

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 0 - 1

**Yeas:** Knopp, Kruse, Roblan, Hass

**Nays:** 0

**Exc.:** Beyer

**Prepared By:** Richard Donovan, Administrator

**Meeting Dates:** 2/14, 2/19

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**WHAT THE MEASURE DOES:** Clarifies existing practice and law by requiring school transportation providers to have in-house drug and alcohol testing program or be members of consortium that provides testing. Defines “school transportation provider.” Requires annual certification of compliance by testing provider/consortium, as per §2(2) of the bill, be delivered annually to the Department of Education. Requires annual certification of compliance by the testing provider/consortium, as per §2(2) of the bill, to be delivered annually to Department of Education.

**ISSUES DISCUSSED:**

- Current loophole that, in the instance of a school bus driver failing a required drug or alcohol test, may prevent reporting of that violation of a drug test to Department of Transportation
- Senate Bill 193 designed to close that loophole
- Requested and endorsed by Department of Education

**EFFECT OF COMMITTEE AMENDMENT:** Requires annual certification of compliance by the testing provider/consortium, as per §2(2) of the bill, to be delivered annually to the Department of Education.

**BACKGROUND:** Oregon Revised Statute (ORS) 825.410 requires that all motor carriers participate in a drug and alcohol testing program, as specified by Federal Motor Carrier Safety Regulations. These laws target Commercial Driver License (CDL) holders. Currently, ORS Chapter 825 does not explicitly include school bus drivers in the category of “for hire carrier or private carrier,” meaning that while all school bus drivers must hold a CDL, they do not necessarily have to report a positive drug test. Senate Bill 193A clarifies current law by mandating school bus driver participation in drug and alcohol testing programs, as well as requiring any positive test to be reported to both the Department of Motor Vehicles and the Department of Education.