

January 28, 2005

Members of the committee,

My name is Molly Molitor and I am speaking today in support of HB393. I am here on behalf of the Montana Motor Carriers Association which represents the transportation industry in and around Montana. Your support of HB393 would help increase safety for the motoring public.

Mandatory reporting to the Department of Justice of a positive drug screen would help eliminate certain safety risks. At the present time, employers are required to ask each potential employee if he/she has ever tested positive on a pre-employment test and not gone to work for that company. If the applicant falsifies a response, the hiring company has no means of verifying the accuracy of the application. If an individual has a positive drug screen other than a pre-employment, those would be reported to the Department of Justice as well.

The state of Washington has concluded another year with a similar law in place. If a person tests positive, the Medical Review Officer (MRO) reports to the Department of Justice and that result is posted to the individual's driving record. The person is referred to a Substance Abuse Professional (SAP) and a plan is developed for treatment. If the plan of action is successfully completed, the person receives paperwork that confirms compliance and driving privileges are not revoked. If the program is not completed within a set amount of time, the commercial drivers license is revoked. HB393 is similar to this and its passage would help remove potential threats from Montana's highways.

The Driver Services Bureau is currently facing the challenge of revamping the licensing system and now would be the perfect opportunity to include this additional information on commercial driving records.

Approval of HB393 would help direct the responsibility to the prospective employee instead of placing a burden on the unsuspecting employer. This bill would help protect employers against drug offenders that try to slip through the cracks. It would also help protect the motoring public against use of unqualified and unsafe commercial drivers.

Thank you for your time and consideration.

Molly Molitor  
M.S. Molitor Trucking, Inc.