up tests in this employee category occurred slightly more often than positive random tests (0.58% vs. 0.31%), and return-to-duty tests showed almost the same amount of positive results (0.35%) as random.

4.3.3 Alcohol Test Results for Revenue Vehicle Control/Dispatch Category

Industry-wide, there were only two positive test results for this employee category; both of these positive tests were for transit system employees. Of the two positive test results, one was for random and the other was for reasonable suspicion tests.

Exhibit 4-5. Alcohol Test Results by Employee Category and Test Type*

Employee Category	TRANSIT SYSTEMS				CONTRACTORS				TOTALS			
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
TOTALS BY EMPLOYEE CATEGORIES, ALL TEST TYPES												
Revenue Vehicle Operation	39,371	8,486	105	0.27%	7,345	693	16	0.22%	46,716	9,179	121	0.26%
Rev. Veh. and Equip. Maint.	13,768	2,734	67	0.49%	954	71	2	0.21%	14,722	2,805	69	0.47%
Rev. Vehicle Control/Disp.	2,787	449	2	0.07%	535	58	0	0.00%	3,322	507	2	0.06%
CDL/Non-Revenue Vehicle	1,737	265	10	0.58%	197	78	0	0.00%	1,934	343	10	0.52%
Armed Security Personnel	1,616	407	2	0.12%	219	0	0	0.00%	1,835	407	2	0.11%
Totals	59,279	12,341	186	0.31%	9,250	900	18	0.19%	68,529	13,241	204	0.30%
TOTALS												
Test Type	TRANSIT SYSTEMS				CONTRACTORS				TOTALS			
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
REVENUE VEHICLE OPERATION												
Pre-employment	4,280	1,092	1	0.02%	2,946	330	3	0.10%	7,226	1,422	4	0.06%
Random	27,002	5,354	41	0.15%	3,575	272	2	0.06%	30,577	5,626	43	0.14%
Post-accident	5,102	1,333	13	0.25%	723	70	0	0.00%	5,825	1,403	13	0.22%
Reasonable Suspicion	678	94	38	5.60%	50	20	11	22.00%	728	114	49	6.73%
Return to Duty	869	290	1	0.12%	44	1	0	0.00%	913	291	1	0.11%
Follow-up	1,440	323	11	0.76%	7	0	0	0.00%	1,447	323	11	0.76%
REVENUE VEHICLE AND EQUIPMENT MAINTENANCE												
Pre-employment	977	185	0	0.00%	437	28	0	0.00%	1,414	213	0	0.00%
Random	11,228	2,146	35	0.31%	496	41	1	0.20%	11,724	2,187	36	0.31%
Post-accident	474	91	0	0.00%	11	0	0	0.00%	485	91	0	0.00%
Reasonable Suspicion	123	42	27	21.95%	5	1	1	20.00%	128	43	28	21.88%
Return to Duty	282	80	1	0.35%	5	1	0	0.00%	287	81	1	0.35%
Follow-up	684	190	4	0.58%	0	0	0	—	684	190	4	0.58%

* Due to data reporting anomalies, the number of confirmation tests are presented for informational purposes only. The percents positive are based on the number of screening tests, not on the number of confirmation tests, conducted.

Exhibit 4-5. Alcohol Test Results by Employee Category and Test Type (continued)

Test Type	TRANSIT SYSTEMS				CONTRACTORS				TOTALS			
	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Confirmation Tests	Number of Positive Results	Percent Positive
REVENUE VEHICLE CONTROL/DISPATCH												
Pre-employment	219	16	0	0.00%	144	6	0	0.00%	363	22	0	0.00%
Random	2,332	381	1	0.04%	382	51	0	0.00%	2,714	432	1	0.04%
Post-accident	76	5	0	0.00%	3	1	0	0.00%	79	6	0	0.00%
Reasonable Suspicion	44	4	1	2.27%	1	0	0	0.00%	45	4	1	2.22%
Return to Duty	29	7	0	0.00%	5	0	0	0.00%	34	7	0	0.00%
Follow-up	87	36	0	0.00%	0	0	0	—	87	36	0	0.00%
CDI/NON-REVENUE VEHICLE												
Pre-employment	153	30	0	0.00%	80	29	0	0.00%	233	59	0	0.00%
Random	1,365	193	1	0.07%	110	42	0	0.00%	1,475	235	1	0.07%
Post-accident	81	8	0	0.00%	5	5	0	0.00%	86	13	0	0.00%
Reasonable Suspicion	34	17	9	26.47%	0	0	0	—	34	17	9	26.47%
Return to Duty	41	9	0	0.00%	2	2	0	0.00%	43	11	0	0.00%
Follow-up	63	8	0	0.00%	0	0	0	—	63	8	0	0.00%
ARMED SECURITY PERSONNEL												
Pre-employment	285	94	0	0.00%	113	0	0	0.00%	398	94	0	0.00%
Random	1,222	278	1	0.08%	104	0	0	0.00%	1,326	278	1	0.08%
Post-accident	57	29	0	0.00%	1	0	0	0.00%	58	29	0	0.00%
Reasonable Suspicion	4	1	1	25.00%	1	0	0	0.00%	5	1	1	20.00%
Return to Duty	27	5	0	0.00%	0	0	0	—	27	5	0	0.00%
Follow-up	21	0	0	0.00%	0	0	0	—	21	0	0	0.00%

* Due to data reporting anomalies, the number of confirmation tests are presented for informational purposes only. The percents positive are based on the number of screening tests, not on the number of confirmation tests, conducted.

4.3.4 Alcohol Test Results for CDL/Nonrevenue Vehicle Category

Industry-wide random testing of this employee category resulted in 0.07 percent of the tests being positive. The one positive result (1 of 1,475) was detected in one transit system employee. Within this employee category, a high of 26.47 percent of the positive results were revealed through reasonable suspicion testing.

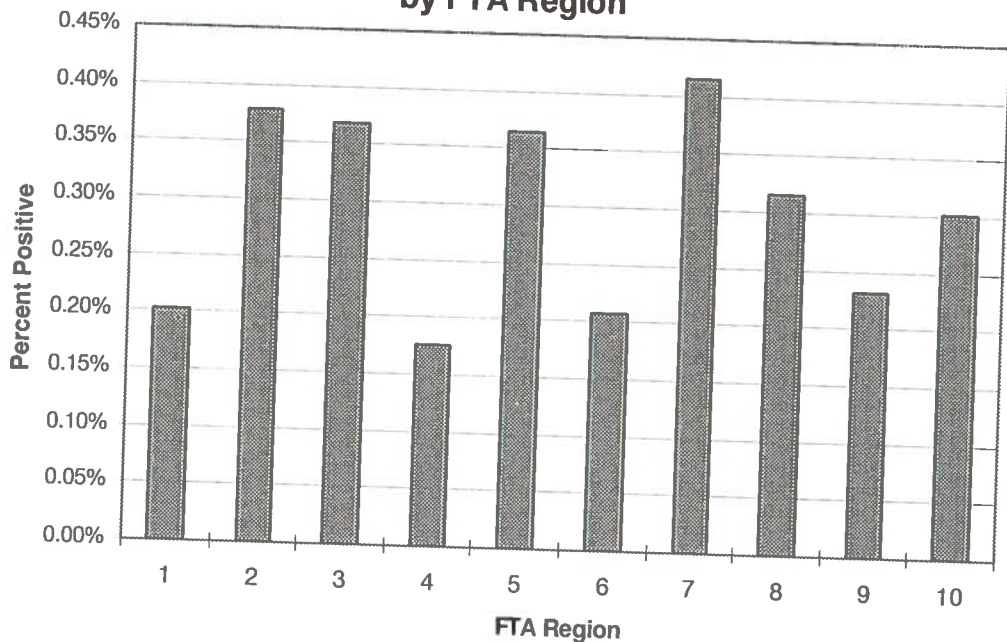
4.3.5 Alcohol Test Results for Armed Security Personnel Category

Overall random testing of this employee category resulted in 0.08 percent of the specimens testing positive. There were only two positive results in this employee category: one positive random test and one positive reasonable suspicion test. Both of these positive tests were for transit system employees.

4.4 Alcohol Test Results by FTA Region

This section presents alcohol test results by FTA Region. Exhibit 4-6 shows a relatively consistent percent of employees who tested positive for alcohol use across all FTA regions. All regions show less than 0.45 percent positive tests. Region 7 had the highest percent of positive tests at 0.42. Regions 2, 3, and 5 followed closely at just below 0.40 percent. Region 4 had the lowest percent of positive results at under 0.18.

Exhibit 4-6. Percent of Positive Alcohol Tests by FTA Region



4.5 Employees Who Refused Alcohol Testing

The FTA regulations stipulate that no employer shall permit an employee who refuses to submit to a required test to perform safety-sensitive functions. Exhibit 4-7 shows that the number of employees who refused to be tested for alcohol is exceedingly small (60 employees, compared to the 68,529 tests that were administered).

Alcohol Test Type	Number of Alcohol Tests Given	Number of Employees Who Refused Testing
Random	47,816	36
Non-random	20,713	24
Total	68,529	60

4.6 Employees Returned to Duty

Transit systems reported that, of all the employees engaged in alcohol misuse (as defined by a positive alcohol test), 106 were returned to duty. Each individual had to undergo a return-to-duty test and have a result indicating an alcohol concentration of less than 0.02. However, the reported figure of 106 employees may not be a reliable number. This figure was the total of all responses to the question on the MIS form that instructed employers to record the number of employees who had engaged in alcohol misuse and were returned to duty during the reporting period. In another section of the form, employers were asked to record the total number of return-to-duty tests conducted; this figure was 1,304.

4.7 Post-Accident Alcohol Test Results

The MIS reporting form required employers to record the number of accidents that resulted in a post-accident alcohol test indicating an alcohol concentration of 0.04 or greater. Employers recorded that there were 45 such accidents during the reporting period. In another section of the MIS form, employers were asked to present the results of their post-accident alcohol testing. Here, employers reported 13 positive test results from the 6,533 tests conducted, as shown in Exhibit 4-4. In reviewing the data submitted by individual employers, various inconsistencies are evident. For example, one contractor reported 32 nonfatal accidents with a post-accident test result of 0.04 or greater. However, this same contractor, in another part of the reporting form, indicated no positive post-accident tests at either alcohol concentration level.

4.8 Violations of Other Alcohol Provisions and Actions Taken

FTA required employers to provide information on the number of employees who violated certain provisions of the FTA rule. Transit systems reported the following information: (1) 41 employees used alcohol while performing a safety-sensitive function, (2) 73 employees used alcohol within 4 hours of performing a safety-sensitive function, and (3) 6 employees used

alcohol before taking a post-accident alcohol test. Employers were requested to report other possible violations, in addition to the three provided on the MIS reporting form. Only one employer identified any other employee violations. This employer reported one employee who was found to have an alcohol concentration level that prohibited the person from performing his or her safety-sensitive function. The total number of employees reported as committing violations in this section was 121. Exhibit 4-8 presents the types of violations committed, the number of employees who committed these violations, and the types of actions taken by employers in response to these violations. Because employers reported the types of actions taken in their own words, the actual responses to this question varied. To facilitate the analysis of the data, the actions were grouped into the following four categories: (1) terminations, (2) suspensions, (3) temporarily removing the employee from service, and (4) referring the employee for counseling.

Exhibit 4-8. Violations of Other Alcohol Provisions and Actions Taken

Violation	Total Number of Employees	Types of Actions Taken and Number of Employees
Used alcohol while performing a safety-sensitive function	41	Terminations = 21 Suspensions = 3 Temporarily removing the employee from service = 2 Referred to counseling = 15
Used alcohol within 4 hours of performing a safety-sensitive function	73	Terminations = 18 Suspensions = 29 Temporarily removing the employee from service = 18 Referred to counseling = 8
Used alcohol before taking a post-accident alcohol test	6	Terminations = 4 Referred to counseling = 2
Employee found to have an alcohol concentration level that prohibited the person from performing his or her safety-sensitive function	1	Temporarily removing the employee from service = 1

4.9 Violation Rate

The FTA alcohol testing rule includes a definition for violation rate. The definition describes the violation rate as the number of positive random tests at the higher (≥ 0.04) concentration level plus the number of employees who refused a random test, divided by the total number of random tests plus the number of employees who refused a random test. The formula below presents the violation rate for all employers (transit systems and contractors) as a whole:

$$\frac{\text{Positive random tests (82) + number refused random testing (35) = 117}}{\text{Total random tests (47,934) + number refused random testing (35) = 47,969}} = 0.24\%$$

4.10 Comparison of Transit System and Contractor Random Positive Alcohol Test Results

A comparison of transit system random test results to contractor random test results shows that, regardless of the employee category, transit systems had a higher percent of positive test results than contractors. Exhibit 4-9 presents a table that compares the positive random alcohol test results for transit systems and contractors. Of the 11,724 revenue vehicle and equipment maintenance employees tested, 96 percent were transit system personnel. Of the 36 positive tests, all but one (35 out of 36 tests or 97%) were transit system personnel. Therefore, the ratio of transit system personnel in this category (96%) corresponds closely with the number of positive test results (97%). Contractors showed no positive random test results in three employee categories: revenue vehicle control/dispatch, CDL/nonrevenue vehicle, and armed security personnel. Transit systems showed only one positive random test in each of those same three categories. The group of employees having the smallest number of tests was armed security personnel, with 1,326 tests administered. Overall, revenue vehicle and equipment maintenance had the highest percent positive results (0.31). In addition, transit systems administered 90 percent of all the random tests conducted. However, of the 82 total positive random tests (for all employee categories), all but three were transit system employees (79 out of 82 or 96%). Therefore, the percent of positive results attributable to transit system employees is slightly higher than their percent of the total number of tests conducted.

Exhibit 4-9. Comparison of Positive Random Alcohol Test Results (≥ 0.04) by Employer Type and Employee Category

Employee Category	Transit Systems			Contractors			Totals		
	Number of Screening Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Positive Results	Percent Positive	Number of Screening Tests	Number of Positive Results	Percent Positive
Revenue Vehicle Operation	27,002	41	0.15%	3,575	2	0.06%	30,577	43	0.14%
Revenue Vehicle and Equipment Maintenance	11,228	35	0.31%	496	1	0.20%	11,724	36	0.31%
Revenue Vehicle Control/Dispatch	2,332	1	0.04%	382	0	0.00%	2,714	1	0.04%
CDL/Non-Revenue Vehicle	1,365	1	0.07%	110	0	0.00%	1,475	1	0.07%
Armed Security Personnel	1,222	1	0.08%	104	0	0.00%	1,326	1	0.08%
Totals	43,149	79	0.18%	4,667	3	0.06%	47,816	82	0.17%

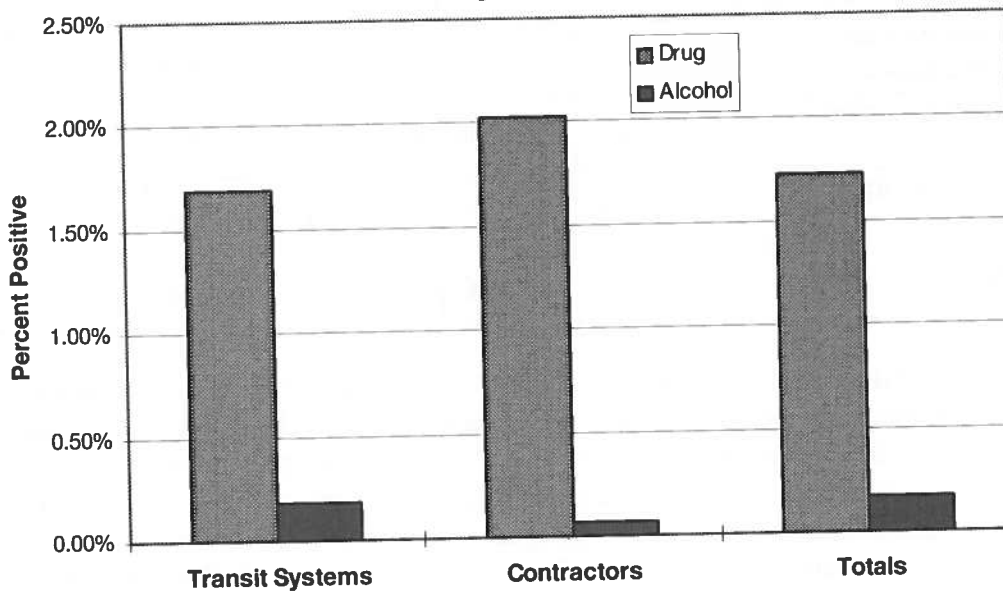
5. COMPARISON OF DRUG AND ALCOHOL TEST RESULTS

This section compares the results of drug and alcohol testing conducted by transit systems and contractors. The comparison provides information on the overall use and misuse of these substances.

5.1 Random Drug and Alcohol Test Results

Exhibit 5-1 presents random testing results for drug and alcohol. The results are given separately and in a combined total for transit systems and contractors. The exhibit clearly indicates that random testing detected a much higher percentage of illegal drug use than alcohol misuse among transit workers. Results of random drug testing in transit systems show a positive rate of 1.69 percent, while the positive results for alcohol are only 0.18 percent—a 1.51 percentage point difference. The positive rates for contractors show an even larger difference. Random drug testing results for contractors were 2.02 percent, whereas random alcohol testing results were 0.06 percent, a 1.98 percentage point difference.

Exhibit 5-1. Comparison of Random Drug and Alcohol Test Results by Employer Type



Random testing was the most often conducted test, comprising up to 67 percent of all drug tests and 69 percent of all alcohol tests. However, there was a marked difference between transit systems and contractors in the percentage of random tests conducted. Random drug tests make up 74 percent of all drug tests conducted by transit systems and 38 percent of all drug tests conducted by contractors. The numbers for random alcohol testing are similar, although contractors conducted a larger number of random alcohol tests than random drug tests. Random tests comprise 73 percent of all alcohol tests conducted by transit systems and 50 percent of all alcohol tests conducted by contractors.

5.2 Results of Random Drug and Alcohol Tests By Employee Category

The percent of random drug testing positives for each employee category is higher than for alcohol, as shown in Exhibit 5-2. For both drug and alcohol random tests, revenue vehicle and equipment maintenance had the highest positive rates with 2.05 percent for drug and 0.31 percent for alcohol. The percentage point difference is greatest in the revenue vehicle and equipment maintenance employee category (1.74%) and the smallest in the armed security personnel category (0.53%). Additionally, armed security personnel had the smallest percent of positive test results for drugs and revenue vehicle control/dispatch had the smallest percent positive for alcohol.

Exhibit 5-2. Comparison of Random Drug and Alcohol Test Results by Employee Category

Employee Category	Drug			Alcohol		
	Number of Specimens	Number Positive	Percent Positive	Number of Tests	Number Positive	Percent Positive
Revenue Vehicle Operation	51,596	886	1.72%	30,577	43	0.14%
Revenue Vehicle and Equipment Maintenance	19,368	397	2.05%	11,724	36	0.31%
Revenue Vehicle Control/Dispatch	4,719	57	1.21%	2,714	1	0.04%
CDL/Non-Revenue Vehicle	2,446	36	1.47%	1,475	1	0.07%
Armed Security Personnel	2,310	14	0.61%	1,326	1	0.08%
Totals	80,439	1,390	1.73%	47,816	82	0.17%

Random drug and alcohol test results were different for transit systems and contractors. As shown by the shaded boxes in Exhibit 5-3, contractors had a higher percent of random drug test positives in four of the five employee categories. The one exception was for the CDL/nonrevenue vehicle category, where the percent positive for transit system employees was almost twice the rate as for contractor employees. In contrast, transit systems had a higher positive rate for random alcohol tests for all employee categories. In three employee categories, revenue vehicle control/dispatch, CDL/nonrevenue vehicle, and armed security personnel, contractors had no positive test results. In the same categories, transit employees had low positive test results (0.04%, 0.07%, and 0.08%, respectively).

5.3 Accidents That Resulted in a Positive Post-Accident Drug and Alcohol Test

Transit systems were asked by FTA to report the number of accidents that resulted in a positive post-accident test for drugs and alcohol (0.04 or greater concentration level) and data on post-accident testing of employees involved in both fatal and nonfatal accidents. As reported, 174

accidents resulted in positive post-accident tests for drugs. These tests represent approximately 2.9 percent of the 6,015 post-accident drug tests. Forty-five accidents resulted in positive post-accident tests for alcohol. These tests represent approximately 0.7 percent of the 6,533 post-accident alcohol tests. The positive post-accident results for both the drug and alcohol tests are slightly higher than the overall random positive results (2.9% vs. 2.1% for drug and 0.7% vs. 0.3% for alcohol).

Exhibit 5-3. Comparison of Random Drug and Alcohol Test Results by Employer Type and Employee Category

Employee Category	Percent Positive			
	Drug		Alcohol	
	Transit Systems	Contractors	Transit Systems	Contractors
Revenue Vehicle Operation	1.68%	2.00%	0.15%	0.06%
Revenue Vehicle and Equipment Maintenance	2.01%	2.99%	0.31%	0.20%
Revenue Vehicle Control/Dispatch	1.10%	1.95%	0.04%	0.00%
CDL/Non-Revenue Vehicle	1.57%	0.87%	0.07%	0.00%
Armed Security Personnel	0.56%	1.12%	0.08%	0.00%
Totals	1.69%	2.02%	0.18%	0.06%

5.4 Pre-Employment Drug and Alcohol Test Results

All employees performing safety-sensitive functions are required to pass a pre-employment drug test before beginning employment. In addition, until May 10, 1995, employers also were required to administer a pre-employment alcohol test. The suspension of the pre-employment alcohol test on May 10, 1995, resulted in far fewer alcohol pre-employment tests being conducted than drug tests. Positive drug test results were more than 2.9 percentage points greater than the positive alcohol test results. Over all employee categories, drug test positives were at 2.99 percent and alcohol test positives were at 0.04 percent, as shown in Exhibit 5-4. Exhibit 5-5 identifies the percentage of people denied a position after a positive pre-employment test. The results indicate that employers consistently denied prospective employees safety-sensitive positions when they tested positive for either drugs or alcohol. Prospective employees testing positive for drugs were denied a position more than 94 percent of the time, and prospective employees testing positive for alcohol were denied a position 100 percent of the time.

Exhibit 5-4. Percent of Pre-Employment Drug and Alcohol Tests That Were Positive

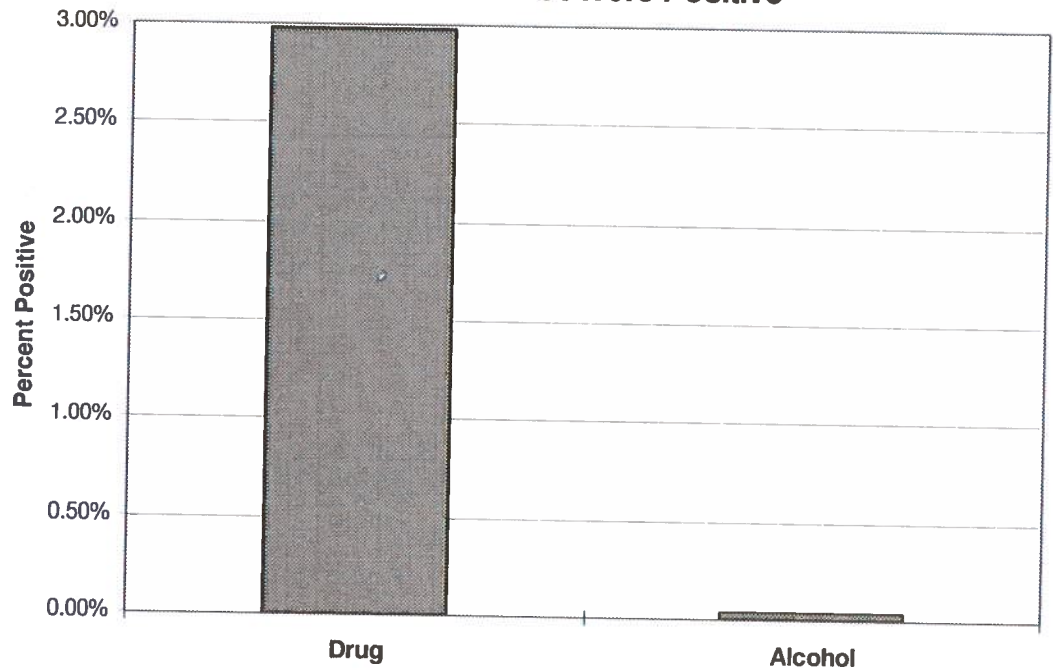
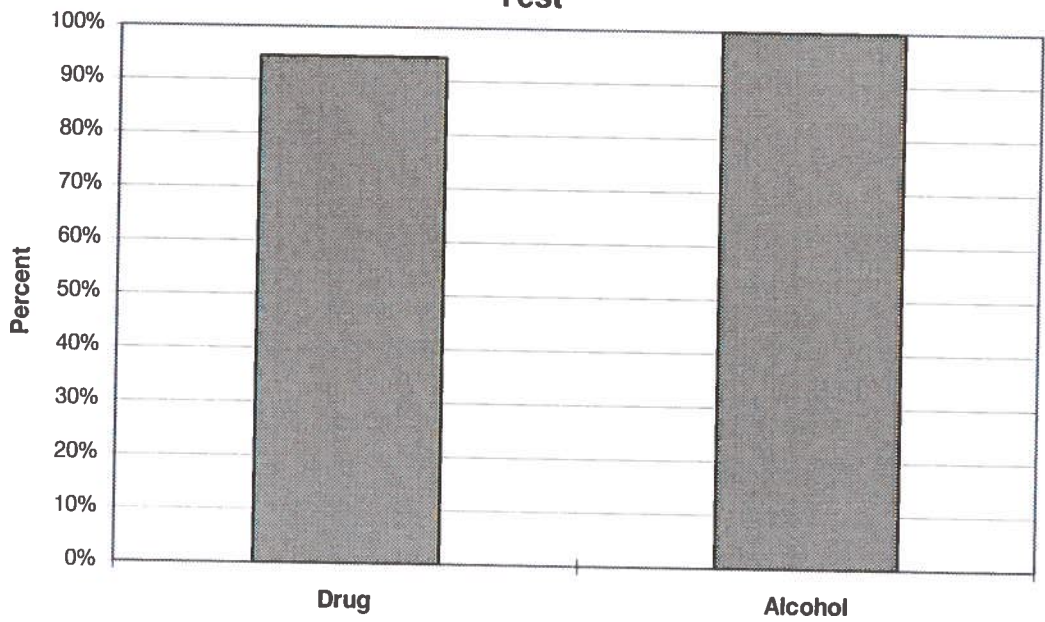


Exhibit 5-5. Percent of Applicants Denied Positions After a Positive Pre-Employment Drug and Alcohol Test



5.5 Employees Who Tested Positive for Both Drugs and Alcohol

Employers were requested to provide FTA with the number of employees who tested positive for both drugs and alcohol at the same time. A total of 12 employers (both transit systems and contractors) indicated that they had a total of 18 employees who tested positive for drugs and alcohol at the same time.



Appendix

FTA Drug and Alcohol Management Information System Data Collection Forms

For FTA Use Only

FTA DRUG TESTING MIS DATA COLLECTIONS FORM

OMB No. 2132-0556

YEAR COVERED BY THIS REPORT:

A. EMPLOYER INFORMATION

Name _____

Address _____

Contact _____

Phone _____

Consortium Used (if applicable)

Name _____

Address _____

Contact _____

Phone _____

I, the undersigned, certify that the information provided on this Federal Transit Administration Alcohol Testing Management Information System Data Collection Form is, to the best of my knowledge and belief, true, correct, and complete for the period stated.

Signature

Date of Signature

Title

Title 18, U.S.C. Section 1001, makes it a criminal offense subject to a maximum fine of \$10,000, or imprisonment for not more than 5 years, or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States.

The Federal Transit Administration estimates that the average burden for this report form is 8 hours. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Office of Safety and Security (TTS-3); Federal Transit Administration; 400 7th St., S.W.; Washington, DC 20590; OR Office of Management and Budget, Paperwork Reduction Project (2132-0557); Washigton, D.C. 20503.

B. COVERED EMPLOYEES

COVERED EMPLOYEES		
EMPLOYEE CATEGORY	NUMBER OF FTA COVERED EMPLOYEES	NUMBER OF EMPLOYEES COVERED BY THE USCG
Revenue Vehicle Operation		
Revenue Vehicle and Equipment Maintenance		
Revenue Vehicle Control/Dispatch		
CDL/Non-Revenue Vehicle		
Armed Security Personnel		
TOTAL		

READ BEFORE COMPLETING THE REMAINDER OF THIS FORM:

1. All items refer to the current reporting period only (for example, January 1, 1994 - December 31, 1994).
2. This report is only for testing **REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION (FTA) AND THE U.S. DEPARTMENT OF TRANSPORTATION (DOT):**
 - Results should be reported only for employees in **COVERED POSITIONS** as defined by the FTA drug testing regulation.
 - The information requested should only include testing for marijuana (THC), cocaine, phencyclidine (PCP), opiates, and amphetamines using the standard procedures required by DOT regulation 49 CFR Part 40.
3. Information on refusals for testing should only be reported in Section D ["OTHER DRUG TESTING INFORMATION"]. Do not include refusals for testing in other sections of this report.
4. Do not include the results of any quality control (QC) samples submitted to the testing laboratory in any of the tables.
5. Complete all items; **DO NOT LEAVE ANY ITEM BLANK.** If the value for an item is zero (0), place a zero (0) on the form.

This part of the form requires information on VERIFIED POSITIVE and VERIFIED NEGATIVE drug tests. These are the results that are reported to you by your Medical Review Officer (MRO).

C. DRUG TESTING INFORMATION

EMPLOYEE CATEGORY	NUMBER OF SPECIMENS COLLECTED	NUMBER OF SPECIMENS VERIFIED NEGATIVE	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE DRUGS	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF DRUG				
				Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamine
PRE-EMPLOYMENT								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
RANDOM								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
POST-ACCIDENT								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
Number of persons denied a position as a covered employee following a verified positive drug test:								

C. DRUG TESTING INFORMATION (cont.)

EMPLOYEE CATEGORY	NUMBER OF SPECIMENS COLLECTED	NUMBER OF SPECIMENS VERIFIED NEGATIVE	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE DRUGS	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF DRUG				
				Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamines
REASONABLE SUSPICION								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
RETURN TO DUTY								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
FOLLOW-UP								
Revenue Vehicle Operation								
Revenue Vehicle and Equipment Maintenance								
Revenue Vehicle Control/Dispatch								
CDL/Non-Revenue Vehicle								
Armed Security Personnel								
TOTAL								
Number of accidents, as defined by the FTA drug testing regulation, which resulted in a positive post-accident drug test:				FATAL		NON-FATAL		
Number of fatalities resulting from accidents which resulted in a positive post-accident drug test:								
Number of employees returned to duty during this reporting period who had a verified positive drug test or refused a drug test required under the FTA rule:								

D. OTHER DRUG TESTING/PROGRAM INFORMATION

SPECIMENS VERIFIED POSITIVE FOR MORE THAN ONE DRUG						
EMPLOYEE CATEGORY	NUMBER OF VERIFIED POSITIVES	Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamines
Number of employees administered drug and alcohol tests at the same time resulting in a verified positive drug test and an alcohol test indicating an alcohol concentration of 0.04 or greater:						
EMPLOYEES WHO REFUSED TO SUBMIT TO A DRUG TEST						NUMBE
Covered employees who refused to submit to a random drug test required under FTA regulation:						
Covered employees who refused to submit to a non-random drug test required under FTA regulation:						

E. DRUG TRAINING/EDUCATION

TRAINING DURING CURRENT REPORTING PERIOD	NUMBE
Covered employees who have received at least 60 minutes of initial training on the consequences, manifestations, and behavioral cues of drug use as required by the FTA drug testing regulation:	
Supervisory personnel who have received 60 minutes of initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable drug use as required by FTA drug testing regulation:	

F. FTA FUNDING SOURCES

FTA FUNDING SOURCES				
Check all sections that apply:	3 _____	9 _____	16(b)(2) _____	18 _____

For FTA Use Only

FTA ALCOHOL TESTING MIS DATA COLLECTIONS FORM OMB No. 2132-0557

YEAR COVERED BY THIS REPORT:

A. EMPLOYER INFORMATION

Name _____
Address _____

Contact _____

Phone _____

Consortium Used (if applicable)

Name _____
Address _____

Contact _____

Phone _____

I, the undersigned, certify that the information provided on this Federal Transit Administration Alcohol Testing Management Information System Data Collection Form is, to the best of my knowledge and belief, true, correct, and complete for the period stated.

_____ Signature _____ Date of Signature
_____ Title

Title 18, U.S.C. Section 1001, makes it a criminal offense subject to a maximum fine of \$10,000, or imprisonment for not more than 5 years, or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States.

The Federal Transit Administration estimates that the average burden for this report form is 8 hours. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Office of Safety and Security (TTS-3); Federal Transit Administration; 400 7th St., S.W.; Washington, DC 20590; OR Office of Management and Budget, Paperwork Reduction Project (2132-0557); Washington, D.C. 20503.

B. COVERED EMPLOYEES

COVERED EMPLOYEES	
EMPLOYEE CATEGORY	NUMBER OF FTA COVERED EMPLOYEES
Revenue Vehicle Operation	
Revenue Vehicle and Equipment Maintenance	
Revenue Vehicle Control/Dispatch	
CDL/Non-Revenue Vehicle	
Armed Security Personnel	
TOTAL	

READ BEFORE COMPLETING THE REMAINDER OF THIS FORM:

1. All items refer to the current reporting period only (for example, January 1, 1994 - December 31, 1994).
2. This report is only for testing **REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION (FTA) AND THE U.S. DEPARTMENT OF TRANSPORTATION (DOT):**
 - Results should be reported only for employees in **COVERED POSITIONS** as defined by the FTA alcohol testing regulation.
 - The information requested should only include testing for alcohol using the standard procedures required by DOT regulation 49 CFR Part 40.
3. Information on refusals for testing should only be reported in Section D ["OTHER ALCOHOL TESTING INFORMATION"]. Do not include refusals for testing in other sections of this report.
4. Complete all items; **DO NOT LEAVE ANY ITEM BLANK.** If the value for an item is zero (0), place a zero (0) on the form.

C. ALCOHOL TESTING INFORMATION

EMPLOYEE CATEGORY	NUMBER OF SCREENING TESTS	NUMBER OF CONFIRMATION TESTS	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.02, BUT LESS THAN 0.04	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.04
PRE-EMPLOYMENT				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
RANDOM				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
POST-ACCIDENT				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
Number of persons denied a position as a covered employee following a pre-employment alcohol test indicating an alcohol concentration of 0.04 or greater:				
Number of accidents, as defined by the FTA alcohol testing regulation, which resulted in a post-accident alcohol test indicating an alcohol concentration of 0.04 or greater:			FATAL	NON-FATAL
Number of fatalities resulting from accidents which resulted in a post-accident alcohol test indicating an alcohol concentration of 0.04 or greater:				

C. ALCOHOL TESTING INFORMATION (cont.)

EMPLOYEE CATEGORY	NUMBER OF SCREENING TESTS	NUMBER OF CONFIRMATION TESTS	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.02, BUT LESS THAN 0.04	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.04
REASONABLE SUSPICION				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
RETURN TO DUTY				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
FOLLOW-UP				
Revenue Vehicle Operation				
Revenue Vehicle and Equipment Maintenance				
Revenue Vehicle Control/Dispatch				
CDL/Non-Revenue Vehicle				
Armed Security Personnel				
TOTAL				
Number of employees who engaged in alcohol misuse who were returned to duty in a covered position during this reporting period (having complied with the recommendations of a substance abuse professional as described in FTA regulations):				

D. OTHER ALCOHOL TESTING/PROGRAM INFORMATION

Number of employees administered drug and alcohol tests at the same time resulting in a verified positive drug test and an alcohol test indicating an alcohol concentration of 0.04 or greater:	
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VIOLATIONS OF OTHER ALCOHOL PROVISIONS/PROHIBITIONS OF THIS REGULATION		
NUMBER OF COVERED EMPLOYEES	VIOLATION	ACTION TAKEN
	Covered employee used alcohol while performing safety-sensitive function.	
	Covered employee used alcohol within 4 hours of performing safety-sensitive function	
	Covered employee used alcohol before taking a required post-accident alcohol test.	

EMPLOYEES WHO REFUSED TO SUBMIT TO AN ALCOHOL TEST	NUMBER
Covered employees who refused to submit to a random alcohol test required under FTA regulation:	
Covered employees who refused to submit to a non-random alcohol test required under FTA regulation:	

E. ALCOHOL TRAINING/EDUCATION

TRAINING DURING CURRENT REPORTING PERIOD	NUMBER
Supervisory personnel who have received at least 60 minutes of initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable alcohol use as required by FTA alcohol testing regulations:	

F. FTA FUNDING SOURCES

FTA FUNDING SOURCES				
Check all sections that apply:	3 _____	9 _____	16(b)(2) _____	18 _____

