

**CS FOR HOUSE BILL NO. 2(RLS) am S**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE RULES COMMITTEE**

**Amended: 5/7/94**  
**Offered: 4/7/93**

**Sponsor(s): REPRESENTATIVE PHILLIPS**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring drug and alcohol tests for school bus drivers."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that**

4 (1) over 40,000 Alaska children ride school buses every school day;

5 (2) road, weather, and driving conditions can be extremely hazardous;

6 (3) the state expects school bus drivers to operate their vehicles without drug  
7 or alcohol-induced impairment of physical or mental condition;

8 (4) the federal Department of Transportation has adopted drug testing  
9 regulations for operators of commercial vehicles, including interstate buses, in 53 FR 47002;

10 (5) Alaska has a compelling interest in the safety of its children riding school  
11 buses.

12 (b) The purpose of this Act is to enact a drug and alcohol testing program for all  
13 school bus drivers.

14 **\* Sec. 2. AS 14.09 is amended by adding a new section to read:**

1           **Sec. 14.09.025. DRUG TESTING FOR SCHOOL BUS DRIVERS. (a) A**  
2 **school district or regional educational attendance area that provides for the**  
3 **transportation of pupils shall require that the drivers of motor vehicles used to transport**  
4 **pupils submit to testing for the use of drugs and alcohol. The testing program must**  
5 **include random testing. A driver who tests positive for the improper use of drugs or**  
6 **alcohol may be disciplined, including termination from employment.**

7           **(b) For a driver who is not required to have a commercial drivers' license, an**  
8 **employer**

9                   **(1) shall keep and maintain records of the testing for improper use of**  
10 **drugs or alcohol on a confidential basis and may only release the results with the**  
11 **written consent of the employee; and**

12                   **(2) may not retain false positive test results in the employee's**  
13 **employment records and may not release information about a false positive test without**  
14 **the written consent of the employee.**

15           **(c) The department shall adopt regulations to implement this section. The**  
16 **regulations must include a provision for a hearing before discipline is imposed.**

17           **(d) In this section, "improper use of drugs or alcohol" means use that**  
18 **constitutes a criminal offense and use that violates regulations adopted by the**  
19 **department under this section.**