

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 379**

1 In line 9 of the printed bill, after “qualification” insert “that relates to
2 health and safety”.

3 Delete lines 11 and 12 and insert:

4 “(2) Subsection (1) of this section does not apply:

5 “(a) If an applicable collective bargaining agreement prohibits off-duty
6 use of the substance;

7 “(b) To federal contractors or employers that receive federal grants that
8 are subject to the federal Drug-Free Workplace Act of 1988 (41 U.S.C. 8101
9 et seq.);

10 “(c) If the employer is required by federal law or regulation to test em-
11 ployees or prospective employees for alcohol or drug use;

12 “(d) To public safety personnel, as defined in ORS 181A.355, and other
13 providers of emergency services, as defined in ORS 401.025;

14 “(e) To a licensed health care professional, as defined in ORS 137.476;

15 “(f) To an operator of a public transit vehicle, as defined in ORS 166.116,
16 or a taxi, while the operator is in control of or operating the vehicle or taxi;
17 or

18 “(g) To employees who perform job functions that may involve a risk of
19 injury to others, including, but not limited to, construction work, the oper-
20 ation of heavy machinery or equipment or the operation of a commercial
21 vehicle, as defined in ORS 801.210, or a commercial motor vehicle, as defined

1 in ORS 801.208.”.

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