



**COMPTON COMMUNITY COLLEGE DISTRICT
ADMINISTRATIVE REGULATIONS**

AR 8501 Transportation Safety

**ISSUED: March 15, 2009
REVISED:**

The CEO directs that the following regulations are to apply to transportation safety in the Compton Community College District:

- I. All employees, who in the course of their employment, are required to drive a district vehicle, or their own or a rented vehicle on district business, shall have their driving record evaluated. Employees who intend, but are not required, to drive for any purpose related to district job requirements must also have their driving record evaluated. The following requirements must be met prior to driving on district business:
 - A. A valid California Drivers License must be presented to the Police Office.
 - B. Proof of insurance for any private vehicle intended to be used must also be presented to the Police Office.
 - C. The Police Office will verify the safety record of the driver's license file with the California Department of Motor Vehicles (DMV) and refuse authorization to drive a vehicle on district business if the individuals DMV report shows:
 1. Failure to maintain a valid California Driver's License.
 2. 2 points in a 12 month period
 3. 3 points in a 24 month period
 4. 4 points in a 36 month period
 - D. The DMV places points against a driver's license file as follows:
 1. One point if:
 - a. Involved in a traffic accident
 - b. Convicted of driving a motor vehicle unsafely
 2. Two points when convicted of:
 - a. Reckless Driving
 - b. Hitting an unattended vehicle without notifying the owner
 - c. Causing property damage, injury, or death by hit-and-run driving
 - d. Manslaughter involving a vehicle
 - e. Causing injury or death with a vehicle while evading a peace officer
 - f. Driving on the wrong side of a divided highway
 - g. Speed contest or exhibition of speed
 - h. Illegal transport of explosives
 - i. Driving under the influence of liquor and/or any drug
- II. The District shall comply with the United States Department of Transportation regulations (49 CFR Part 40) implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the District must comply with the regulations of the Federal Highway Administration (FHWA).



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- A. This regulation sets forth the rights and obligations of covered employees. Employees who are covered by these requirements should familiarize themselves with the provisions of this regulation. Employees shall refer any questions regarding his/her rights and obligations to the Director of Human Resources.
- B. Employees in the following classifications are “covered employees” and thus, are subject to of the provisions of this regulation:
1. Bus Driver
 2. Maintenance and Utility Worker
 3. Maintenance Supervisor
- C. A “covered employee” may be given a written exemption from this procedure signed by the Manager, Facilities, Maintenance and Operations, if, although the employee’s classification is listed above, the employee does not fall within the definition of “covered employee” listed below:
1. Individuals who operate the following commercial vehicles on a regular, casual, intermittent or occasional basis:
 - a. A vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross combination weight rating of more than 10,000 pounds;
 - b. A vehicle with a gross vehicle weight of at least 26,001 pounds;
 - c. A vehicle designed to transport 16 or more passengers, including the driver; or
 - d. A vehicle used to transport those hazardous materials found in the Hazardous Materials Transportation Act.
 2. Employees who perform the following “safety sensitive functions” related to II.C.1 duties:
 - a. Any time at a carrier or shipper, plant, terminal, facility, or other property, waiting to be dispatched
 - b. Any time spent at the driving controls of a commercial motor vehicle
 - c. Any time, other than driving time, spent on or in a commercial motor vehicle
 - d. Any time, 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, or in giving or receiving receipts for shipments loaded or unloaded.
 - e. Any time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
 3. Covered employees may not be under the influence or in possession of controlled substances or alcohol during work hours. The following is prohibited:
 - a. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions while having an alcohol concentration level of 0.04 or greater;
 - b. Performing a safety sensitive function within four hours of using alcohol;
 - c. Being on duty or operating a vehicle described above, while possessing alcohol;
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- d. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions when the employee used any controlled substances, except if the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a vehicle;
 - e. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions if the employee is under the influence of a controlled substance;
 - f. Refusing to submit to any alcohol or controlled substances test required by this Regulation. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.04 or greater on an alcohol test or tested positively on a controlled substances test. A refusal to submit to an alcohol or controlled substances test required by this Regulation includes, but is not limited to:
 - i) A refusal to provide a urine sample for a drug test;
 - ii) An inability to provide a urine sample without a valid medical explanation;
 - iii) A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
 - iv) An inability to provide breath or to provide an adequate amount of breath without valid medical explanation;
 - v) Tampering with or attempting to adulterate the urine specimen or collection procedure;
 - vi) Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested;
 - vii) Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager (who has the responsibility to make a determination as to whether to send the employee for a post-accident drug and/or alcohol test) was not obtained.
- D. Drug and alcohol testing will be imposed on "covered employees" in the following circumstances.
1. Pre-Employment Testing. All applicants for classifications which are covered as well as all employees who transfer from classifications which are not covered to classifications which are covered will be required to submit to pre-employment/pre-duty drug testing. Applicants will not be assigned to a safety sensitive position if they do not pass the test. *(Note: There is no pre-employment alcohol test.)*
 2. Post-Accident Testing. Post-Accident drug and alcohol testing will be conducted on employees following an accident. Post-accident alcohol tests shall be administered within two hours following an accident and no test may be administered after eight hours. A post-accident drug test shall be conducted within 32 hours following the accident.



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3. **Random Testing.** Covered employees will be subject to random alcohol and drug testing as follows: A random alcohol test will be administered just prior to the employee performing a safety-sensitive function (e.g., driving) while the employee is performing a safety-sensitive function, or just after the employee has stopped performing a safety-sensitive function. The District will subject at least 10% of the total number of covered employees to random alcohol testing per year. The employee will receive a written notice in the morning indicating the time he/she is to report to the lab for testing.

 4. **Reasonable Suspicion Testing.** Covered employees are also required to submit to an alcohol or drug test when a trained supervisor has reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances. The observation must be based on short-term indicators, such as unsteady gait, blurry eyes, slurring, or alcohol on the breath. The supervisor may not rely on long-term signs, such as absenteeism or tardiness, to support the need for a reasonable suspicion test. The reasonable suspicion alcohol test will be administered within two hours of the observation. If not, the employer must provide written documentation as to why the test was not promptly conducted. No test may be administered after eight hours following the observation. To ensure that supervisors are trained to make reasonable suspicion determinations, supervisors vested with the authority to demand a reasonable suspicion drug and alcohol test will attend at least one hour of training on alcohol misuse and at least one hour of training on controlled substances use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.
- III. All employees subject to this regulation shall attend training session(s) on transportation safety. The Dean of Human Resources will promulgate testing and training procedures to implement this regulation.