

1-1 By: Carona S.B. No. 328
1-2 (In the Senate - Filed January 26, 2007; February 14, 2007,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; February 26, 2007, reported favorably by the
1-5 following vote: Yeas 8, Nays 0; February 26, 2007, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the requirement that the results of an alcohol and drug
1-10 test taken by certain holders of a commercial driver's license be
1-11 reported to the Department of Public Safety of the State of Texas.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 644.252, Transportation
1-14 Code, is amended to read as follows:

1-15 (a) An employer required to conduct alcohol and drug testing
1-16 of an employee who holds a commercial driver's license under
1-17 Chapter 522 under federal safety regulations as part of the
1-18 employer's drug testing program or consortium, as defined by 49
1-19 C.F.R. Part 382, shall report to the department:

1-20 (1) a valid positive result on an alcohol or drug test
1-21 performed and whether the specimen producing the result was a
1-22 dilute specimen, as defined by 49 C.F.R. Section 40.3;

1-23 (2) a refusal to provide a specimen for an alcohol or
1-24 drug test; or

1-25 (3) an adulterated specimen[~~, dilute specimen,~~] or
1-26 substituted specimen, as those terms are defined by 49 C.F.R.
1-27 Section 40.3, on an alcohol or drug test performed.

1-28 SECTION 2. This Act takes effect September 1, 2007.

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