

Bill Nelson

AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit a testing program from receiving an exemption unless certain requirements are met, and for other purposes.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 806

To amend section 31306 of title 49, United States Code, to recognize hair as an alternative specimen for pre-employment and random controlled substances testing of commercial motor vehicle drivers and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Beginning on page 3, strike line 24 and all that fol-
2 lows through page 4, line 12, and insert the following:

3 (b) EVALUATION OF APPLICATIONS.—

4 (1) IN GENERAL.—In evaluating an application
5 for an exemption under subsection (a), the Adminis-
6 trator shall determine if the applicant’s testing pro-
7 gram employs procedures and protections similar to
8 fleets that have carried out hair testing programs
9 for at least 1 year.

1 (2) REQUIREMENTS.—A testing program may
2 not receive an exemption under subsection (a) unless
3 the applicable testing laboratories—

4 (A) have obtained laboratory accreditation
5 specific to hair testing from an accrediting
6 body, compliant with international or other
7 Federal standards as appropriate, such as the
8 College of American Pathologists; and

9 (B) utilize hair testing assays that have
10 been cleared by the Food and Drug Administra-
11 tion under section 510(k) of the Federal Food,
12 Drug, and Cosmetic Act (21 U.S.C. 360(k)).