

March 17, 2005

H 740. TRANSIT DRUG TESTING. *TO REQUIRE PUBLIC TRANSIT OPERATORS AND OTHER EMPLOYERS OF PERSONS WHO OPERATE COMMERCIAL MOTOR VEHICLES WHO ARE SUBJECT TO FEDERAL DRUG AND ALCOHOL TESTING TO REPORT TO THE DIVISION OF MOTOR VEHICLES ANY FEDERALLY REQUIRED POSITIVE DRUG AND ALCOHOL TEST RESULT, AND TO DISQUALIFY THOSE PERSONS FROM OPERATING A COMMERCIAL MOTOR VEHICLE OR OTHER PUBLIC TRANSIT VEHICLES UNTIL SUCCESSFUL COMPLETION OF TREATMENT.* Amends GS 20-37-19 to provide that the employer of any employee who tests positive in a drug or alcohol test required under certain federal regulations must notify the Division of Motor Vehicles (DMV) in writing within five business days following receipt of confirmation of a positive drug test. Amends GS 20-17.4 to provide that upon receipt of notice of a positive test, the DMV must disqualify a driver from operating a commercial motor vehicle until receipt of proof of successful completion of assessment and treatment by a substance abuse professional. Adds new GS 20-37.20A requiring DMV to place a notation on the driver's driving record and retain the notation of a disqualification on the record for two years. Adds new GS 20-37.20B pertaining to appeal of a disqualification. Effective December 1, 2005.

Intro. by Coates.

Ref. to Transportation

GS 20

July 7, 2005

SL 2005-156 (H 740). TRANSIT DRUG TESTING. *AN ACT TO REQUIRE PUBLIC TRANSIT OPERATORS AND OTHER EMPLOYERS OF PERSONS WHO OPERATE COMMERCIAL MOTOR VEHICLES WHO ARE SUBJECT TO FEDERAL DRUG AND ALCOHOL TESTING TO REPORT TO THE DIVISION OF MOTOR VEHICLES ANY FEDERALLY REQUIRED POSITIVE DRUG AND ALCOHOL TEST RESULT, AND TO DISQUALIFY THOSE PERSONS FROM OPERATING A COMMERCIAL MOTOR VEHICLE OR OTHER PUBLIC TRANSIT VEHICLES UNTIL SUCCESSFUL COMPLETION OF TREATMENT.* Summarized in *Daily Bulletin* 3/17/05. Enacted July 5, 2005. Effective December 1, 2005.