



Maryland Motor Truck Association

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HEARING DATE: March 4, 2020

BILL NO/TITLE: House Bill 1381: Vehicle Laws - Accidents Resulting in Death - Mandatory Drug and Alcohol Testing (Danshaun's Law)

COMMITTEE: House Judiciary Committee

POSITION: **Support with Amendments**

Purpose: HB 1381 would require mandatory testing for drugs and alcohol if a driver was detained by a police officer after being involved in a traffic accident that resulted in a fatality.

Under Federal law, commercial truck drivers involved in an accident that resulted in a fatality are required to be tested for drug and alcohol use. Commercial truck drivers are also subject to random testing by their companies, and reasonable suspicion testing if a supervisor suspects the driver is impaired.

Maryland Motor Truck Association believes extending the requirement for testing to all drivers involved in a fatal accident will help promote safety on our roadways. However, as introduced House Bill 1381 requires blood testing as the form of testing for drug use. Under Federal law, blood testing is not an acceptable method of collection for commercial truck drivers. Only urinalysis testing is currently considered an acceptable method. To avoid conflict with Federal law, and prevent commercial truck drivers from potentially having to be subjected to two different tests to comply with both state and Federal law, MMTA supports an amendment that would allow commercial drivers covered under the U.S. Department of Transportation's Controlled Substance and Alcohol Use Testing Program as outlined in 49 CFR Part 382 to fulfill the requirements of HB1381 by complying with 49 CFR Part 382.303.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a not-for-profit trade association representing the trucking industry since 1935. In service to its 1,000+ members, MMTA is committed to supporting and advocating for a safe, efficient and profitable trucking industry across all sectors and industry types, regardless of size, domicile or type of operation.

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