



National School Transportation Association

122 South Royal Street
Alexandria, VA 22314
(703) 684-3200
info@yellowbuses.org

July 14, 2015

Substance Abuse and Mental Health Services Administration
Attention: Division of Workplace Programs
1 Choke Cherry Road
Room 7-1029
Rockville, Maryland 20857

Attention: Written Comments for the Notice of Proposed Revisions to the Mandatory Guidelines by the Secretary of Health and Human Services and the Substance Abuse and Mental Health Services Administration for Oral Fluid Specimens

Dear Sir or Madam:

The National School Transportation Association (NSTA) is pleased to offer information for the Substance Abuse and Mental Health Services Administration's (SAMHSA) Notice of Proposed Revisions to the Mandatory Guidelines by the Secretary of Health and Human Services and the Substance Abuse and Mental Health Services Administration for Oral Fluid Specimens as published in Volume 80 of the *Federal Register* on May 15, 2015.

NSTA is the membership organization for school bus companies engaged primarily in transporting students to and from school and school-related activities under contract to public school districts. Our members offer a range of services to our school district partners, from full turn-key service to management operations and specialized transportation. NSTA members range from small family businesses serving one district to large corporations operating thousands of buses across many states, all committed to the safe, efficient, and economical transportation of America's children.

As an industry regulated under the Department of Transportation, school bus contractors across the country are required to implement drug and alcohol testing for their safety-sensitive transportation employees. The Federal Motor Carrier Safety Administration (FMCSA) requires that persons subject to the Commercial Driver's License (CDL) requirements and their employers implement an alcohol and drug testing program for CDL holders who operate vehicles carrying 16 passengers or more including the driver. The drug tests cover seven classes of drugs: marijuana; cocaine; opiates; 6-acetylmorphine; phencyclidine; amphetamines; and MDMA and testing is required in the following instances: pre-employment; random; reasonable suspicion; certain post-accident; return-to-duty; and follow-up. As you likely know, FMCSA dictates how tests are to be administered and currently only allows urine testing.

NSTA and its members care deeply about safety of the transportation of schoolchildren. The nation's 500,000 yellow school buses are the safest mode of transportation over all others. Students are 58 times more likely to arrive at school alive if they ride the school bus than if they drive themselves or ride

with friends. In addition, students are safer riding in a school bus - 23 times safer actually –than if they are driven to school by a parent.

NSTA strongly believes that before commercial motor vehicle carriers are permitted to use an alternative to the current urine tests, there must be consensus that the alternate method is scientifically and technologically proven to be both valid and reliable and is accompanied by testing standards approved by SAMSHA. A lack of clarity on federal drug testing requirements for commercial motor vehicle operators and drivers will not serve to enhance safety. In addition, NSTA believes any new drug testing method should be usable and reliable for all required tests (pre-employment, random, for cause, post-collision, and reasonable suspicion) rather than some, but not all, of those tests.

As school bus drivers typically have a positive random rate of 1% or less, NSTA supports DOT drug and alcohol testing programs as an important component of continuing the strong record of safety for the transportation of schoolchildren. We support the use of oral fluid specimen testing as an acceptable alternative method to detect drug use for the following reasons:

- Oral fluid specimen testing is proven reliable and valid.
- The cost increase over urine testing is negligible.
- Due to the decreased processing time, time waiting for results will be decreased significantly.
- There are less privacy concerns to contend with when taking an oral fluid specimen test.
- Oral fluid specimen collection mitigates the problem of “shy bladders.”

While we are supportive of these updates, we recognize that the expanded testing will come at a slightly increased cost and that policy re-writing and retraining will be necessary to ensure these requirements are met.

In closing, we appreciate the opportunity to offer our comments on this Notice of Proposed Revisions and look forward to working with the Department of Health and Human Services and the Substance Abuse and Mental Health Services Administration on this issue.

Thank you for the opportunity to provide these written comments. If you require further clarification, please do not hesitate to contact me at (703) 684-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronna Sable Weber", is placed over a light gray rectangular background.

Ronna Sable Weber
Executive Director