



# NYAPT

NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION

266 Hudson Avenue • Albany, NY 12210 • PH: 518-463-4937 • FX: 518-463-8743 • WWW.NYAPT.ORG

*Our future is riding with us!*

## MEMORANDUM IN SUPPORT

### NEW YORK ASSOCIATION FOR PUPIL TRANSPORTATION SUPPORTS

**S.2587/Marcellino --- A.208/Lupardo**

*A bill to increase and enhance the random drug and alcohol testing requirements imposed on school bus drivers in New York State.*

The New York Association for Pupil Transportation **SUPPORTS S.2587/Marcellino--A.208/Lupardo** that would ensure that all school bus drivers, regardless of their license class, are subject to random drug and alcohol tests. It would also ensure that drivers who test positive for drugs or alcohol have their license to drive a school bus revoked. It would further increase from six hours to eight hours the time period between when someone may drink alcohol and drive a school bus.

Since October 2012, there have been several incidents in which drivers were arrested for operating a school bus while intoxicated, including one in which the driver crashed his bus with five young students onboard into a Long Island home. Parents entrust their children's lives and safety to school bus drivers; they have every right to expect and demand that the bus driver is sober. While the vast majority of school bus drivers take their responsibilities very seriously, we have seen others abuse parents' trust and endanger children by driving drunk.

Currently only 10% of bus drivers employed by a motor carrier are subject to random alcohol testing and about 25 are subject to random drug tests. This is all consistent with federal FMCSA regulations. In addition, drivers of buses that carry fewer than 16 passengers are not required by FMCSA to participate in any type of drug and alcohol testing. This legislation will lengthen current oversight of school bus drivers by ensuring that all drivers are subject to random drug and alcohol testing regardless of their commercial drivers' license endorsement. This bill will also increase the pool for random testing to 100% of the drivers employed by a motor carrier.

It would also require that a failure of these random tests be reported to DMV for inclusion in the driver's record. Finally, the legislation would permanently disqualify a bus driver for operating a school bus while intoxicated from future licensure as a school bus driver.

The bill would also increase the prohibited time for consumption of alcohol prior to operating a school bus from six to eight hours. This provides our students and parents with additional assurance that their school bus driver is ready and prepared to transport our children.

**Accordingly, NYAPT STRONGLY SUPPORTS S.2587/Marcellino—A.208/Lupardo and urges its passage by the New York State Legislature and its enactment into law.**

*The New York Association for Pupil Transportation is a professional organization comprised of over 600 members, representing school transportation officials in school districts, BOCES, private school bus operators, and public educational institutions across New York State. NYAPT is committed first and always to the safety of the 2.3 million school children we transport to and from school each and every day. We are committed to actively support legislation, regulations and policies that are in the interests of those school children and call upon our State leaders to keep those children in mind during legislative actions.*

*For additional information, please contact our NYAPT Executive Director, Peter Mannella, at 518-463-4937.*