

By: Carona

S.B. No. 328

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the requirement that the results of an alcohol and drug
3 test taken by certain holders of a commercial driver's license be
4 reported to the Department of Public Safety.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 644.252(a), Transportation Code, is
7 amended to read as follows:

8 (a) An employer required to conduct alcohol and drug testing
9 of an employee who holds a commercial driver's license under
10 Chapter 522 under federal safety regulations as part of the
11 employer's drug testing program or consortium, as defined by 49
12 C.F.R. Part 382, shall report to the department:

13 (1) a valid positive result on an alcohol or drug test
14 performed and whether the specimen producing the result was a
15 dilute specimen, as defined by 49 C.F.R. Section 40.3;

16 (2) a refusal to provide a specimen for an alcohol or
17 drug test; or

18 (3) an adulterated specimen~~[, dilute specimen,]~~ or
19 substituted specimen, as those terms are defined by 49 C.F.R.
20 Section 40.3, on an alcohol or drug test performed.

21 SECTION 2. This Act takes effect September 1, 2007.