



NEWS RELEASE

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Trucking Alliance Companies Petition USDOT to Close Drug Test Loophole

Washington, DC – Transportation companies affiliated with The Alliance for Driver Safety & Security (aka Trucking Alliance) have petitioned the Federal Motor Carrier Safety Administration (FMCSA) to allow hair testing in lieu of a urinalysis to comply with pre-employment drug testing regulations for truck drivers. The FMCSA currently recognizes only a urinalysis to meet this requirement.

The petition states that if FMCSA grants the exemption, drug users can more readily be identified, because transportation companies can share failed hair test results with other companies when they inquire about former drivers and applicants. Current federal regulations do not allow transportation companies to share hair test results with other businesses. “The results of hair test failures should be reported as an alternate to the urine test results,” the petition states.

Trucking Alliance members **Maverick Transportation, LLC., Knight Transportation, J.B. Hunt Transport Services, Inc., and Dupre’ Logistics** submitted the petition along with two unaffiliated companies. All of the businesses utilize hair testing protocols. The Alliance estimates that fewer than 30 U.S. transportation and logistics companies employ hair tests in their pre-employment drug testing processes.

“Maverick has had 108 people apply for truck driver positions who cleared the mandatory urine exam but failed our hair test,” said Steve Williams, president of the Trucking Alliance and Chairman and CEO of Maverick Transportation. “We denied them employment, but they likely found work at other trucking companies, because we can’t share those positive hair test results with those businesses.”

“We have a responsibility to the general public that our industry’s drivers are drug and alcohol free,” said Williams. “But, this loophole enables drug users to skirt the system.”

According to the petition, hair exams are more reliable than a urinalysis. For example, Psychemedics, a leading hair testing laboratory, estimates that 85% of the drug users identified by its hair testing process would be missed by a urinalysis.

The petition observes that hair tests cost the companies almost twice as much, about \$75.00 per test, compared to \$35.00 for a urine exam. The companies are spending the additional dollars because hair exams have proven more effective at identifying lifestyle drug users. But, the petitioners also “object to being forced to also fund the redundant and less effective urine testing process along with [hair tests].”

J.B. Hunt Transport has voluntarily conducted hair exams on commercial driver applicants for over 10 years. Since then, more than 4,700 J.B. Hunt driver applicants, who passed the urinalysis required under current regulations, were identified as lifestyle drug users by analysis of their hair samples. This exemption, if granted, will permit the sharing of hair test results as currently allowed with the required urine test results.

Greer Woodruff, J.B. Hunt’s Senior Vice President of Safety and Security, thinks the petition is a common sense solution that can reduce risk on the nation’s highways. “There is no place for illegal drug use in the transportation industry. Hair tests substantially reduce the chance that lifestyle drug users are behind the wheel endangering the public,” explained Woodruff.

The petition acknowledges that the “Fixing America’s Surface Transportation Act” or FAST Act, addresses hair testing of truck drivers. The legislation directed the Secretary of Health and Human Services (HHS) to “issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance” of truck driver applicants.

However, HHS is expected to request more time to develop its guidelines. After HHS eventually finalizes guidelines, further steps will require the Department of Transportation (DOT) and FMCSA to announce notices and rulemakings before a final rule enabling hair testing as an alternative to urine testing is issued, a process that could take years.

For these reasons, the petition requests that FMCSA grant the exemption now and allow hair as a suitable alternative to a urinalysis. An exemption will enable the petitioners to begin sharing failed hair test results immediately with other companies while HHS, DOT, and FMCSA finalize their regulations, improving the ability of companies to avoid hiring people who have tested positive for drug use.

“On this issue, the private sector is already far ahead of the public sector in utilizing the latest methods to detect drug users,” said Lane Kidd managing director of the Trucking Alliance.

“While we wait on HHS and FMCSA, we can possibly save lives with this exemption by keeping many hard drug users out of our trucks and off our highways.”

“This exemption will be one more significant step to eliminate illegal drug use in the transportation and logistics industry,” said Kidd, citing the “Road to Zero” coalition of federal agencies committed to reducing the number of traffic deaths to zero. “How better to support the objective of zero deaths in accidents than doing more to make sure lifestyle drug users are not driving tractor trailers on our nation’s highways?”

The Trucking Alliance is a leading proponent of safety reforms in the freight transportation industry in order to reduce large truck accidents and improve the safety and security of commercial drivers. More information can be found at www.truckingalliance.org