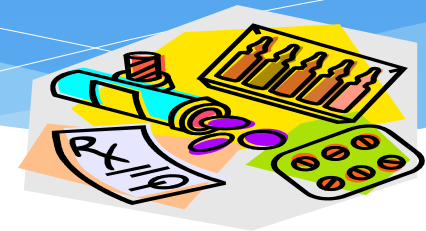


FTA Drug and Alcohol Emerging Issues

Presented to
Minnesota Public Transit Conference
October 14, 2011





Synthetic Drugs

Synthetic Marijuana

- * “Spice”, “K2”, “Blaze”, “Red X Dawn”
 - * JWH-(018;073; 200, etc.) CP-47,497, cannabicyclohexanol
- * Marketed as ‘incense’
- * Big \$\$ Business - Readily accessible on internet and in head shops
 - * Big Cities and Small Communities
- * No current acceptable medical use in treatment
- * No accepted safety for use under medical supervision
- * Sprinkled over Organic Material (e.g. – plant materials)



Synthetic Stimulants

* Synthetic Stimulants



- * Marketed and sold as bath salts and plant food
- * Product Names – “Cloud 9”, “Ivory Wave”, “Purple Wave”, “Vanilla Sky”, “Bliss”
 - Chemical Names - Mephedrone, 3,4, methylenedioxyprovalerone (MDPV), Methalone, 2C-E
- * Not approved by FDA for human Consumption
- * Impaired perception, reduced motor control, disorientation, extreme paranoia, violent episodes

The Dangers of “Fake Drugs”

- * Lack of oversight and quality control
 - Dangerously Unpredictable
 - Concentration Levels Vary
 - Mis-labeling is common
- * Much higher frequency of calls from poison control centers
 - March 2010 – 112 calls from 15 states
 - January 2011- 2,700 calls from 49 States and DC
- * Can produce psychotic episodes, withdrawal and dependence similar to marijuana abuse
 - Convulsions, anxiety attacks, dangerously elevated heart rates, vomiting and disorientation, intense hallucinations



Synthetic Drug Laws



- * Synthetic Marijuana banned by DEA in March 2011
- * Synthetic Stimulants banned by DEA in September 2011
 - Schedule 1 Controlled Substance
 - Emergency Orders - Bans are for One-Year Only
- * Proposed Federal Legislation – Multiple Bills
 - * Combating Designer Drugs Act of 2011(SF 839)
 - Bans 2C-E and 8 other similar substances
 - Sen. Amy Klobuchar (D-Minnesota) is co-author
 - * Legislation is difficult due to constant changes in molecular structure
- * State of Minnesota banned synthetic drugs in July 2011
 - Includes “Analog’s”

Drug Testing Issues



- * Synthetic Drugs will not produce a positive test result
- * Transit Systems should include synthetic drugs in education process
- * Reasonable Suspicion Observations and transit agency authorized Fitness for Duty policy elements are crucial



New Chain of Custody and Control Form (CCF) Regulations

Part 40.14



§ 40.14 What collection information must employers provide to collectors?

As an employer, or an employer's service agent – for example a C/TPA, you must ensure the collector has the following information when conducting a urine specimen collection for you:

- (a) Full name of the employee being tested.
- (b) Employee SSN or ID number.
- (c) Laboratory name and address (can be pre-printed on the CCF).
- (d) Employer name, address, phone number, and fax number (can be pre-printed on the CCF).
- (e) DER information required at § 40.35 of this part.
- (f) MRO name, address, phone number, and fax number (can be pre-printed on the CCF).
- (g) The DOT Agency which regulates the employee's safety-sensitive duties (the checkmark can pre-printed in the appropriate box on the CCF).
- (h) Test reason, as appropriate: Pre-employment; Random; Reasonable Suspicion/Reasonable Cause; Post-Accident; Return-to-Duty; and Follow-up.
- (i) Whether the test is to be observed or not (see § 40.67 of this part).
- (j) (Optional) C/TPA name, address, phone, and fax number (can be pre-printed on the CCF).

DOT Safety-Sensitive Definitions



FTA

- * Operation of a revenue service vehicle, in or out of revenue service
- * Operation of a non-revenue vehicle requiring a CDL
- * Controlling movement or dispatch of a revenue service vehicle (this is optional and determined by employer)
- * Security personnel who carry firearms
- * Maintenance (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used on revenue service.

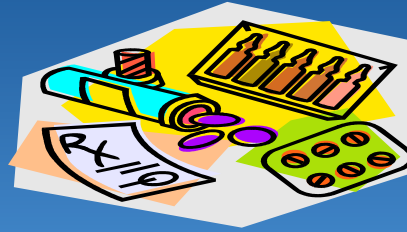
FMSCA

- * Driving a commercial motor vehicle which requires the driver to have a commercial driver's license (CDL)
- * Inspecting, servicing, or repairing any commercial motor vehicle
- * Waiting to be dispatched to operate a commercial motor vehicle
- * Performing all other functions in or upon a commercial motor vehicle
- * Loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle...
- * Performing driver requirements associated with an accident
- * Repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle

Dual Authority (FTA & FMSCA)

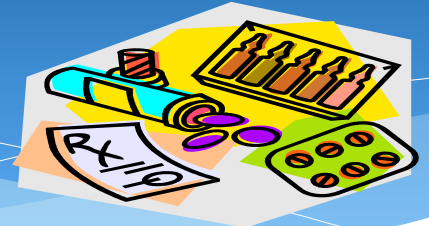
- * Pre-employment & Random Tests
 - Which agency regulates more than 50% of the duties of the position?
- * Post-Accident
 - What duties was the employee performing at the time of the accident?
- * Reasonable Suspicion
 - What duties was the employee performing or about to perform at the time of the reasonable suspicion evaluation?
- * RTD & Follow-up
 - What authority was the employee under when the positive test sample (breath or urine) was given?





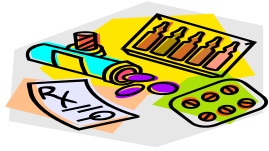
New Over-the-Counter and Prescription Medications Tool-kit

Rx/OTC Tool-Kit



- * Released April 2011
- * Best Practices
- * All sizes/types of systems represented
- * “Quick Reference” tables Introduction & Background
- * How to Use This Toolkit
- * Toolkit Divided into 6 chapters

Chapter I: Overview



- * Basic definitions, including medication side effects
- * Medical Conditions That May Impair Driving
- * Medical conditions, medications, and side effects
that may impair driving

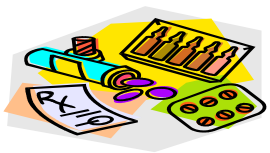
Chapter II: Policies & Procedures

- * Components of an Rx/OTC Medication Policy
- * Procedures to implement an Rx/OTC Medication Policy
- * Obstacles and Challenges
- * Best Practices
 - Variety of Example Policies



Chapter III: Accident Investigation Procedures

- * Standard questions/forms
- * Identification of causal/contributing factors



Chapter IV: Forms

- * Wide cross section of examples provided
- * Best Practices Summary Table
 - Location
 - Larger Urban/Urban/Small Rural
 - # Safety Sensitive Employees
 - # Vehicles
 - Union Representation



Chapter V: Training

- * Stand alone training vs. incorporation into D/A training
- * Variety of resources are available



Chapter VI: Resources



- * Wide range of resources available
- * Exercise caution/use reputable sources

Appendices

- * Comprehensive Best Practice Summary Table
- * Frequently Asked Questions
- * Over-the-Counter Medications Alcohol Content Table



Questions?

Deborah Ellis

Federal Programs Manager

MnDOT Office of Transit

651-366-4185

deborah.ellis@state.mn.us

Annette Marier

State Program Administrator

MnDOT Office of Transit

651-366-4172

annette.marier@state.mn.us