

SENATE No. 2326

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 adoption 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>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>4/1/2021</i>

SENATE No. 2326

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 2326) of Anne M. Gobi and Susannah M. Whipps for legislation to require drivers employed by companies transporting students to submit to alcohol and drug testing. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2088 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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 2016 Official
2 Edition, is hereby amended by adding after line 33 the following paragraph:-

3 Upon application to obtain or retain a school pupil transport certificate, consent is implied
4 for pre-employment, random, reasonable suspicion, and post-accident drug and alcohol testing
5 to be administered by a licensed drug and alcohol testing facility. All drivers who transport
6 pupils, including but not limited to, drivers who transport pupils to and from school, and to and
7 from school sanctioned extracurricular events, in any type of school pupil transport vehicle,
8 whether transport is on behalf of public or private schools, or registered day care centers, shall
9 first 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.