

6461

Sponsor(s): Senators Gardner, Benton, Haugen, Horn, Jacobsen, Costa, Oke and Winsley

Brief Description: Strengthening procedures for disqualification of drinking or drugged commercial drivers.

SB 6461 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Provides that all medical review officers or breath alcohol technicians hired by or under contract to a motor carrier or employer who is required to have a testing program under 49 C.F.R. 382 or to a consortium the carrier belongs to, as defined in 49 C.F.R. 382.17, shall report the finding of a commercial driver's confirmed positive drug or alcohol test to the department of licensing on a form provided by the department.

Provides that motor carriers, employers, or consortiums shall make it a written condition of their contract or agreement with a medical review officer or breath alcohol technician, regardless of the state where the medical review officer or breath alcohol technician is located, that the medical review officer or breath alcohol technician is required to report all Washington state licensed drivers who have a confirmed positive drug or alcohol test to the department of licensing within three business days of the confirmed test.

Declares that failure to obtain this contractual condition or agreement with the medical review officer or breath alcohol technician by the motor carrier, employer, or consortium will result in an administrative fine as provided in RCW 81.04.405. Substances obtained for testing may not be used for any purpose other than drug or alcohol testing under 49 C.F.R. 382.

Provides that a person is disqualified from driving a commercial motor vehicle if a report has been received by the department under this act that the person has received a confirmed positive drug or alcohol test either as part of the testing program required by 49 C.F.R. 382 or 49 C.F.R. 40 or as part of a preemployment drug test.