

## RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the City of Lincoln adopted in 1995 the U.S. Department of  
2 Transportation Federal Highway Administration Drug and Alcohol Testing Program and  
3 Policy applicable to employees who operate commercial motor vehicles other than  
4 employees employed in mass transit safety sensitive functions; and

5 WHEREAS, due to significant updates and amendments to the federal  
6 regulations applicable to the Drug and Alcohol Testing Program and Policy (49 C.F.R.  
7 Parts 40 and 382) for employees who operate commercial motor vehicles and further  
8 due to a name change of the oversight agency from the Federal Highway Administration  
9 Division of the U.S. Department of Transportation to the Federal Motor Carrier Safety  
10 Administration, it is necessary to adopt an updated and revised Drug and Alcohol  
11 Testing Program and Policy required by the U.S. Department of Transportation Federal  
12 Motor Carrier Safety Administration.

13 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
14 Lincoln, Nebraska:

15 That the City of Lincoln Federal Motor Carrier Safety Administration Drug and  
16 Alcohol Testing Program and Policy which is attached hereto as Exhibit A is hereby  
17 accepted and approved by the City Council of the City of Lincoln, Nebraska as the  
18 governing body of the City of Lincoln. This Drug and Alcohol Testing Program and  
19 Policy is applicable to employees engaged in the operation of commercial motor  
20 vehicles, other than employees employed in mass transit working in safety-sensitive

1 functions who are subject to the Federal Transit Administration Drug and Alcohol  
2 Testing Program and Policy.

3 BE IT FURTHER RESOLVED that a copy of this Resolution and the Federal  
4 Motor Carrier Safety Administration Drug and Alcohol Testing Program and Policy  
5 attached hereto be submitted to Pat Kant and Doug Thorpe in the City/County  
6 Personnel Department for notice and dissemination to all affected employees as  
7 required by the federal regulations.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2012:

\_\_\_\_\_  
Mayor