

4212.42 DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

The Salisbury Board of Education is committed to the establishment of a drug use and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA), as may be amended, and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The Board shall adhere to federal and state law and regulations requiring a school bus driver's drug and alcohol testing program.

Contracts for transportation approved by this Board shall contain assurance that the contractor will establish a drug and alcohol-testing program that meets the requirements of federal regulations, state statutes and this policy and will actively enforce the regulations of this policy as well as federal and state requirements.

Legal Reference: United States Code, Title 49

2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49; section 40.85

40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs

382 Controlled Substance and Alcohol Use and Testing

395 Hours of Service Drivers

Holiday v. City of Modesto (1991) 229 Cal. App. 3d. 528, 540.

International Brotherhood of Teamsters v. Department of Transportation
932 F. 2d 1292 (1991)

American Trucking Association, Inc. v. Federal Highway Administration,
(1995) WL 136022 (4th circuit)

[10-212c](#) Life-threatening food allergies and glycogen storage disease:
Guidelines; district plans. (as amended by PA 18-185)

[14-261b](#) Drug and alcohol testing of drivers of certain vehicles, mechanics and
forklift operators

[14-276a](#) School bus operators and operators of student transportation vehicles:
Regulations: qualifications; training; drug testing.

[52-557b](#) Immunity from liability for emergency medical assistance first aid or
medication by injection. School personnel not required to administer or render.
(as amended by PA 05-144, An Act Concerning the Emergency Use of
Cartridge Injectors and PA 18-185, An Act Concerning Life-Threatening Food
Allergies in Schools)

Approved by the Salisbury Board of Education: June 21, 2021