

U.S. Department of Transportation  
Federal Drug Testing Advisory Board  
Rockville, MD  
February 11, 2013

# “DOT Program Overview”

Office of Drug and Alcohol Policy and Compliance (ODAPC)  
Office of the Secretary of Transportation

# Office of the Secretary of Transportation Leadership & Responsibilities Statement

- Leadership of the Department of Transportation is provided by the Secretary of Transportation, who is the principal adviser to the President in all matters relating to federal transportation programs. The Secretary is assisted by the Deputy Secretary in this role. The Office of the Secretary oversees the formulation of national transportation policy and promotes intermodal transportation. Other responsibilities range from negotiation and implementation of international transportation agreements, assuring the fitness of US airlines, enforcing airline consumer protection regulations, issuance of regulations to prevent alcohol and illegal drug misuse in transportation systems and preparing transportation legislation.

# U.S. Department of Transportation Office of the Secretary

- Why is this program so important?
  - Ray LaHood

# ODAPC Program Services

- Advise Secretary and DOT Agency Administrators
  - Program issues at the national & international levels
  - Supply Reduction & Demand Reduction issues
  - DOT Agency / USCG drug & alcohol program activities
- Provide Consultation and Liaison
  - DOT Agencies: ONE-DOT Approach
  - Executive Branch Agencies and Foreign Governments
    - ONDCP; HHS; DHS; DoD; NRC; DOJ/DEA, & etc.
    - Mexico; Canada; Australia; England; Germany; Nigeria; New Zealand & etc
  - Industry Stakeholders / Customers
- Support Issue Conferences and Training Events
- Collect and Analyze Data & Information
- Develop “Plain-Language” Regulations, Guidance Documents, and Policy Interpretations

# DOT Program History

- Part 40 & DOT Agency Drug Testing Rules (1988 & 1989)
- Omnibus Transportation Employee Testing Act of 1991
- Part 40 - Alcohol Testing Rules (1994)
- Final Rule - Major Re-write (2000) [VP's Plain Language Award]
- ONE-DOT Management Information System (2003)
- Semi-Annual Laboratory Data Collection (2008)
- U.S. District Court of Appeals Unanimous Decision (2009)
- "Medical Marijuana" Statement (2009)
- Final Rule [Harmonizing with HHS] (2010)
- "Recreational Marijuana" Statement (December 3, 2012)

# The Omnibus Transportation Employees Testing Act of 1991

- Drug & Alcohol Testing of Safety-Sensitive Personnel
- Privacy to the Extent Practicable
- Test Types
- HHS Laboratory Protocols & Drugs
- Labs Certified by Health and Human Services
- Split Specimen Collections [Drugs]
- Ensure Safeguards for Alcohol Testing [Evidential Breath Testing Confirmation]
- Privacy for Testing & Confidentiality of Test Results

# DOT Program Goals

- Ensure the Safety & Security of traveling public.
  - Reduce the demand for drugs by transportation workers.
  - Reduce alcohol misuse in the transportation industry.
  - Create prevention & treatment opportunities.
  - Keep employees who test positive or refuse a test off duty until successful compliance with treatment.

# DOT Program Goals (continued)

- Ensure the Fairness & Integrity of the testing process –
  - Maintain employee privacy & confidentiality
    - 4th Amendment Protections & Omnibus Act
  - Have “Gatekeepers” in place to ensure “due process.”
    - HHS Certified Drug Testing Laboratories / NLCP
    - Evidential Breath Testing Devices
    - Medical Review Officers
    - Substance Abuse Professionals
  - Systems must be auditable & reviewable by DOT Agencies.
  - Develop “plain-language” regulations, policies, and guidance documents.

# DOT Drug & Alcohol Testing Regulated Industry Program

- PHMSA
  - Oil & Gas Pipelines
  - Employers (2,450)
  - Employees (190,000)
- USCG
  - Maritime
  - Employers (15,000)
  - Employees (150,000)
- FRA
  - Railroad
  - Employers (750)
  - Employees (111,300)
- FTA
  - Transit
  - Employers (3,224)
- Employees (273,300)
- FMCSA
  - Motor Carrier
  - Employers (700,000)
  - Employees (8,000,000)
- FAA
  - Aviation
  - Employers (6,900)
  - Employees (450,000)

# DOT Program Components (Continued)

# DOT Program Components (Continued)

# DOT Program Components Summary

- Employer Policies
- Employee Prevention Education and Information
- Supervisor Training on Substance Abuse
- Drug Testing Programs
- Licensed Physician Review of Drug Test Results
- Alcohol Testing Programs
- Removal from Safety Sensitive Duties for Violations
- Substance Abuse Professional Evaluation
- Rehabilitation Before Return to Duty

# Current Drugs Tested

- 5-Panel/Categories
  - THC
  - Cocaine
  - Amphetamines
  - Opiates
  - Phencyclidine (PCP)
- Drugs Confirmed
  - Marijuana
  - Cocaine
  - Amphetamine
  - Methamphetamine
  - MDMA
  - MDA
  - MDEA
  - Codeine
  - Morphine
  - 6-AM (Heroin)
  - PCP

# DOT Lab Testing Thru Jun 2012

- DOT drug testing data (2008-2012) total results (for each six month period)

Date	7-12/2008	1-6/2009	7-12/2009	1-6/2010	7-12/2010	1-6/2011	7-12/2011	1-6/2012
Number	2,850,106	2,594,149	2,569,016	2,685,937	2,777,896	2,817,342	2,871,465	2,936,252

# DOT Lab Testing Thru Jun 2012 (Continued)

- DOT drug testing data (2008-2012)  
number positive by drug category (for  
each six month period)

Date	7-12/2008	1-6/2009	7-12/2009	1-6/2010	7-12/2010	1-6/2011	7-12/2011	1-6/2012
<b>Ampheta mines</b>	24,107	20,440	19,005	21,188	20,664	20,905	20,286	21,782
<b>Cocaine</b>	8,991	6,684	6,231	5,845	7,771	8,823	9,555	8,772
<b>Opiates</b>	5,398	5,193	4,794	4,571	4,643	5,129	5,152	4,774
<b>PCP</b>	823	645	681	632	650	572	699	663
<b>THC</b>	24,107	20,440	19,005	21,188	20,664	20,905	20,286	21,782

# DOT Lab Testing Thru Jun 2012

(Continued)

- DOT drug testing data 2008-2012
  - Number positive by drug category for 6 month period

Date	Amphetamines	Cocaine	Opiates	PCP	THC
Jul-Dec 2008	7,539	8,991	5,398	823	24,107
Jan-Jun 2009	6,901	6,684	5,193	645	20,440
Jul-Dec 2009	7,291	6,231	4,794	681	19,005
Jan-Jun 2010	8,048	5,845	4,571	632	21,188
Jul-Dec 2010	10,109	7,771	4,643	650	20,664
Jan-Jun 2011	11,846	8,823	5,129	572	20,905
Jul-Dec 2011	12,460	9,555	5,152	699	20,286
Jan-Jun 2012	13,334	8,772	4,774	663	21,782

# DOT Lab Testing Thru Jun 2012 (continued)

- DOT drug testing data (2008-2012)
  - Percent positive by drug category (for each six month period)

<b>Date</b>	<b>7-12 2008</b>	<b>1-6 2009</b>	<b>7-12 2009</b>	<b>1-6 2010</b>	<b>7-12 2010</b>	<b>1-6 2011</b>	<b>7-12 2011</b>	<b>1-6 2012</b>
<b>Amphetamines</b>	0.85	0.79	0.74	0.79	0.74	0.74	0.71	0.74
<b>Cocaine</b>	0.32	0.26	0.24	0.22	0.28	0.31	0.33	0.30
<b>Opiates</b>	0.19	0.20	0.19	0.17	0.17	0.18	0.18	0.16
<b>PCP</b>	0.03	0.02	0.03	0.02	0.02	0.02	0.02	0.02
<b>THC</b>	0.85	0.79	0.74	0.79	0.74	0.74	0.71	0.74

# Marijuana and DOT Drug Testing - Continued

- Laboratory Results to MROs
  - THC (48%)
  - Amphetamines (23%)
  - Cocaine (18%)
  - Opiates (10%)
  - PCP (1%)
- MRO Verified Results to Employers
  - THC (68%)
  - Amphetamines (9%)
  - Cocaine (20%)
  - Opiates (2%)
  - PCP (1%)

# DOT's Horizon Issues

- Impairment Studies
- Alternative Specimens – Oral Fluids Testing
- Marijuana Legalization
- Safety Concerns
- Testing for Additional Schedule II Drugs

# Program Managers

<http://www.dot.gov/odapc/agencies>

- Devin Eakes
  - FMCSA (acting)
- Jerry Powers
  - FTA
- Stan Kastanas
  - PHMSA
- Kathy Schnakenberg
  - FRA (acting)
- Rafael Ramos
  - FAA
- Bob Schoening
  - USCG

# ODAPC Staff

<http://www.dot.gov/odapc/staff>

- Jim L. Swart
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- Bohdan Baczara
  - Senior Policy Advisor
- Cindy Ingrao
  - Senior Policy Advisor
- Vicki Bellet
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- Maria Lofton
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- John Sheridan
  - Statistician Consultant
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# ODAPC Homepage

- <http://www.dot.gov/odapc#>

# U.S. Department of Transportation

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