

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 180904-124

WHEREAS, Since February 15, 1994, the U.S. Department of Transportation (DOT) has required recipients of federal assistance to have an alcohol and drug testing program and an employee training program in place for employees performing safety-sensitive functions, which requirements are embodied in 49 CFR Parts 40 and 655 (the Federal Rules); and,

WHEREAS, The Federal Rules require the governing body of a direct recipient of Federal financial assistance from the Federal Transit Administration to adopt a policy statement on alcohol misuse and prohibited drug use in the workplace by employees performing safety-sensitive functions; and,

WHEREAS, On December 13, 1994, in accordance with the Federal Rules, the predecessor to the SFMTA Board of Directors, the Public Transportation Commission (PTC), adopted a Substance Abuse Policy; including procedures for testing safety-sensitive employees for prohibited drugs and alcohol; and,

WHEREAS, On March 24, 1998, the PTC adopted Resolution No. 98-025, which approved an updated Substance Abuse Policy and Procedures to reflect changes in the Federal Rules; and,

WHEREAS, On August 20, 2002, the SFMTA Board of Directors adopted Resolution No. 02-092, which approved an updated Substance Abuse Policy and Procedures to reflect changes in the Federal Rules; and,

WHEREAS, On June 15, 2010, the SFMTA Board of Directors adopted Resolution No. 10-093, which approved an updated Substance Abuse Policy and Procedures to reflect changes in the Federal Rules; and,

WHEREAS, The Department of Transportation (DOT) amended 49 CFR Part 40 of the Federal Rules to include additional prohibited drugs in the testing panel and make other changes, which regulations became effective January 1, 2018; and,

WHEREAS, On July 18, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the proposed revision to the SFMTA Substance Abuse Program Policy & Procedures Handbook is not a “project” under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; and,

WHEREAS, The Substance Abuse Program staff has updated the Substance Abuse Policy and Procedures to comply with the revisions to the Federal Rules; now, therefore, be it

RESOLVED, The SFMTA Board of Directors adopts a revised Substance Abuse Policy, which has been updated to reflect the recent changes to 49 Code of Regulations Part 40 regarding the addition of synthetic opioids to the U.S. Department of Transportation drug testing panel, to clarify certain existing drug testing program provisions and definitions, and to make technical amendments.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of September 4, 2018.

  
\_\_\_\_\_  
Secretary to the Board of Directors

