



MEETING NOTICE & AGENDA

DATE: Thursday, August 18, 2022

TIME: 4:00 P.M.

PLACE: Yuba County Government Center
Board of Supervisors Chambers
915 Eighth Street
Marysville, California

A remote option for audience participation is being provided only as a courtesy. Members of the Yuba-Sutter Transit Board of Directors must attend in person. If the remote connection fails for any reason, the meeting will continue as noticed so the public must attend in person to assure access to the meeting.

To join the meeting from your computer, tablet, or smartphone, please use the Zoom Meeting link below.

<https://us02web.zoom.us/j/85408591426?pwd=eG5TT1VVUnVEQldTK01WQVdtOVMwUT09>

To join by telephone conference call: 1-669-900-6833
Meeting ID: 854 0859 1426
Password: 066752

The public will be muted by default. The following options are available to speak during the public comment portions of the meeting:

Online: Raise your hand or use the Q&A panel to submit your comments.
Phone: Press *9 to raise your hand or press *6 to send a request to be unmuted to submit comments.

I. Call to Order & Roll Call

Bains, Blaser, Buttacavoli, Fuhrer, Hudson (Chair), Kirchner (Vice-Chair), Micheli and Shaw

II. Public Business from the Floor

Members of the public may address the Authority on items of interest that are within the Authority's jurisdiction and are not on the agenda for this meeting. Public comment regarding agenda items will be permitted as each agenda item is considered by the Board.

III. Public Hearings

A. Public Comment on the May 1, 2020 COVID-19 Pandemic Related Local Fixed Route and Sacramento Commuter Service Reductions. (Attachment)

1. Staff Presentation
2. Open /Close Public Hearing
3. Board Discussion and Action

RECOMMENDATION: Direct staff as desired.

IV. Presentations

A. Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan / Sustainable Communities Strategy (MTP/SCS). Presentation by SACOG Executive Director James Corless on the 2024 Blueprint project. (Attachment)

V. Consent Calendar

All matters listed under Consent Calendar are considered routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed or removed from the Consent Calendar for specific action.

- A. Minutes from the Regular Meeting of July 21, 2022. (Attachment)
- B. Disbursement List for July 2022. (Attachment)
- C. Monthly Performance Report for July 2022. (Attachment)

VI. Reports

- A. Special Service Authorization for the 2022 Sikh Parade Parking Shuttle.** (Attachment)

RECOMMENDATION: Authorize the operation of a parking lot shuttle service under the proposed terms and conditions.

- B. Feather River Air Quality Management District (FRAQMD) Blue Sky Grant Projects for FY 2022/2023.**
Discussion and direction regarding priority projects for the preparation and submittal of annual grant applications. (Attachment)

RECOMMENDATION: Direct staff as desired.

- C. Storer Transit Systems Drug and Alcohol Policy.** (Attachment)

RECOMMENDATION: Adopt Resolution No. 10-22 adopting the Storer Transit Systems Drug and Alcohol Policy for the Yuba-Sutter Division effective August 1, 2022.

- D. November Meeting Cancellation.** (Attachment)

RECOMMENDATION: Cancel the regular monthly meeting of November 17, 2022.

- E. FY 2022 Annual Performance Report.** (Attachment)

RECOMMENDATION: Information only.

- F. Project & Program Updates.**

1. Next Generation Transit Facility Project (Grant & Project Announcements)
2. NextGen Transit Plan (www.yubasutternextgen.com)
3. Regional Waste Management Authority (RWMA) Staff Transition

RECOMMENDATION: Information only.

VII. Correspondence / Information

VIII. Other Business

IX. Adjournment

**THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, SEPTEMBER 15, 2022
AT 4:00 P.M. IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS**

AGENDA ITEM III – A
STAFF REPORT

**PUBLIC COMMENT ON THE MAY 1, 2020 PANDEMIC RELATED
LOCAL FIXED ROUTE AND SACRAMENTO COMMUTER SERVICE REDUCTIONS**

In response to drastically reduced ridership during the early weeks of the COVID-19 pandemic, Yuba-Sutter Transit took emergency action to reduce service effective May 1, 2020. These service reductions have since continued unchanged beyond the allowed one-year period without an opportunity for public comment. These cuts include a 50 percent reduction in Route 2 service with buses now operating every 60-minutes in each direction each weekday instead of 30-minutes as was previously operated and a 30 percent reduction in the number of peak-hour commuter schedules being operated each weekday (from 20 to 14) between Marysville/Yuba City and downtown Sacramento.

While ridership has yet to return to a level where restoration of the May 2020 service reductions is justified, a finding from the recent Federal Transit Administration (FTA) Triennial Review requires that Yuba-Sutter Transit provide an opportunity for public comment on the pandemic related service reductions. While staff continues to recommend an indefinite continuation of these service reductions, this public hearing satisfies the requirement for a public comment opportunity.

Attached is a copy of the appropriately posted public hearing notice for this meeting. No comments have been received to-date. Staff will present any comments that may be received prior to this public hearing.

Staff will be prepared to discuss this issue in more detail at the meeting.

RECOMMENDATION: Direct staff as desired.



**YUBA-SUTTER TRANSIT AUTHORITY
PUBLIC HEARING NOTICE**

MAY 2020 PANDEMIC RELATED SERVICE REDUCTIONS

DATE: Thursday, August 18, 2022
TIME: 4:00 p.m.
PLACE: Yuba County Government Center
Board of Supervisors Chambers
915 – 8th Street
Marysville, CA 95901

The Yuba-Sutter Transit Board of Directors has set a hearing for the above date, place, and time to accept public comments on COVID-19 pandemic related service reductions. These emergency service cuts, which became effective on May 1, 2020, have since continued unchanged beyond the allowed one-year period without an opportunity for public comment. These cuts include a 50 percent reduction in Route 2 service with buses now operating every 60-minutes in each direction each weekday instead of 30-minutes as was previously operated and a 30 percent reduction in the number of peak-hour commuter schedules being operated each weekday (from 20 to 14) between Marysville/Yuba City and downtown Sacramento. If approved as proposed, Yuba-Sutter Transit will continue to operate this reduced level of service indefinitely.

Interested persons may submit testimony regarding the service reductions, either verbally or in writing, before or at the public hearing. Written testimony can be provided by mail to Yuba-Sutter Transit at 2100 B Street, Marysville, CA 95901; by e-mail to info@yubasuttertransit.com; or by FAX at (530) 634-6888. All written communication must be received either at or prior to the hearing to be considered. Verbal testimony can be provided in person at the hearing or by telephone at (530) 634-6880 prior to the hearing.

AGENDA ITEM IV - A
STAFF REPORT

**SACRAMENTO AREA COUNCIL OF GOVERNMENTS (SACOG)
METROPOLITAN TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY (MTP/SCS)**

Background

The Sacramento Area Council of Governments (SACOG) is where local government leaders across the region come together to advance the goals of economic prosperity, connected communities, and vibrant places. SACOG works with the 6 counties and 22 cities in the region to solve challenges that are too big for any one jurisdiction to solve on its own. SACOG plays a central role in transportation infrastructure planning and funding assistance for cities, counties, transit operators, and other entities responsible for providing for the mobility needs of the region's residents.

One of SACOG's main roles as the state and federally recognized Metropolitan Planning Organization for the region, is to maintain the region's long-range, fiscally constrained, transportation plan and accompanying land use strategy. This plan must be updated every four years in coordination with local government agencies and demonstrate how the region is working to advance local, regional, state, and federal policy priorities. SACOG is currently undergoing an update of this plan, titled Blueprint, and anticipates adoption of the plan in 2024.

Blueprint

The 2024 Blueprint will outline recommendations for public land use policy and transportation investment strategies for the Sacramento region for the next 30 years. This plan will lay out a set of strategies for an integrated, multimodal transportation system and a regional land use development pattern that can create a more thriving region that works for all residents. The plan aims to connect housing to jobs, education, goods and services, and recreational opportunities while protecting and enhancing our region's natural and working landscapes. Aside from this plan being a federal and state requirement, SACOG will use the 2024 Blueprint update to help local agencies coordinate and prioritize efforts to attract greater investment in the region through grants, private investment, and economic growth while protecting our region's natural environment, existing economies, and improving quality of life for all residents.

SACOG Executive Director James Corless will provide a short presentation and answer any questions on the 2024 Blueprint at the August 18th meeting. The presentation will highlight how a Triple Bottom Line approach that strives to advance coequal goals in equity, economy, and environment is imperative to prepare the region to meet the complex growth and mobility challenges we all face in the coming decades. The presentation will also provide an overview of the opportunities SACOG is creating to allow for public and stakeholder involvement in the regional planning process and a glimpse into the many programs SACOG has available or is developing to support public agencies in the implementation of the region's vision for the future.

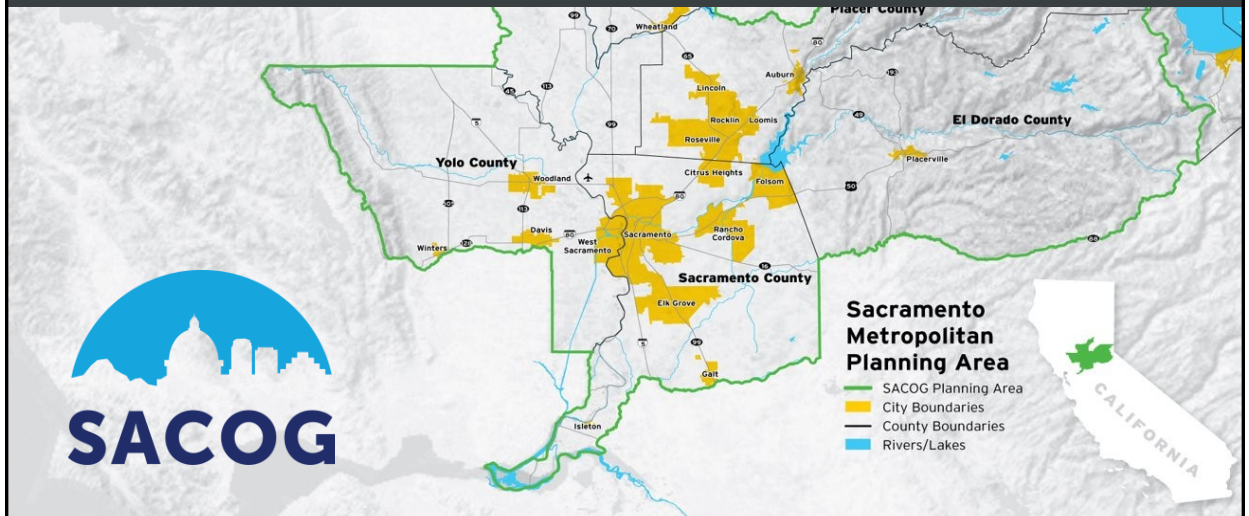
RECOMMENDATION: Information only.



The Big Picture: Long Range Regional Planning Summer 2022

1

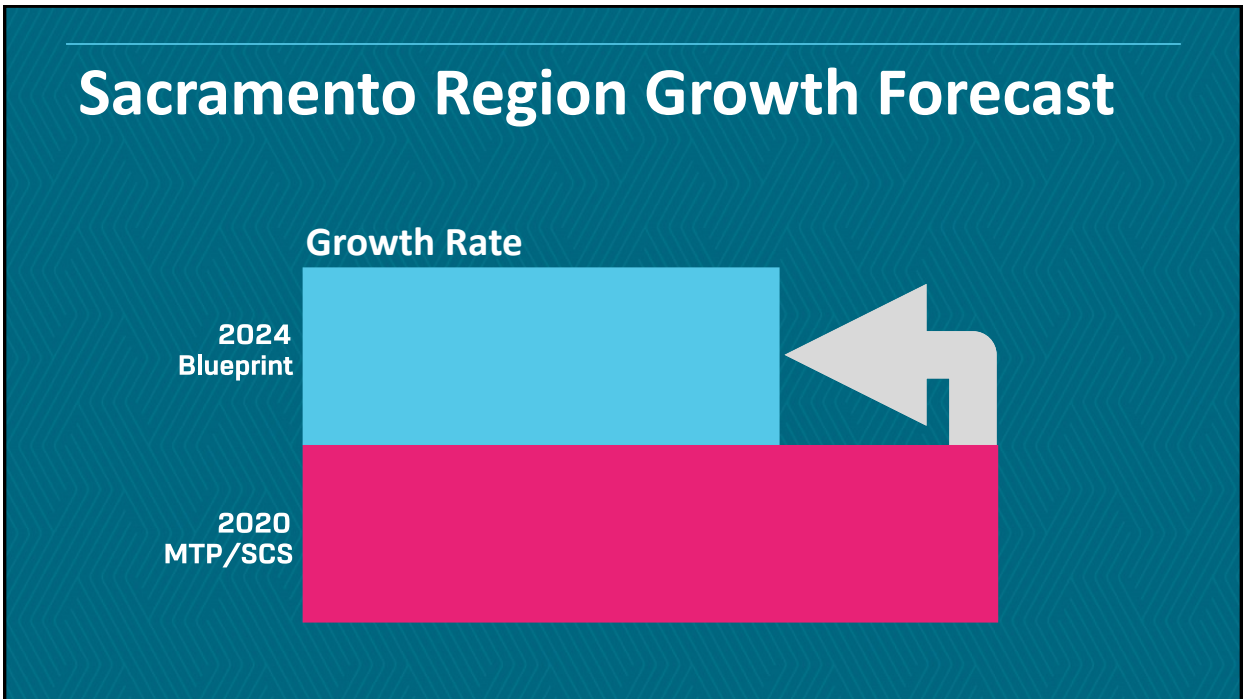
Sacramento Area Council of Governments



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Triple Bottom Line Framework



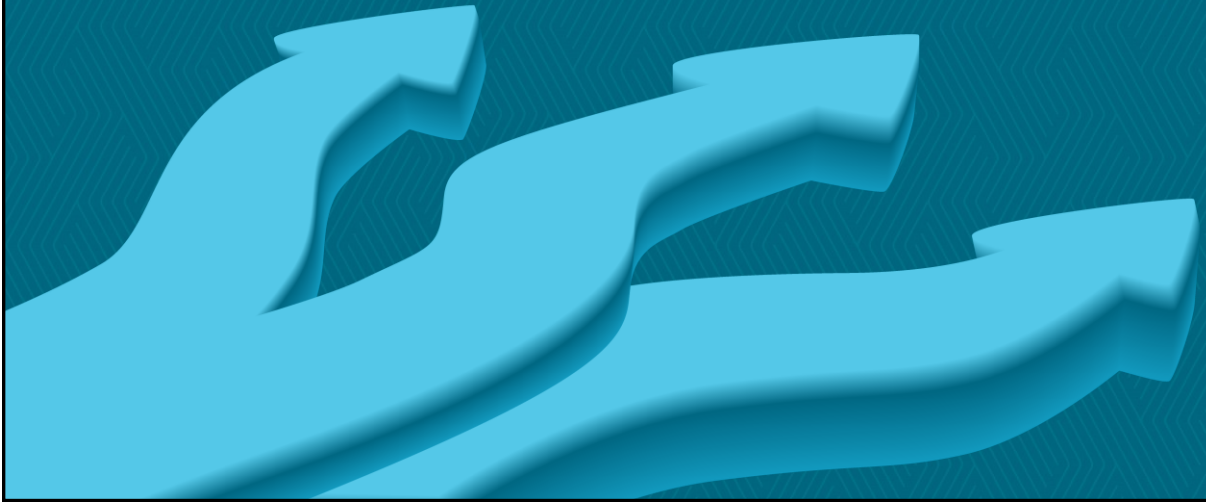
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Transportation

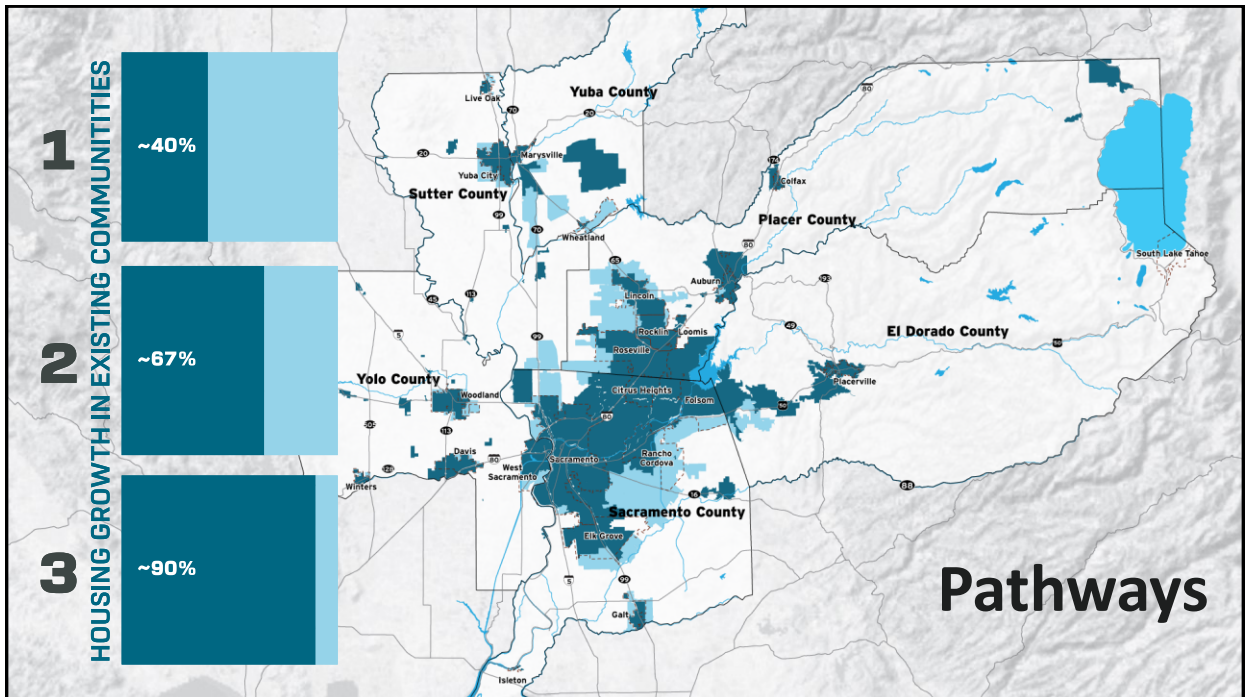


6

Future Pathways



7



8

Outreach and Engagement



9

Timing

2022

2023

2024

- Education & Outreach
 - Three Pathways
 - Elected Info Sessions
 - Preferred Pathway
- Adoption

10

ONGOING IMPLEMENTATION



11



12



13

Our Path FORWARD: The Prosperity Strategy

A BRIDGE TO ACTION FOR INCLUSIVE ECONOMIC RECOVERY & GROWTH

2020

The image is a promotional graphic for 'Our Path FORWARD: The Prosperity Strategy'. It features a dark teal background with a vertical bar on the left containing four colored squares (orange, grey, green, blue) and a small floral icon. The title 'Our Path FORWARD: The Prosperity Strategy' is prominently displayed in white and orange text. Below the title, the subtitle 'A BRIDGE TO ACTION FOR INCLUSIVE ECONOMIC RECOVERY & GROWTH' is written in white. The year '2020' is written vertically on the left side. At the bottom, there are five logos: Greater Sacramento Economic Council, SACOG (Sacramento Area Council of Governments), Asian Pacific (University of California), metrochamber (Sacramento Area Chamber of Commerce), and valley vision (Community Inspired Solutions).

14

2022 Youth Leadership Academy



15



16

AGENDA ITEM V – A

**YUBA-SUTTER TRANSIT AUTHORITY
MEETING MINUTES
JULY 21, 2022**

I. Call to Order & Roll Call (4:00 P.M.)

Present: Bains, Blaser, Buttacavoli, Fuhrer, Hudson (Chair), Kirchner (Vice-Chair), Micheli and Shaw
Absent: None

II. Public Business from the Floor

None.

III. Public Hearings

A. Federal Transit Administration (FTA) Sections 5307, 5311 and 5339 Grant Applications for FY 2022.

Martin stated that federal funding requires that a public hearing be held prior to the submission of federal grant applications. Director Hudson opened the public hearing at 4:02 pm. There was no public comment. Director Hudson closed the Public Hearing at 4:02 pm. Director Shaw made a motion to authorize the federal funding applications as submitted. Director Bains seconded the motion and it carried unanimously.

IV. Consent Calendar

Director Bains made a motion to approve the consent calendar. Director Shaw seconded the motion and it carried unanimously.

V. Reports

A. Transportation Development Act (TDA) Claim for FY 2022/2023

Martin stated that the adopted Yuba-Sutter budget for FY 2023 includes the use of Local Transportation Fund (LTF) and State Transit Assistance (STA) funds. A claim for these funds can now be submitted to the Sacramento Area Council of Governments (SACOG).

Director Bains made a motion to adopt Resolution No. 9-22 approving the Transportation Development Act (TDA) Claim for FY 2022/2023 as proposed. Director Shaw seconded the motion and it carried unanimously.

B. Project Updates/Additions for the 2023 Sacramento Metropolitan Transportation Improvement Plan (MTIP) and the Long-Range Blueprint Plan.

Martin stated that Yuba-Sutter Transit's short and long-range improvement plans are reviewed and updated each year following the adoption of the annual budget. All federally funded operating and capital projects must be included in the five-year Transportation Improvement Plan (TIP) Program of Projects and the capital projects in this program are supposed to flow from the long-range Metropolitan Transportation Plan (MTP).

The most significant project on the horizon is the facility replacement project which is part of the five-year program with a large unfunded budget number. Staff has updated the TIP Program of Projects consistent with the adopted FY 2023 Operating and Capital Budget. The long-range Capital Improvement Plan has been updated for zero-emission bus orders after 2025 and to extend the planning period to 2050 consistent with the horizon for the new 2024 SACOG Blueprint plan. This is the first time this plan includes Zero Emission Buses, also included in the plan is \$45 million facility project.

Director Bains made a motion to adopt Project Updates/Additions for the 2023 Sacramento Metropolitan Transportation Improvement Plan (MTIP) and the Long-Range Blueprint Plan as proposed. Director Blaser seconded the motion and it carried unanimously.

C. Administrative Staff Salary Schedule Adjustments.

Martin stated that the board annually reviews the employee compensation package for possible adjustments. Based on the applicable Consumer Price Index (CPI) and adjustments that have been made by several local jurisdictions and related regional agencies, staff is recommending a 5.0 percent increase in the general staff salary scale effective July 1, 2022. In addition, the compensation package for the Executive Director position is reviewed periodically in relation to other comparable transit agencies most recently in 2019. Based on this review, staff is recommending a 10.0 percent increase in salary for the Executive Director which includes the 5.0 percent general staff salary scale adjustment. If approved as proposed, these increases would result in an estimated combined salary and benefit cost of \$31,241 and this cost was included in the adopted FY 2023 budget.

Director Micheli made a motion to approve staff salary adjustments and adopt the resulting salary schedule as proposed effective July 1, 2022. Director Shaw seconded the motion and it carried unanimously.

D. Federal Zero-Emission Bus (ZEB) Transition Plan.

Martin stated that a Zero-Emission Bus (ZEB) Transition Plan is a requirement of certain grant programs under the Federal Infrastructure Investments & Job Act. This requirement applies to projects that include zero-emission buses and/or facilities. Planning Program Manager Adam Hansen developed the attached plan that was submitted with our recent federal Buses and Bus Facilities Program grant application which is still pending.

The plan summarizes Yuba-Sutter Transit's zero-emission journey to date and describes how it would continue if funding is available to build a replacement transit facility and purchase zero-emission vehicles. The best-case scenario would result in the conversion of Yuba-Sutter Transit's fleet to ZEB technology in 2033. By state regulation, we will not be able to buy heavy-duty non-ZEB buses after December 31, 2028. Martin noted that the total cost for this plan is estimated at \$100 million by 2033, about half of which is the cost of the new facility.

Director Blaser inquired as to the life bus batteries and Martin responded that they last about 12 years for transportation use, but they can still be used for other purposes thereafter.

Director Fuhrer asked if Caltrans was still going to take the current Yuba-Sutter Transit property. Martin responded that we have not heard anything definitive on this issue, but there has been talk of building a retaining wall on our property line which would still have temporary impacts. He continued that the property would still be insufficient to house a ZEB fleet, so it would still need to be replaced only on a later schedule.

E. Project & Program Updates.

1. COVID-19 Impact, Response & Recovery

Martin reported that compared to June 2021, average weekday ridership in June was up 16 percent on the local fixed route service, 53 percent on the Dial-A-Ride service, and 49 percent on the Sacramento service. Compared to pre-pandemic levels, average weekday ridership in June 2022 was just 49 percent of what it was in June 2019.

2. Yuba-Sutter NextGen Transit Plan (www.yubsutternextgen.com)

The project website is live at www.yubasutternextgen.com where updates, work products and input opportunities will be posted. A Project Advisory Committee has been established, key stakeholder meetings are being scheduled/conducted, and the draft Existing Conditions Report is being finalized. Community survey work will commence in August and the first Community Workshops are being planned for October.

3. Regional Waste Management Authority (RWMA) Staff Transition

Martin stated that the RWMA Board of Directors will be interviewing an Executive Director candidate as part of their meeting this afternoon. The Management Analyst position has been filled with a start date of August 1st. The agency might be fully staffed by sometime in September.

4. Next Generation Transit Facility Project (Grant Submissions & Announcements)

- Our \$14.5 million state Transit & Intercity Rail Capital Program (TIRCP) grant application was not among the 23 projects that were announced by the California State Transportation Agency (CalSTA) last week. Approximately \$795 million in state funding was awarded in this biennial cycle for an average of \$34.6 million per project ranging from \$1 to \$177 million in size. Information is not yet available as to how many applications were received, but staff will be requesting a post-award briefing to see how our application can be improved in the future.

From a quick review of the successful projects, despite our inclusion of two replacement battery electric commuter buses, our overall project might not have been big enough or bold enough in comparison to other projects. The sweet spot appears to be projects in the \$25 – \$50 million range that prominently feature some or all the following: enhanced/expanded passenger rail service connections/improvements, large numbers of zero-emission vehicles, and dramatically enhanced/expanded transit services.

There was some good TIRCP news for Yuba-Sutter Transit as the agency was included along with others that provide bus service in downtown Sacramento as part of a \$50 million omnibus project that was awarded to the Capitol Corridor JPA, City of Sacramento, SACOG, Sacramento Regional Transit District, and the Downtown Railyards. The transit specific components of the project include the implementation of an account-based contactless fare payment system for all participating agencies; better integration and expansion of regional commuter bus service in downtown Sacramento with new and enhanced shared bus stop facilities; and a new bus layover facility under the W/X freeway just south of downtown Sacramento.

- Our request to Congressman Garamendi's office for a \$3.76 million Community Project Funding earmark from the FFY 2023 budget for facility engineering and design work did not make the Congressman's list of 15 projects.

- Still awaiting the August award announcements for a \$15 million USDOT RAISE Grant application and a \$14 million FTA Buses and Bus Facilities grant application.
- Still awaiting word from Caltrans on the construction schedule for the Binney Junction Project and whether it might possibly be completed without displacing us from our current facility. We have, however, granted Caltrans permission to conduct core-drilling work on our property within the next few weeks to help them assess their options in this regard.
- Following the August grant announcements, staff is planning a full project update at the September meeting.

VI. Correspondence/Information

None

VII. Other Business

None

VIII. Adjournment

The meeting was adjourned at 4:27 p.m.

THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, AUGUST 18, 2022 AT 4:00 PM IN THE YUBA COUNTY BOARD OF SUPERVISORS CHAMBERS UNLESS OTHERWISE NOTICED.

**AGENDA ITEM V - B
YUBA-SUTTER TRANSIT
DISBURSEMENT LIST
MONTH OF JULY 2022**

CHECK NO.	AMOUNT	VENDOR	PURPOSE
EFT	\$ 6,467.45	PERS HEALTH	HEALTH INSURANCE
EFT	\$ 3,279.56	PERS RETIREMENT	RETIREMENT PAYMENT (EMPLOYER SHARE)
EFT	\$ 600.00	CALPERS 457 PLAN	EMPLOYER CONTRIBUTION
EFT	\$ 36,376.06	PAYROLL	PAYROLL
EFT	\$ 1,519.17	PRINCIPAL MUTUAL LIFE INSURANCE	L/D/LTD INSURANCE
EFT	\$ 37.12	CALIFORNIA WATER SERVICE	FIRE SUPPRESSION - JULY 2022
EFT	\$ 368.69	CALIFORNIA WATER SERVICE	WATER
EFT	\$ 450.00	CALIFORNIA DEPT OF TAX AND FEE	FUEL TAX APRIL - JUNE 2022
EFT	\$ 2,976.00	PERS RETIREMENT	PERS ANNUAL UNFUNDED LIABILITY - CLASSIC FY 2022
EFT	\$ 817.00	PERS RETIREMENT	PERS ANNUAL UNFUNDED LIABILITY - PEPRA FY 2022
EFT	\$ 55.10	PG&E	GAS JUNE 2022
EFT	\$ 70.37	HARLAND CLARKE	DEPOSIT SLIPS
EFT	\$ 400.00	FRANCOTYP-POSTALIA, INC	POSTAGE RESET 7/27/2022
EFT	\$ 164.09	CARDMEMBER SERVICES	CREDIT CARD -SUBSCRIPTIONS, LOGO SHIRT, TRAVEL BAG FOR POPUP
EFT	\$ 228.38	UTILITY MANAGEMENT SERVICES	SEWER
EFT	\$ 191.63	PRIMEPAY	PAYROLL FEES - JUNE 2022
EFT	\$ 176.10	ELAVON	MERCHANT SERVICE FEE - JULY
18030	\$ 175.00	ALL SEASONS TREE & TURF CARE	LANDSCAPING & WEED CONTROL JUNE 2022
18031	\$ 1,750.00	ALLIANT NETWORKING SERVICES INC	IT SERVICES - JULY 2022
18032	\$ 39,544.96	HUNT & SONS INC	BUS FUEL - DYED DIESEL
18033	\$ 5,367.00	NATIONWIDE	FACILITY INSURANCE - 7/15/22 - 7/15/23
18034	\$ 397.18	QUILL CORPORATION	OFFICE SUPPLIES: PAPER AND PRINTER RIBBONS
18035	\$ 1,100.00	RC JANITORIAL	JANITORIAL SERVICES - JUNE 2022
18036	\$ 5,444.63	RAMOS OIL COMPANY	BUS FUEL - GAS
18037	\$ 1,196.59	RECOLOGY YUBA-SUTTER	60 GAL LITTER CONTAINERS FOR BUS STOPS (4)
18038	\$ 963.99	SC FUELS	DEF FLUID
18039	\$ 55.00	SHELBY'S PEST CONTROL	PEST CONTROL - JUNE 2022
18040	\$ 565.47	STANLEY SECURITY SOLUTIONS INC	SECURITY SERVICES - JULY 2022
18041	\$ 450.00	STREAMLINE	WEBSITE SERVICES - JULY 2022
18042	\$ 7,483.50	SUTTER BUTTES COMMUNICATIONS INC	SERVICE CHARGES & REPEATER FEE 7/22 - 9/22
18043	\$ 1,650.84	T-MOBILE	WIFI SERVICES FOR BUSES JUNE 2022
18044	\$ 272.79	TIAA COMMERCIAL FINANCE INC	COPIER LEASE - JUNE 2022
18045	\$ 2,750.00	TRILLIUM	GTFIS MANAGER SUBSCRIPTION - 7/1/22 - 6/30/23
18046-18052	VOID	PRINTER ERROR	
18053	\$ 148.26	ADVANCED DOCUMENTS CONCEPTS	COPY MACHINE CHARGES - JUNE 2022
18054	\$ 1,750.00	ALLIANT NETWORKING SERVICES INC	IT SERVICES - AUGUST 2022
18055	\$ 1,566.50	APPEAL DEMOCRAT	ADVERTISING FOR FARE FREE FAIR WEEK
18055	\$ 411.00	APPEAL DEMOCRAT	PUBLICATION OF NOTICE OF PUBLIC HEARING
18056	\$ 372.47	COMCAST BUSINESS	TELEPHONE SERVICES - JULY 2022
18057	\$ 334.63	COMCAST BUSINESS	INTERNET SERVICES - JULY 2022
18058	\$ 31,876.15	HUNT & SONS INC	BUS FUEL - DYED DIESEL
18059	\$ 73.47	JANET FRYE	MILEAGE REIMBURSEMENT FOR FY 21/22
18060	\$ 677.96	LANDA & SON GLASS INC	SHELTER REPAIRS AT 1114 YUBA & D ST MARYSVILLE
18061	\$ 1,059.77	QuEST	MAINTENANCE OF BUS STOPS/SHELTERS
18062	\$ 385.28	QUILL CORPORATION	JANITORIAL & OFFICE SUPPLIES
18063	\$ 3,826.65	RAMOS OIL COMPANY	BUS FUEL - GAS
18064	\$ 754.00	SC FUELS	DEF FLUID
18065	\$ 565.47	STANLEY SECURITY SOLUTIONS INC	SECURITY SERVICES - AUGUST 2022
18066	\$ 544.75	STATE COMPENSATION INSURANCE FUND	PREMIUM CHARGE 7/1/2022 - 10/01/2022
18067	\$ 1,437.50	STORER TRANSIT SYSTEMS	REIMBURSEMENT FOR TOWING - BUS MAINTENANCE
18067	\$ 634.50	STORER TRANSIT SYSTEMS	COVID-19 EMPLOYMENT PROTECTION - JUNE 2022
18068	\$ 4,370.92	TEHAMA TIRE SERVICE INC	TUBES/TIRES
	\$ 174,132.95		

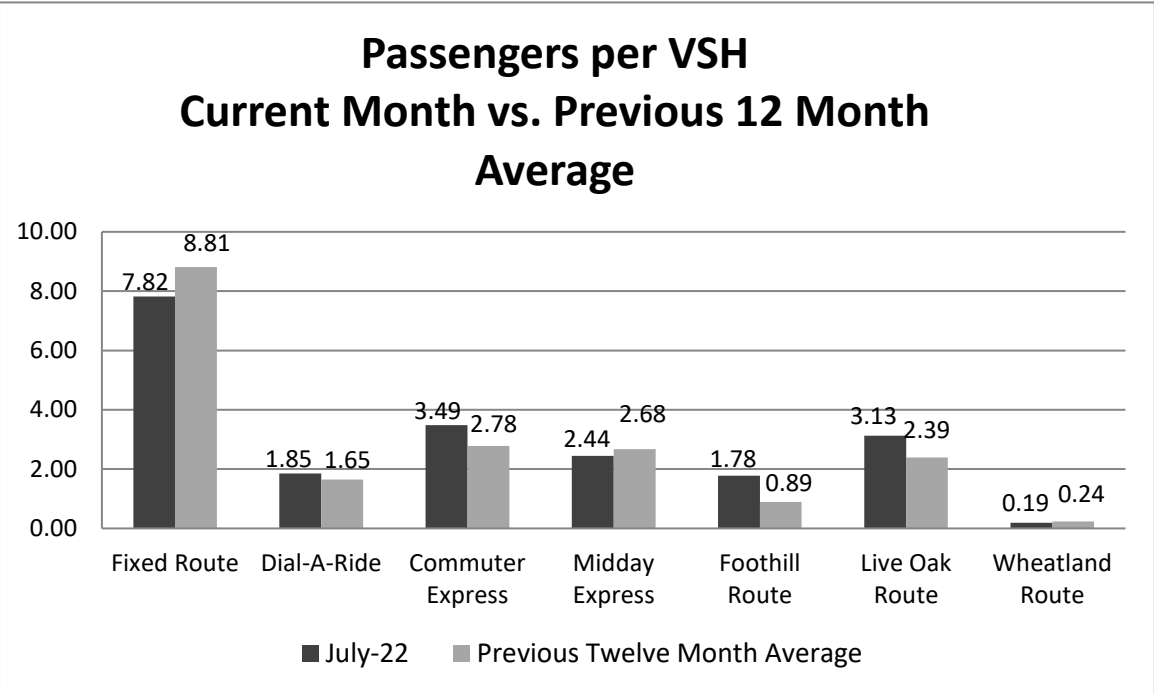
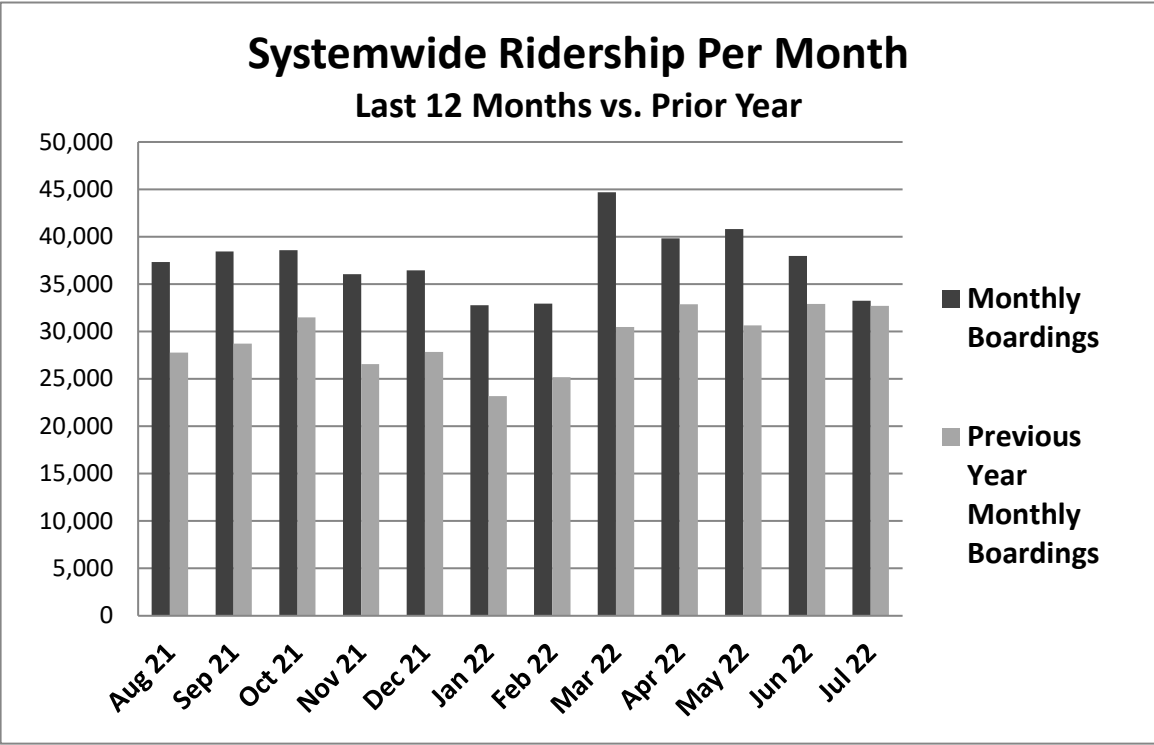
**LAIF
TRANSFERS**

AGENDA ITEM V- C

JULY 2022 PERFORMANCE REPORT

	July-22	Previous Twelve Month Average	Fiscal YTD	Previous Fiscal YTD
Ridership:				
Fixed Route	27,746	32,110	27,746	26,872
Dial-A-Ride	2,378	2,408	2,378	2,699
Commuter Express	2,375	2,017	2,375	1,606
Midday Express	357	418	357	345
Foothill Route	142	76	142	58
Live Oak Route	229	178	229	152
Wheatland Route	8	11	8	6
Oroville Route	0	0	0	88
Total Ridership:	33,235	37,216	33,235	31,826
Vehicle Service Hours:				
Fixed Route	3,548.61	3,645.50	3,548.61	3,711.09
Dial-A-Ride	1,282.70	1,463.50	1,282.70	1,421.77
Commuter Express	681.27	724.66	681.27	710.13
Midday Express	146.20	155.96	146.20	149.90
Foothill Route	79.71	86.04	79.71	88.15
Live Oak Route	73.20	74.31	73.20	69.36
Wheatland Route	42.93	44.14	42.93	39.64
Oroville Route	0.00	0.00	0.00	217.33
Total VSH's:	5,854.62	6,194.11	5,854.62	6,407.37
Passengers Per Hour:				
Fixed Route	7.82	8.81	7.82	7.24
Dial-A-Ride	1.85	1.65	1.85	1.90
Commuter Express	3.49	2.78	3.49	2.26
Midday Express	2.44	2.68	2.44	2.30
Foothill Route	1.78	0.89	1.78	0.66
Live Oak Route	3.13	2.39	3.13	2.19
Wheatland Route	0.19	0.24	0.19	0.15
Oroville Route	0.00	0.00	0.00	0.40
Total Passengers Per VSH:	5.68	6.01	5.68	4.97

JULY 2022 PERFORMANCE REPORT



AGENDA ITEM VI - A
STAFF REPORT

**SPECIAL SERVICE AUTHORIZATION FOR THE
2022 SIKH PARADE PARKING SHUTTLE**

Summary

Attached for Board review and consideration is a request from the Sikh Temple Gurdwara Yuba City for Yuba-Sutter Transit to again operate an off-site parking lot shuttle service for the 2022 Sikh Parade on Sunday, November 6th. Except for 2020 when the parade was cancelled due to the pandemic, Yuba-Sutter Transit has provided this service annually since 2010. As part of their request, in lieu of passenger fares charged when boarding, the sponsor has committed to provide \$21,500 to off-set the cost of this service that will require up to 22 buses to operate approximately 235 vehicle service hours – roughly matching what was provided for each of the last three events.

Background

Yuba-Sutter Transit provided a free parking shuttle for the 2007 and 2008 parades for which the sponsor reimbursed Yuba-Sutter Transit for the cost of each vehicle service hour operated. In February 2009, following changes in Federal charter regulations, Yuba-Sutter Transit adopted a Charter & Special Services Policy effectively eliminating such service unless it is operated consistent with the related Federal regulations. To be exempt from Federal charter regulations, the policy (last updated in August 2015) requires that the service must be open to the public; the route, schedule and scope of work are set by Yuba-Sutter Transit; the customary fixed route fare is charged; and no third-party payment is made for the service provided. When the Board of Directors declined to operate the service at no cost to either the passengers or the sponsor, no service was provided for the 2009 parade.

Since 2010, the Board has authorized a shuttle service based on the assumed operation of a certain number of vehicle service hours and the pre-purchase of a certain number of round-trip tickets. The service has grown significantly over the years from 164 vehicle service hours and 16 buses carrying 11,876 recorded passenger boardings in 2010 to as much as 270 vehicle service hours providing an estimated 30,000 to 35,000 boardings for this one-day event.

Recommendation

Staff is recommending that the Board authorize a special off-site parking lot shuttle service for the 2022 Sikh Parade on Sunday, November 6, 2022, assuming the operation of approximately 235 vehicle service hours and the use of up to 22 buses. The service would be open to the public and operate between the posted hours of 8:00 a.m. and 6:00 p.m. on a schedule and route to be set by Yuba-Sutter Transit. The shuttle would operate continuously between River Valley High School and the intersection of Hooper and True Roads with the first bus leaving River Valley High School by 8:00 a.m. and the last bus leaving the Hooper & True stop no earlier than 6:00 p.m. The \$21,500 contribution in lieu of passenger fares is expected to cover the direct operating cost of the service.

Based on experience, the planned level of service should be sufficient to handle as many as 35,000 passenger boardings with a service quality comparable to that which was experienced in recent years assuming similar operating conditions. More service hours using more buses and/or a longer operating period could easily be justified for additional capacity and shorter passenger wait times, but the proposed level of service represents the practical capacity limit of the existing bus fleet and the number of operating personnel available.

Staff will be prepared at the meeting to discuss this issue in detail.

RECOMMENDATION: Authorize the operation of a parking lot shuttle service under the proposed terms and conditions.

P:\yst agenda items\Sikh Parade Shuttle Request Item VI-A 8-22.doc

July 21, 2022

Keith Martin, Executive Director
Yuba-Sutter Transit
2100 B Street
Marysville, CA 95901

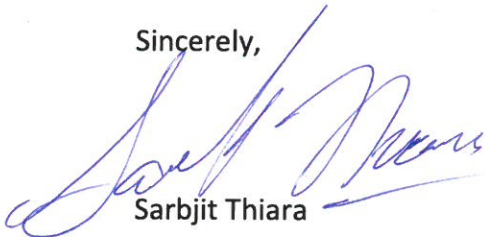
RE: 2022 Sikh Temple Gurdwara Parade Parking Shuttle Service Request

Dear Mr. Martin,

The 2022 Sikh Temple Gurdwara Yuba City's Annual Sikh Parade will be held on Sunday, November 6, 2022. I oversee and manage the parade. I have discussed the details of your proposed off-site parking shuttle service for our visitors with our board members. Please present this request for the proposed service to the Yuba-Sutter Transit Board of Directors for their approval at your next meeting. Once approved, we will be sending your agency a check for \$21,500 for the service.

For any questions regarding this request, please contact me at (530) 682-5881.

Sincerely,



Sarbjit Thiara
President

AGENDA ITEM VI – B
STAFF REPORT

**FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT (FRAQMD)
BLUE SKY GRANT PROJECTS FOR FY 2022/2023**

ISSUE

The Feather River Air Quality Management District (FRAQMD) is expected to soon issue a Request for Proposals (RFP) for the FY 2022/2023 cycle of Blue Sky (AB 2766) grants. The funding amount for this next cycle has not yet been announced, but it is expected to approximately \$125,000 which is the amount that was allocated for the FY 2021/2022 cycle. That amount was down significantly from the \$250,000 or more that had been allocated in prior years. Applications are typically due in early October so staff is now requesting early Board input on concepts that could be developed into formal grant applications for Board consideration at the September meeting.

BACKGROUND

AB 2766 funds come from a \$4 annual Motor Vehicle Registration Fee that is collected on vehicles registered in Yuba and Sutter Counties to support a wide variety of air pollution reduction activities. Yuba-Sutter Transit has received FRAQMD funding for many projects over the years including discount bus pass programs for youth, seniors and persons with disabilities; local matching funds to expand the commuter and local fixed route bus fleets; local matching funds for the expansion of the Bogue Road Park & Ride Lot; non-advertising bus stop benches and shelters; bike racks for buses; bike lockers at bus stops; a multi-year vanpool subsidy program; enhanced bus stop passenger information materials; and, a Downtown Trolley demonstration service.

Yuba-Sutter Transit last received funding from this program under the FY 2019/2020 cycle to continue the Discount Monthly Pass Program for youth, seniors, and persons with disabilities through March 2021. Due to the ridership impact of the COVID-19 pandemic, the funding that was awarded for that cycle was ultimately combined with the funding from the previous cycle through two grant amendments to extend the Discount Monthly Pass Program through March 2023. As a result, Yuba-Sutter Transit did not apply for funding from the FY 2020/2021 cycle.

For the five years prior to the FY 2021/2022 cycle, Yuba-Sutter Transit annual grant awards from this program at an average of \$144,420 annually typically for multiple projects each year (\$142,000 in FY 2020, \$142,000 in FY 2019, \$140,000 in FY 2018, \$150,000 in FY 2017, and \$148,100 in FY 2016). Because funding is now so limited, it is important that proposals be limited in number, ranked in priority, and include options for reduced funding levels as the program will likely be over-subscribed,

DISCUSSION

Based on the long-term success of the combined discount monthly bus pass program, staff is again recommending that the highest priority project be to continue this program for another twelve

to fifteen-month period after the existing grant expires at the end of March 2023. The existing discount monthly pass program is now averaging around 8,000 passes sold annually. These passes are normally priced at \$15 each, but through the \$10 FRAQMD-funded discount they are sold for just \$5 each. Assuming a 20 percent increase in ridership and pass sales over the next year, staff is now projecting the sale of approximately 9,600 discount passes annually. To maintain the current subsidy of \$10 for each discount pass, staff would recommend requesting at \$96,000 from FRAQMD for a 12-month program (\$120,000 for a 15-month program) with all other program expenses to again be provided by Yuba-Sutter Transit. An alternative approach would be to increase the out-of-pocket cost for each pass to reduce the FRAQMD subsidy by an equal amount. Depending on the amount of the increase, however, this could have a significant impact on the program through reduced pass sales and ridership especially since the regular \$30 general-public monthly pass is currently priced at just \$10 per month with the difference being provided through a state grant program.

While staff is not recommending any other projects for consideration given the limited amount of FRAQMD funding available, the Board may wish to consider applying for such projects the purchase and installation of additional bus stop furniture (shelters and/or benches) where advertising shelters and benches are not likely to be installed and, despite recent efforts, there are still candidate locations throughout the service area. If desired, staff will develop specific site and cost estimates for Board consideration, but a good example is a previous FRAQMD funded project that resulted in the 2019 installation of 48 unique, two-seat bus stop benches at locations lacking either a sidewalk and/or adequate right-of-way sufficient for traditional bus stop furniture.

Staff will be prepared at the meeting to discuss these and any other project concepts that Board members may wish to introduce for consideration.

RECOMMENDATION: Direct staff as desired.

AGENDA ITEM VI – C
STAFF REPORT

STORER TRANSIT SYSTEMS UPDATED DRUG AND ALCOHOL POLICY

The Federal Transit Administration (FTA) requires all transit operators to certify compliance with applicable Federal drug and alcohol regulations. These regulations apply to any transit agency receiving Federal financial assistance and by extension, any contractors or sub-contractors that employ people in safety sensitive positions (i.e., drivers, dispatchers, and maintenance personnel). As Yuba-Sutter Transit's operating contractor, Storer Transit Systems is required to fully comply with all applicable provisions of these regulations as they may be amended from time to time.

Attached for Board review and adoption consideration is the updated version of the Storer Transit Systems Drug and Alcohol Policy effective August 1, 2022, to replace the plan that was adopted on September 30, 2019. The minor updates to the original plan include organization role changes within Storer and updated information on testing companies. By adoption of the attached resolution and Storer implementation of the drug and alcohol program, Yuba-Sutter Transit will be in full compliance with the related drug and alcohol testing and training provisions of the applicable Federal regulations.

Storer and Yuba-Sutter Transit staff will be available at the meeting to respond to any questions from the Board regarding the specific provisions of the drug and alcohol program.

RECOMMENDATION: Adopt Resolution No. 10-22 adopting the Storer Transit Systems Drug and Alcohol Policy for the Yuba-Sutter Division effective August 1, 2022.

YUBA-SUTTER TRANSIT AUTHORITY

RESOLUTION NO. 10-22

**ADOPTING THE STORER TRANSIT SYSTEMS
DRUG AND ALCOHOL POLICY FOR THE YUBA-SUTTER DIVISION
EFFECTIVE AUGUST 1, 2022**

WHEREAS, *The Federal Transit Administration (FTA) requires compliance with federal testing and training provisions of 49 CFR, Parts 653 and 754; and,*

WHEREAS, *The State Department of Transportation is responsible for FTA drug and alcohol compliance by all sub-grantees:*

NOW, THEREFORE, BE IT RESOLVED that the Yuba-Sutter Transit Authority, through adoption of the Storer Transit Systems Drug and Alcohol Policy for the Yuba-Sutter Division effective August 1, 2022, is in full compliance with the related federal testing and training provisions of 49 CFR Parts 653 and 654 and does hereby authorize the Transit Manager to certify same by the following vote:

Ayes:

Noes:

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY INTRODUCED, PASSED AND ADOPTED BY THE YUBA-SUTTER TRANSIT AUTHORITY AT THE MEETING THEREOF HELD ON August 18, 2022.

Chair, Board of Directors

ATTEST:

JANET FRYE
Secretary to the Board

STORER TRANSIT SYSTEMS

FTA

Drug and Alcohol Policy and Procedures
Adopted as of August 2022

Zero Tolerance

[In accordance with the U.S. Department of Transportation
Federal Regulations Title 49 Part 40, 655]

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Storer Transit Systems
FTA Drug and Alcohol Testing Policy

1.0 Policy

Storer Transit Systems is dedicated to providing a safe, dependable service to its clients. Storer Transit Systems employees are our most valuable resource. This policy is inclusive of all agreements for Transit services for which Storer Transit Systems is under contract. It is our policy (1) to take appropriate action to assure that employees are not impaired in their ability to perform their assigned duties in a safe, productive and healthy manner; (2) to promote and maintain drug and alcohol free environment for all employees and the general public; and (3) to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances.

To achieve the goal of a substance-free workplace, this policy incorporates two integrated components.

1.1 Prevention through education and training:

Education and training will communicate and clarify this policy to all safety sensitive employees, assist employees in recognizing substance abuse problems and in finding solutions to those problems.

1.2 Detection, deterrence, and enforcement:

Federal regulations require that all safety sensitive employees will be subject to reasonable suspicion, post-accident, random, return to duty and follow-up drug and alcohol testing. Applicants for a safety sensitive position will not be eligible for those positions unless they undergo and pass a pre-employment drug test. As a “zero tolerance” employer, any positive drug or alcohol tests will result in a termination of employment.

This Policy was adopted by Storer Transit Systems August 1, 2022

Maryann E. Myers, HR/Compliance Manager / DAPM

Bobbi Wayman, Compliance Specialist / DER

Maryann E. Myers, HR/Compliance Manager
Drug and Alcohol Program Manager (DAPM)

Bobbi Wayman, Compliance Specialist
Designated Employer Representative (DER)

Drug and Alcohol Testing Policy FTA

A. PURPOSE

Storer Transit Systems provides public transit and paratransit services for the residents of several counties throughout California. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Storer Transit Systems declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety sensitive functions when there is a positive test result, or test refusal. The U.S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

Any provisions set forth in this policy that are included under the sole authority of Storer Transit Systems and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Storer Transit Systems will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full or part time) when performing safety sensitive duties. Storer Transit Systems employees that do not perform safety-sensitive functions may be covered under this policy under the sole authority of Storer Transit Systems.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any other transit employee who operates a non-revenue vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a transit vehicle even when not in revenue service, if as a result-

- 1) An individual dies;
- 2) An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or
- 3) One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function.

Covered Employee Under Company Authority: An employee, applicant or transferee that will not perform a safety-sensitive function as defined by FTA but is included under the company's own authority.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required

decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Department of Transportation (DOT): Department of the federal government which includes the, Federal Transit Administration, Federal Railroad Administration, Federal Motor Carriers Safety Administration, Pipeline & Hazardous Materials Safety Administration, for purposes of 49 CFR Part 40, the United States Coast Guard, in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes and the Office of the Secretary of Transportation.

Dilute Specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs, Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on ODAPC's website at <https://www.transportation.gov/odapc>.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

Invalid Result: The result reported by an HHS certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative test result: A urine specimen that is reported as adulterated, substitute, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine, at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as: (a) the operation of a transit revenue service vehicle even when the vehicle is not in revenue service; (b) the operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver's License (CDL); (c) maintaining a revenue service vehicle or equipment used in revenue service; (d) controlling the movement of a revenue service vehicle and (e) carrying a firearm for security purposes.

Safety Sensitive Employees: applies to all safety-sensitive Storer Transit employees, including paid part time employees who perform or could be called upon to perform any transit related safety-sensitive functions for both drug and alcohol testing, this policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

- 1) Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer.
- 2) Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- 3) Fails to attempt to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations. An employee who does not provide a urine or breathe specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- 4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen.
- 5) Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- 6) Fails or declines to take a second test the employer or collector has directed you to take.
- 7) Fails to undergo a medical examination or evaluation, as directed by the MRO, or as directed by the DER.
- 8) Fails to cooperate with any part of the testing process.
- 9) If the MRO reports that there is verified adulterated or substituted test result.
- 10) Failure or refusal to sign Step 2 of the alcohol testing form.
- 11) Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- 12) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- 13) Admit to the collector or MRO that you adulterated or substituted the specimen.
- 14) Fail to remain readily available following an accident.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

- 1) **Prohibited substances** addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy.
 - b. Federal Transit Administration drug testing regulation (49 CFR Part 655) requires that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Employees that may be covered under company authority will also be tested for

these same substances. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

- c. **Legal Drugs:** The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Storer Transit Systems supervisor, and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety sensitive functions.
- d. **Alcohol:** The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited. A random, follow up or reasonable suspicion alcohol test can only be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety sensitive job functions. Under Storer Transit Systems authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

F. PROHIBITED CONDUCT

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.
- 2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.
- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol.
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
 - i. The employee's alcohol concentration measures less than 0.02; or
 - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

- 7) Storer Transit Systems, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all Storer Transit employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including Transit Department premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

H. TESTING REQUIREMENTS

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing a safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up. Any employees that may be covered under company authority will also be subject to testing for reasonable suspicion, post-accident, random and return to duty/follow-up using non-DOT testing forms.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, follow-up and random alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under the authority of Storer Transit Systems, Non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breathe alcohol testing as a condition of ongoing employment with Storer Transit Systems. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids (codeine, morphine, heroin, hydrocodone, hydromorphone, oxycodone and oxymorphone), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each

specimen will be accompanied by a DOT Chain of Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Storer Transit Systems. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Storer Transit will ensure that the cost for the split specimen is covered in order for a timely analysis of the sample, however **Storer Transit Systems** will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary is positive, it will be retained in frozen storage for one year and the split

specimen will also retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the MRO, or by the employer, by the MRO, or by the relevant DOT agency.

- 8) **Observed Collections:** Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
- a. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Storer Transit Systems that there was not an adequate medical explanation for the result;
 - b. The MRO reports to Storer Transit Systems that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - c. The collector observes materials brought to the collection site or the employees conduct clearly indicates an attempt to tamper with a specimen;
 - d. The temperature on the original specimen was out of range;
 - e. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see Section 40.197 (b)(1));
 - f. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
 - g. All follow-up tests; or
 - h. All return-to-duty tests

J. ALCOHOL TESTING PROCEDURES

- 1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (Alcohol screening device (ASD) which is also approved by NHSTA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the

employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

- 2) An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section Q of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Storer Transit Systems affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 at the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

All applicants for covered transit positions shall undergo urine drug testing test prior to performance of a safety-sensitive function.

- 1) All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.
- 2) An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- 3) If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided a list of at least two USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral evaluation and treatment plan as described in Section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- 4) When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q, herein.
- 5) If a pre-employment/pre-transfer test is cancelled, Storer Transit Systems will require the applicant to take and pass another pre-employment drug test.
- 6) In instances where a FTA covered employee does not perform any safety-sensitive functions for a period of 90 consecutive days or more regardless of reason, and is not in

the random testing pool during that time the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

- 7) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 8) Applicants are required (even if ultimately not hired) to provide Storer Transit Systems with signed written releases requesting DOT drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Storer Transit is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide Storer Transit proof of having successfully completed a referral, evaluation and treatment plan as described in Section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All Storer Transit covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Storer Transit Systems authority, a NON-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to Storer Transit Systems and shall be attached to the forms reporting the test results.
- 3) Storer Transit Systems shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.
- 4) When there are no specific, contemporaneous, articulable, objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment, and treatment consistent with Section Q of this policy. Storer Transit Systems shall place the employee

on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Storer Transit Systems. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Section Q.

M. POST ACCIDENT TESTING

FATAL ACCIDENTS - A covered employee will be required to undergo urine and breathe testing if they are involved in an accident with a transit vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

- The accident results in injuries requiring immediate transportation to a medical treatment facility away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident; or
- One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the Post-Accident Testing Chart and a Post-Accident Drug and Alcohol Test Decision Documentation Form. All Supervisors and Safety Officers will follow these procedures.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than thirty-two (32) hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within eight (8) hours, or the drug test within thirty-two (32) hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Storer Transit Systems is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Storer Transit may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees that may be covered under company authority will be selected from a pool of non-DOT covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. **The current random testing rates meet or exceed the minimal annual percentage rate set each year by the FTA Administrator** for covered employees in the pool.
- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of employees that are not included solely under Storer Transit authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety-sensitive duty. However, under Storer Transit Systems authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

Storer Transit Systems will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with a court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions.

All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol free and there are no undo concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused a test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-Up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing. In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR, Part 40, as amended. However, all non-USDOT follow-up tests and all paperwork, associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations and will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug test, an alcohol test result of 0.04 or above, or a test refusal will be removed from his/her safety sensitive position, informed of educational and rehabilitation programs available and provided a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a SAP. A test refusal includes the following circumstances:

- a. Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
 - b. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations. An employee who does not provide a urine or breathe alcohol specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
 - d. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
 - e. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
 - f. Fails or declines to take a second test the employer or collector has directed you to take
 - g. Fails to undergo a medical examination or evaluation, as directed by the MRO, or as directed by the DER
 - h. Fails to cooperate with any part of the testing process
 - i. If the MRO reports that there is verified adulterated or substituted test result
 - j. Failure or refusal to sign Step 2 of the alcohol testing form
 - k. Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process
 - l. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
 - m. Admit to the collector or MRO that you adulterated or substituted the specimen
 - n. Fail to remain readily available following an accident.
- 4) An alcohol test result of 0.02 or greater but less than 0.04 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NON-DOT alcohol test with a result of less than 0.02 BAC. If the employee has an alcohol test result of >0.02 to \square 0.039 two or more times within a six month period, the employee will be removed from duty and referred for an assessment and treatment consistent with Section Q of this policy.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
- a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement.
 - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Storer Transit employment.
 - c. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.

- d. Refusal to submit to a periodic unannounced follow up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.
 - e. A self-referral or management referral to the employer's approved counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy.
 - f. Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.
 - g. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Storer Transit.
 - h. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal are not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Storer Transit Systems is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/Alcohol testing records shall be maintained by the Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.

- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, State or local safety agency with regulatory authority over Storer Transit or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended necessary legal steps to contest the issuance of the order will be taken.
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

U. REVISIONS TO THE POLICY AND PROGRAM.

This policy and program is subject to revision.

V. STORER TRANSIT SYSTEMS CONTACTS

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s):

- 1) Maryann E. Myers, HR/Compliance Manager / Drug and Alcohol Program Manager (DAPM)
(209) 609-8755 / (209) 609-8755
- 2) Bobbi Wayman: Compliance Specialist / Designated Employer Representative (DER)
(209) 416-3202
- 3) Tracy McKee: Designated Employer Representative (DER) (719) 354-8762
- 4) Joe Perry: Safety Officer / (209) 758-7929

W. MEDICAL REVIEW OFFICERS (MRO)

Donald Bucklin, MD-MRO

Dana Carasig, MD-MRO

APPENDIX A

ALCOHOL AND DRUG EFFECTS

49 CFR Part 655 mandates that all employees be provided with training material discussing the effects of alcohol and controlled substance use on an individual's health, work, and personal life.

This attachment is intended to help individuals understand the personal consequences of substance abuse.

ALCOHOL

Although used routinely as a beverage for enjoyment, alcohol can also have a negative physical and mood-altering effects when abused. These physical or mental alterations in a driver may have serious personal and public safety risks.

Health Effects

An average of three or more servings per day of beer (12 oz.), whiskey (1 oz.), or wine (6 oz.) over time may result in the following health hazards:

- * Dependency
- * Fatal liver disease
- * Kidney disease
- * Pancreatitis
- * Ulcers
- * Decreased sexual functions
- * Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- * Spontaneous abortion and neonatal mortality
- * Birth defects

Social Issues

- * 2/3 of all homicides are committed by people who drink prior to the crime.
- * 2-3% of the driving population are legally drunk at any one time. This rate doubles at night and on weekends.
- * 2/3 of all Americans will be involved in an alcohol-related vehicle accident during their lifetime.
- * The separation and divorce rate in families with alcohol dependency problems is 7 times the average.
- * 40% of family court cases are alcohol related.
- * Alcoholics are 15 times more likely to commit suicide.
- * More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol-related.
- * Over 17,000 fatalities occurred in 1993 highway accidents, which alcohol related. This was 43% of all highway fatalities.
- * 30,000 people will die each year from alcohol caused liver disease.

- * 10,000 people will die each year due to alcohol-related brain disease or suicide.
- * Up to 125,000 people die each year due to alcohol-related conditions or accidents.

Workplace Issues

- * It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- * Impairment can be measured with as little as two drinks in the body.
- * A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

ALCOHOL'S TRIP THROUGH THE BODY

Mouth and Esophagus: Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

Stomach and Intestines: Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamin, folic acid, fat, vitamin B1, vitamin B12, and amino acids.

Bloodstream: 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction of red blood cell production. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

Pancreas: Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause the lack of insulin thus resulting in diabetes.

Liver: Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of liver cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Glands: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing progressive in coordination: confusion, disorientation, stupor, anesthesia, coma, death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment and learning ability.

DRUGS

Marijuana

The common name for a crude drug made from the chopped leaves, stems and flowering tops of a plant called Cannabis Sativa. The active ingredient in marijuana (THC) is stored in body fat and is retained for days to weeks after use.

Immediate Effects

Reddened eyes
Increased heart rate
Dry mouth and throat

Chronic and Long Term Effects

Reduction in efficiency of the respiratory, cardiovascular, reproductive and immunological systems
Impaired short term memory
Altered sense of time
Slowed reaction time
Reduced ability to concentrate
Impaired motor skills
Addiction

Effects on Driving

A person operating a motor vehicle while using marijuana is likely to experience:

- * Impaired reaction time – Reaction time is increased, and braking time is slowed. Thinking and reflexes are slowed, making it difficult to respond to sudden, unexpected events.
- * Impaired short term memory – The learning process is slowed. Remembering a sequence of numbers or memorizing and following a series of directions becomes difficult.
- * Reduced concentration – Inability to display continuous attention or process complex information occurs. There is difficulty with complex decisions.
- * Impaired tracking – The act of following a moving stimulus is significantly and consistently diminished. Tracking can be affected up to ten hours after use.
- * Distorted time and distance sense – The ability to perceive accurately the passage of time is adversely affected. The user typically over-estimates the time that has elapsed.
- * Lack of control of vehicle velocity and proper positioning – Responding to wind gusts, driving through curves, and maintaining speed and proper following distance is impeded.
- * Lengthened glare recovery and blurred/double vision.
- * Distorted visual and depth perception – Confusion is created about traffic movement and appropriate drivers response.

Cocaine

A powerful stimulant drug extracted from the leaves of the Erythroxyton coca plant. It is the most powerful central nervous system stimulant known to mankind. (Crack is a form of cocaine).

Immediate Effects

Euphoria
Dilated pupils
Increase in blood pressure, heart rate, respiration rate, and body temperature

Chronic and Long Term Effects

Short attention span
Irritability, anxiety and depression
Seizure and heart attack
Loss of appetite and sleeplessness
Psychological problems and dependence
Hallucinations of touch, sight, taste, and/or smell

Effects on Driving

A person operating a motor vehicle while using cocaine is likely to experience:

- * Lapses in attention and concentration – Driving awareness is adversely affected regardless of the amount used.
- * Aggressive behavior – The result manifestations are anger and hostility toward other drivers as well as impatience and inappropriate risk-taking. The driver often overreacts to minor traffic irritations.
- * Tendency to overreact and overcompensate – Acceleration, braking, shifting, ect., are affected by over stimulated reflexes.
- * Impaired motor coordination – A decrease in hand-steadiness and eye/hand coordination affects proper driving response.
- * Periods of loss of consciousness – This is the result of fatigue due to lack of sleep and food.
- * False sense of alertness and security – Drivers become overly confident in driving judgment and skill. This affects their ability to perceive impending danger.
- * Convulsions, seizures, cardiac arrest and/or stroke – These effects can obviously result in a collision.
- * Distorted vision and difficulty in seeing – The pupils are so dilated that sunlight or bright head lights cause pain and discomfort. Glare recovery is also affected.
- * Auditory and visual hallucinations as well as cocaine psychosis – Changes in perception are experienced. The driver is out of touch with reality and loses sight of where he is going.
- * Profound depression, anxiety, irritability, and restlessness – Cocaine is a fast acting drug. The euphoria ends in less than an hour. The user is more depressed after using cocaine than before use. The higher the “high” the lower the “low”.

Opioids

Opioids (codeine, morphine, heroin, hydrocodone, hydromorphone, oxycodone and oxymorphone) are substances that act on opioid receptors to produce morphine-like effects. Medically they are primarily used for pain relief, including anesthesia.

Immediate Effects

Relaxation and induced sleep
Reduction of pain
Decrease in size of pupils
Cold, moist and bluish skin

Chronic and Long Term Effects

Restlessness, nausea and vomiting
Breathing slows down, and death may occur
User may go “on the nod” going back and forth from feeling alert to drowsy
Loss of appetite
Addiction even with occasional use
Infections of the heart lining and valves, skin abscesses, and congested lungs
Infections from non-sterile solutions, illness such as liver disease, tetanus, serum hepatitis and AIDS from use of needles

Effects on Driving

A person operating a motor vehicle while using Opioids is likely to experience:

- * Effects of intoxication – These effects are similar to those produced by alcohol abuse.
- * False sense of security – This state of mind will cause the driver to take more chances and risks.
- * Euphoric high followed by a period of stuporous inactivity – The driver daydreams while in this state of mind. Attention is not given to the road conditions and/or traffic situations. This subsequently creates the probability of a collision.
- * Difficulty in focusing – The pupils are so constricted (pinpoint size) that vision is impaired.
- * Visual distortion – Blurred and/or double vision occurs as it does with any depressant drug.
- * Loss of consciousness – This is due to extreme fatigue and drowsiness.
- * Coma – This creates an obvious safety risk.

Amphetamines

Drugs which are central nervous system stimulants used to increase alertness and physical activity. In pure form they are yellowish crystals that are manufactured into tablets or capsules. The three amphetamines include: Amphetamine, Dextroamphetamine and Methamphetamine (free based methamphetamine is called ICE).

Immediate Effects

Increased heart rate and respiration
Increased blood pressure
Dilated pupils
Dry mouth

Chronic and Long Term Effects

Sweating, headache, blurred vision, and dizziness
Decreased appetite
Sleeplessness and anxiety
Rapid or irregular heartbeat
Tremors

Loss of coordination
Physical collapse
Depression
Addiction and brain damage
Amphetamine psychosis: hallucinations, delusions, or paranoia

Effects on Driving

(Very similar to the effects of Cocaine/Crack, except intensity decrease and duration increases.)

A person operating a motor vehicle while using amphetamines is likely to experience:

- * Over-estimation of performance capabilities – Driver takes more risks as the result of this attitude.
- * A likelihood of being more accident-prone – Actual driving records indicate that drivers who take amphetamines are more accident-prone.
- * Anxiety, irritability and frequent over-reaction – Minor irritations effect inappropriate driver reactions.
- * Extreme mental and physical fatigue – This occurs during the “down” period. During this time the driver is unable to concentrate and make sound judgments.
- * Food and sleep deprivation – Leads to inappropriate increased vehicle speed. Amphetamine psychosis can also result in: the driver is out of touch with reality and does not know where he/she is going.
- * Impaired motor coordination – Responses necessary for hand/eye coordination are impaired.
- * Stimulant drugs (including cocaine) – Used to combat fatigue and keep driver awake, make the driver edgy, less coordinated and more likely to be involved in traffic collisions.

A DRIVER WHO USES STIMULANTS IS FOUR TIMES MORE LIKELY TO BE INVOLVED IN A COLLISION THAN A NON-USER

Phencyclidine (PCP)

PCP was first developed as an anesthetic in the 1950's and was taken off the market because it sometimes caused hallucinations. Most often called “angel dust”, it is available in various forms: a white crystal-like powder, a tablet or capsule.

Immediate Effects

Increased heart rate and blood pressure
Flushing, sweating, dizziness and numbness

Chronic and Long Term Effects

Stimulation (speeding up) of body functions (may also act as a depressant, pain killer, anesthetic, or hallucinogenic drug)
Change in user's perception of own body and other forms
Changes in speech, muscle coordination and vision
Slowing of body movements
Dulled sense of touch and pain
“Spacing out” of time
Drowsiness, convulsions and coma (effects of large doses)
Death from repeated convulsions, heart and lung failure or ruptured blood vessels in the brain
Signs of paranoia, fearfulness and anxiety

Flashbacks or PCP psychosis

Effects on Driving

The driver using this drug is extremely dangerous on the road. Its effects are varied and so bizarre that the dangers are unpredictable.

A person operating a motor vehicle while using PCP is likely to experience:

- * A feeling of owning the road and he/she is the superior being on the road.
- * Sense of invulnerability and power thus takes more risks on the road.
- * Aggressive behavior caused from the drug – The driver becomes hostile and violent with very little patience and no fear of death.
- * Auditory and visual hallucinations which create the likelihood of the driver reacting to something not there, that results in a collision.
- * Visual distortion – Blurred and/or double vision can occur
- * Convulsions, coma and/or death, loss of perception of time.
- * Impaired coordination and dull senses.

Post-Accident Check List

- | | |
|---|---------------------------|
| <p>1. Can you discount the driver?
Yes ___ No ___</p> | <p>1. _____
_____</p> |
| <p>2. Can you discount the dispatcher?
Yes ___ No ___</p> | <p>2. _____
_____</p> |
| <p>3. Can you discount the mechanic?
Yes ___ No ___</p> | <p>3. _____
_____</p> |
| <p>4. Can you discount the bus washer?
Yes ___ No ___</p> | <p>4. _____
_____</p> |
| <p>5. Can you discount the supervisor?
Yes ___ No ___</p> | <p>5. _____
_____</p> |
| <p>6. Can you discount the safety officer?
Yes ___ No ___</p> | <p>6. _____
_____</p> |

Other forms that must be filled out:

- | | |
|--|---------------------------|
| <p>1. DMV Insurance Information-Form SR-1
Yes ___ No ___</p> | <p>1. _____
_____</p> |
| <p>2. STS Accident Report-(National)
Yes ___ No ___</p> | <p>2. _____
_____</p> |
| <p>3. Donald's Report
Yes ___ No ___</p> | <p>3. _____
_____</p> |
| <p>4. Were pictures taken and diagram made?
Yes ___ No ___</p> | <p>4. _____
_____</p> |
| <p>5. Statements given by Witness / Passenger

Yes ___ No ___</p> | <p>5. _____
_____</p> |
| <p>6. Traffic Accident File Number
(Specific agency traffic collision report)
Yes ___ No ___</p> | <p>6. _____
_____</p> |
| <p>7. Driver Statement
Yes ___ No ___</p> | <p>7. _____
_____</p> |
| <p>8. Drug and Alcohol Testing Forms
Yes ___ No ___</p> | <p>8. _____
_____</p> |

**STORER Transportation Service
Post-Accident Discount Assessment**

Accident Report Number: _____

Location of Accident: _____

Accident Date: _____ Time: _____

Report Date: _____ Time: _____

Name of Employee: _____

Identification Number: _____

Position: _____

Result of Accident: Fatality
(check all that apply) Disabling Damage* to One or More Vehicles
 Injury Requiring Immediate Transport to Medical Facility

Can you discount the employee? _____ Yes _____ No

If No, Explain: _____

Decision to Test: DOT Authority _____ Yes _____ No
FTA Authority _____ Yes _____ No
Company Authority _____ Yes _____ No

Type of Test: Drug Alcohol

Supervisor Making Determination: _____

Notification of Test: Date _____ Time _____

Test Conducted: Alcohol Drug Date _____ Date _____ Time _____ Time _____

Storer Post Accident Testing Chart

(All Divisions)

Updated: 12.2020

	Transit Division All Transit & DAR Drivers	Charter Division All Drivers	School Bus Division	
			Drivers of 15 or more Pass. Buses	Drivers of 14 or less Pass. Buses
Start Here ↓ Was there a fatality? If Yes - Go to Action 1 If No - Go to Step 2	FTA Action 1: Must test driver ASAP (within 8 hours for alcohol & 32 hours for drugs). *Document IMPORTANT NOTE: If other SS Employees * could have contributed to the accident you must test them as well.	DOT/FMCSA Action 1: Must test driver ASAP (within 8 hours for alcohol ** & 32 hours for drugs.) *Document *If a required alcohol test is not administered within 2 hours following the accident, document why.	DOT Action 1: Must test driver ASAP (within 8 hours for alcohol ** & 32 hours for drugs.) *Document *If a required alcohol test is not administered within 2 hours following the accident, document why.	Non-DOT No Testing Required, *Document.
Step 2: Was anyone immediately transported to a medical treatment facility? If Yes - Go to Action 2 If No - Go to Step 3	Action 2: Can you completely the driver as a contributing factor in this accident? If No - Go to Action 1 If Yes - Go to Action 3 IMPORTANT NOTE: If other SS Employees * could have contributed to the accident you must test them as well.	Action 2: Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to step 3.	Action 2: Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to step 3.	No Testing Required, *Document.
Step 3: Was there any disabling damage to any vehicle & can you completely discount the driver as a contributing factor in this accident?	Yes - disabling damage and I cannot discount the driver - Go to Action 1 Yes- disabling damage and I can discount the driver - Go to Step 4 No disabling damage to any vehicle - Go to Step 4	Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to Action 3	Was a citation issued to the driver within 8 hours of the accident? If Yes - Go to Action 1 If No - Go to Action 3	No Testing Required, *Document.
Step 4 Federal Testing Prohibited *Document. END		Action 3: No testing required, *Document. End	Action 3: No testing required, *Document. End	No Testing Required, *Document.

* SS Employee = Safety Sensitive Employee (i.e. dispatcher, mechanic, supervisor, etc.)

* Document = Reasons why employees were tested or not tested. Include date and time of testing and an explanation if testing wasn't done within the testing period

After Hours Drug & Alcohol Testing

DNT Health Check

400 12th St #23

Modesto, Ca

95364



Business Phone

209-492-9549

Nathan Ramos Cell

209-613-2883

Business Fax

209-492-9473

Dee Paule Cell

209-606-7195

Alternate – Mobile / After Hours Testing Companies

USA Mobile Drug Testing

Kevin Wiedman, Owner

kwiedeman@USAMDT.com

www.USAMDT.com/EastBay

USA Mobile Drug Testing of the East Bay

Anyone ~ Anytime ~ Anywhere

4847 Hopyard Road, Suite 4-424

Pleasanton, CA 94588

Office 925-336-1397

Fax 888-908-6129

Nor Cal Drug and Alcohol Testing

870 West Onstott Road, Suite A

Yuba City, Ca 95991

(530) 315-0491

tom@norcaldrug.com

Brenda Lerma

5209 Amaro Way

Salida, CA 95368

(209) 604-3921

brendalerma13@gmail.com

Location & Name of Substance Abuse Professionals:

San Joaquin County

**Dellena Hoyer
Stockton Satellite Office
916-231-4640**

Stanslaus County

**Central Psychology Services
Daniel Bruce
2020 Standiford Ave
Modesto, Ca 95350
(209) 529-2084**

Yuba Sutter County

**Dellena Hoyer
2715 K Street, Suite 200
Sacramento, CA 95816
Yuba City Satellite Office Available**

ALCOHOL AND/OR DRUG TEST NOTIFICATION

PART 382 – Controlled Substances and Alcohol Use Testing applies to drivers of this company
***382.113** Requirement for notice:
 Before performing an alcohol or controlled substances test under this part, each employer shall notify a driver that the alcohol or controlled substances test is required by this part. No employer shall falsely represent that a test is administered under this part.
PART 655 - Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations
 The basic components of the regulation including the testing of safety-sensitive employees for the use of controlled substances and the misuse of alcohol, and the requirement for a policy statement, education, and consequences remain virtually the same

Driver/Applicant Name: _____
(Print: First, M.I., Last)

You are hereby notified the following test will be administered in compliance with the Federal Motor Carrier Safety Regulations or Federal Transit Administration Regulations.

Test Scheduled: Date _____
Location _____
Time _____

- Testing Authority: USDOT-FMCSA USDOT-FTA Company Authority (NON-DOT)
- Type of Test: Directly Observed Alcohol Controlled Substance
- Reason for Test: Pre-Employment Random Reasonable Suspicion
 Post-Accident Return to Duty Follow-Up

I understand as a condition of my employment with this company, the above identified test is required.

Driver/Applicant Signature Date

Witnessed By: _____
Company Representative Signature Date

RETAIN IN EMPLOYEE'S CONFIDENTIAL FILE

Acknowledgement

I have received a copy of the Storer Transit Systems **FTA Drug and Alcohol Policy and Procedures Adopted August 1, 2022**. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the updated policy handbook.

Employee's Signature _____

Employee Name (printed) _____

Date _____

AGENDA ITEM VI – D
STAFF REPORT

NOVEMBER MEETING CANCELLATION

Due to a schedule conflict in November, staff is requesting that the regular November 17th meeting of the Yuba-Sutter Transit Board of Directors be cancelled. The date for this meeting falls during this year's annual statewide California Transit Association conference that the Executive Director regularly attends. The agenda for November meetings is typically rather light, but a special meeting could be scheduled if necessary for any reason. If approved as proposed, the public would be informed of any meeting schedule changes well in advance in upcoming agendas, press releases and passenger newsletters.

Staff will be prepared to discuss this issue in more detail at the meeting.

RECOMMENDATION: Cancel the regular monthly meeting of November 17, 2022.

AGENDA ITEM IV – E
STAFF REPORT

FY 2022 ANNUAL PERFORMANCE REPORT

Attached is the systemwide performance report for the services operated by Yuba-Sutter Transit for all of FY 2022 (July 2021 through June 2022) presented in comparison to all of FY 2021. Because FY 2021 was the first full fiscal year for the COVID-19 pandemic that started locally in March 2020, FY 2022 is the first fiscal year to illustrate the extent to which the service and ridership has or has not recovered from the extended impacts of the pandemic. It is important to note for this comparison that in FY 2021, the Dial-A-Ride and rural route services both operated fare free for July and August of 2020. Also, for FY 2022, the Oroville Employee Shuttle service that was operated primarily for Pacific Coast Producers, Inc. ran for just six weeks in July and August of 2021.

Systemwide ridership which had stabilized a bit near the end of FY 2021 has improved significantly during the fiscal year ending FY 2022 up 29 percent over FY 2021. While this is an encouraging trend, the 448,569 passenger trips that were provided in FY 2022 were just 48 percent of the 931,951 trips that were provided in FY 2019 (the last full pre-pandemic fiscal year) so there is still plenty of room for growth. Despite the increase in ridership and the operation of the Oroville service, the number of vehicle service hours (VSH) operated systemwide was still down 2.8 percent compared to the same period in FY 2021 due to the dropping of the Route 1 Express service in July 2021 which more than off-set the increase in Dial-A-Ride service. With higher ridership and fewer service hours, all systemwide financial indicators improved significantly compared to FY 2021 even after accounting for the fare subsidy that was provided by Pacific Coast Producers for the employee shuttle.

To illustrate just how much the COVID-19 pandemic has impacted ridership and the potentially long road ahead to any semblance of recovery, the attached graph has been updated through FY 2022 to compare systemwide ridership by month over the last four fiscal years (FY 2019 to FY 2022). Specifically, the gap between the monthly data points for FY 2021 and FY 2022 is the actual ridership increase for each month of FY 2022 compared to the same month in the previous fiscal year. Over the twelve months of FY 2022, systemwide ridership has increased by an average of 29 percent each month ranging from a low of 8 percent in July 2021 to a high of 47 percent in March 2022.

Looking forward, while the recent positive systemwide ridership growth trend is certainly expected to continue, ridership is now expected to remain well below pre-pandemic levels through FY 2023 despite record high fuel prices. This assumption is based on how far ridership initially dropped and continued uncertainty as to the timing and extent of the return to classrooms, offices, and support programs as well as how many will choose to use public transit to get there after not doing so for more than two years.

Staff will be prepared to discuss the performance summary in detail at the meeting.

RECOMMENDATION: Information only.

Attachments

**ANNUAL PERFORMANCE REPORT
FISCAL YEAR 2021-2022**

	Passenger Trips	Vehicle Serv. Hours	Pass. Trips Per VSH	Est. Fare Revenue	Fare Rev. Per VSH	Est. Farebox Ratio
Fixed Route:						
July 2021 - June 2022	385,314	43,746.02	8.81	\$446,176	\$10.20	11.6%
July 2020 - June 2021	307,518	47,564.17	6.47	\$319,450	\$6.72	7.6%
Percent Change	25.3%	-8.0%	36.1%	39.7%	51.8%	52.5%
Dial-A-Ride:						
July 2021 - June 2022	28,894	17,561.96	1.65	\$60,842	\$3.46	3.9%
July 2020 - June 2021	17,556	16,781.80	1.05	\$79,862	\$4.76	5.4%
Percent Change	64.6%	4.6%	56.7%	-23.8%	-27.2%	-27.1%
Sacramento Services (Commuter & Midday):						
July 2021 - June 2022	29,212	10,567.43	2.76	\$157,541	\$14.91	16.9%
July 2020 - June 2021	20,003	10,199.47	1.96	\$133,781	\$13.12	14.9%
Percent Change	46.0%	3.6%	41.0%	17.8%	13.6%	13.7%
Foothill Route:						
July 2021 - June 2022	917	1,032.48	0.89	\$1,115	\$1.08	1.2%
July 2020 - June 2021	828	962.57	0.86	\$707	\$0.73	0.8%
Percent Change	10.7%	7.3%	3.3%	57.6%	47.9%	53.3%
Live Oak Route:						
July 2021 - June 2022	2,130	891.70	2.39	\$1,987	\$2.23	2.5%
July 2020 - June 2021	1,915	886.36	2.16	\$2,047	\$2.31	2.6%
Percent Change	11.2%	0.6%	10.6%	-2.9%	-3.5%	-2.6%
Wheatland Route:						
July 2021 - June 2022	127	529.68	0.24	\$123	\$0.23	0.3%
July 2020 - June 2021	71	493.87	0.14	\$127	\$0.26	0.3%
Percent Change	78.9%	7.3%	71.3%	-3.5%	-11.0%	-12.4%
Oroville Shuttle Service:						
July 2021 - Sept 2021	1,975	427.39	4.62	\$46,680	\$109.22	115.0%
Systemwide Summary:						
July 2021 - June 2022	448,569	74,756.66	6.00	\$714,463	\$9.56	10.9%
July 2020 - June 2021	347,891	76,888.24	4.52	\$535,972	\$6.97	7.9%
Percent Change	28.9%	-2.8%	32.8%	33.3%	37.1%	37.1%

Notes:

1. All financial calculations are estimates pending final fiscal audits.

Yuba-Sutter Transit Month Over Month Ridership FY 2019 - FY 2022

