

5192-S

Sponsor(s): Senate Committee on Transportation (originally sponsored by Senators Goings, Patterson, Benton, Sellar, Haugen, Oke, Winsley, T. Sheldon and Costa)

Brief Title: Requiring motor carrier drug testing programs.

SB 5192-S - DIGEST

(AS OF SENATE 2ND READING 3/8/99)

Provides that a person or employer operating as a motor carrier shall comply with the requirements of the United States department of transportation federal motor carrier safety regulations as contained in Title 49 C.F.R. Part 382, controlled substances and alcohol use and testing.

Provides that a person or employer who begins or conducts commercial motor vehicle operations without having a controlled substance and alcohol testing program that is in compliance with the requirements of Title 49 C.F.R. Part 382 is subject to a penalty, under the process set forth in RCW 46.32.100, of up to one thousand five hundred dollars and an additional five hundred dollars for each motor vehicle driver employed by the person or employer who is not in compliance with the motor vehicle driver testing requirements.

Provides that a person or employer having actual knowledge that a driver has tested positive for controlled substances or alcohol who allows a positively tested person to continue to perform a safety-sensitive function is subject to a penalty, under the process set forth in RCW 46.32.100, of one thousand five hundred dollars. Each violation is a separate and distinct offense, and in the case of a continuing violation every day's continuance is a separate and distinct violation.