

HOUSE No. 03962

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the operating of student pupil transportation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol, and Plymouth</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Richard T. Moore</i>	<i>Worcester and Norfolk</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Stephen M. Brewer</i>	<i>Worcester, Hampden, Hampshire, Franklin</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>

Kimberly N. Ferguson

1st Worcester

Peter J. Durant

6th Worcester

HOUSE No. 03962

By Ms. Gobi of Spencer, a petition (subject to Joint Rule 12) of Anne M. Gobi and others for legislation to require drivers employed by companies transporting students to submit to alcohol and drug testing. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the operating of student pupil transportation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Section 8A ½ , of Chapter 90 of the general laws, as appearing in the 2008 Official Edition, is
- 2 hereby amended by adding after line 31 the following paragraph:
- 3 Upon application to obtain or retain a school pupil transport certificate , consent is implied for
- 4 pre-employment, random, reasonable suspicion, and post-accident drug and alcohol testing to be
- 5 administered by a licensed drug and alcohol testing facility. All drivers who transport pupils,
- 6 including but not limited to, drivers who transport pupils to and from school, and to and from
- 7 school sanctioned extracurricular events, in any type of school pupil transport vehicle, whether
- 8 transport is on behalf of public or private schools, or registered day care centers, shall first
- 9 submit to an initial drug and alcohol test, and thereafter, participate in an ongoing drug and
- 10 alcohol testing program which shall be provided and managed by their school transportation
- 11 contractor/employer. Said drug and alcohol testing program shall be in compliance with all

12 aspects of the Commercial Driver's License (CDL) and the United States Department of
13 Transportation (USDOT) regulations. It is mandated that the contractor/employer maintain such
14 documentation and evidence of satisfaction of the drug and alcohol testing program as may be
15 required, and which shall be available for inspection, by the Registrar of Motor Vehicles.