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HOUSE BILL 425

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Keith J. Gardner

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO MOTOR CARRIERS; REPORTING OF POSITIVE DRUG AND
ALCOHOL TESTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Motor Carrier Safety Act
is enacted to read:

"[NEW MATERIAL] DRUG AND ALCOHOL TESTING PROGRAM--REPORT
OF POSITIVE TEST.--

A. A motor carrier shall have an in-house drug and
alcohol testing program that meets the requirements of 49
C.F.R. part 382 or be a member of a consortium, as defined in
49 C.F.R. 382.107, that provides testing that meets the
requirements of C.F.R. part 382.

B. At the time of registration or renewal of
registration of a commercial motor vehicle, a motor carrier

.163495.2

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1 shall certify to the department and to the motor vehicle
2 division of the taxation and revenue department that the motor
3 carrier is in compliance with the requirements of Subsection A
4 of this section. If the motor carrier is a member of a
5 consortium, the motor carrier shall provide the names of the
6 persons who operate the consortium.

7 C. When a medical review officer of a motor
8 carrier's testing program or of the consortium to which the
9 motor carrier belongs determines that a positive test result is
10 valid, the officer shall report the findings to the motor
11 vehicle division of the taxation and revenue department."