

Drug and Alcohol Testing For School Bus Drivers

The Waterbury Public School district 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 maybe amended, and applicable state statutes pertaining to pre-employment and random drug testing of school bus drivers. The District shall adhere to federal and state law and regulations requiring a school bus driver's drug and alcohol testing program.

In addition to the above cited federal requirement, the Board of Education expects its school transportation carrier, by June 30, 2019, to provide training to all school bus drivers, including instruction on (1) identifying the signs and symptoms of anaphylaxis, (2) administering epinephrine by a cartridge injector (“EpiPen”), (3) notifying emergency personnel, and (4) reporting an incident involving a student's life-threatening allergic reaction.

Beginning July 1, 2019, each carrier must provide the training to school bus drivers following the issuance or renewal of a public passenger endorsement to operate a school bus for carrier employees, and upon the hiring of a school bus driver who is not employed by such carrier (e.g., subcontractor), except a driver who received the training after the most recent issuance or renewal of his or her endorsement is not required to repeat it.

As the City of Waterbury on behalf of the Waterbury Public Schools contracts bus services with a private service provider, the Board shall ensure the provider has a drug and alcohol testing program fulfilling federal regulations, and state law pertaining to a required pre-employment and random drug testing program for drivers of school buses and school transportation vehicles (STVs) that carry ten or fewer students.

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)