

Re: SB 16 AN ACT CONCERNING THE ADULT USE OF CANNABIS

Chairman Winfield, Chairman Stafstrom, Ranking Member Kissel, Ranking Member Rebimbas, and Judiciary Committee members, thank you for the opportunity to present this testimony. My name is Joe Sculley, I am President of the Motor Transport Association of Connecticut (MTAC). MTAC is a statewide trade association which represents small business trucking companies.

MTAC is not necessarily opposed to the legalization of recreational marijuana. However, Commercial Driver's License holders operating Commercial Motor Vehicles (CMVs) are required by federal regulation to be tested for controlled substances (drugs and alcohol), per 49 CFR Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING. This will still be the case even if Connecticut legalizes recreational marijuana.

Accordingly, MTAC appreciates some of the provisions that have been added to this bill, such as:

*EXCEPTIONS WHERE EMPLOYERS MAY USE DRUG SCREENING AS A
CONDITION TO EMPLOYMENT:*

- *Where it is lawful pursuant to federal law.*
- *Where required by regulations of the federal Dept. of Transportation, if such regulation requires testing of a prospective employee in accordance with 49 CFR 40 or any regulation of Connecticut state agencies that adopts a federal regulation for purposes of enforcing the requirements of such regulation with respect to intrastate commerce.*
- *Where any contract entered into between the federal government and an employer or any grant of financial assistance from the federal government to an employer requires the drug testing of prospective employees as a condition of receiving the contract or grant.*
- *Where a federal or state statute, regulation or order requires drug testing of prospective employees for safety or security purposes.*
- *Where the prospective employer is a party to a valid collective bargaining agreement that specifically addresses pre employment drug testing of such applicants.*
- *Where the employee/prospective employee is or is applying for a position as a:*
 - *An employee required to operate a motor vehicle for which federal or state law requires such employee to submit to screening including but not limited to positions requiring a CDL.*

Commercial truck drivers based in Connecticut who are required to obtain a Commercial Driver's License will still be subject to all of the following testing, even if Connecticut legalizes recreational marijuana:

- Pre-employment drug testing
- Random testing



- Post-accident drug testing (if applicable)
- Reasonable suspicion testing (if applicable)
- Return to duty testing (if applicable)
- Follow up testing (if applicable)

TERMINATION IS POSSIBLE

It should be noted that there is no guarantee that a driver who tests positive for drugs or alcohol will retain their job. Federal regulation does not require this protection. An employer may set an internal policy that a positive drug test results in termination. In fact, many motor carriers have a zero tolerance policy where termination is immediate upon positive tests results.

Thank you for your consideration.

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ABOUT CT TRUCKING INDUSTRY:

85.8%: number of Connecticut communities that depend exclusively on trucks to move their goods

94%: percent of manufactured tonnage transported by truck in Connecticut

\$3.2 billion: total trucking industry wages paid in Connecticut (2017)

58,400: trucking industry jobs in Connecticut (2017)

\$53,3500: average annual salary in Connecticut (2017)

\$8,610: average annual CT-imposed highway user fees paid by tractor trailers (as of 4/1/2018)

\$8,906: average annual fed-imposed highway user fees paid by tractor trailers (as of 4/1/2018)