

Buncombe County Agenda Item Information Sheet

AGENDA ITEMS:

- (1) RESOLUTION AMENDING THE SUBSTANCE ABUSE POLICY FOR MOUNTAIN MOBILITY
- (2) RESOLUTION AMENDING THE SYSTEM SAFETY PROGRAM PLAN FOR MOUNTAIN MOBILITY

MEETING DATE:

January 9, 2018

REQUESTED BY:

Nathan Pennington, Interim Planning Director
Matthew Cable, AICP, Planner III

Background information

Amendments to the Substance Abuse Policy for Mountain Mobility and the System Safety Program Plan (which include the Substance Abuse Policy as an appendix) must be adopted by Buncombe County, as a recipient of state and federal funds, to ensure compliance with applicable requirements and regulations.

Substance Abuse Policy Amendments. Buncombe County must adopt a substance abuse policy compliant with all applicable federal regulations governing and requiring anti-drug and alcohol misuse programs in the workplace, including 49 CFR Parts 40 and 655, as amended. Buncombe County adopted the Substance Abuse Policy for Mountain Mobility on November 21, 1995, and most recently resolved to amend the policy on August 1, 2017. An amendment to 49 CFR Part 40, effective January 1, 2018, expands specific opioids included in the drug-testing panel and provides additional clarification.

The NCDOT Public Transportation Division (PTD), as the recipient of funds under the Federal Transit Act and grantor of funds to Buncombe County, recommended changes to the Substance Abuse Policy for Mountain Mobility to ensure consistency with the amended federal regulations. Buncombe County Planning Department Transportation Division staff reviewed the state recommended modifications and found them consistent with current federal regulations.

Staff request the Board of Commissioners formally resolve to amend the Substance Abuse Policy for Mountain Mobility to remain in compliance with federal regulations. *To ensure the most current version of the Substance Abuse Policy is included in the System Safety Program Plan, staff recommends the Substance Abuse Policy resolution be acted upon in advance of the resolution associated with amendments to the System Safety Program Plan.*

System Safety Program Plan Amendments. Buncombe County must adopt a System Safety Program Plan (SSPP) for Mountain Mobility. The SSPP is required by the NCDOT PTD to ensure safe continuation of operations in core areas including: driver/employee selection, training, safety data acquisition analysis, substance abuse program, vehicle maintenance, and security. Buncombe County adopted an SSPP for Mountain Mobility on July 20, 2004, and most recently resolved to amend the policy on March 4, 2014.

The March 2014 SSPP provided a process for annual updates and amendments to be completed by the Community Transportation Advisory Board (CTAB). The CTAB reviewed annual updates and approved minor changes to the SSPP in April 2015 and April 2016. In February 2017, the NCDOT conducted an SSPP compliance review. There were no deficiencies identified in 93 of 93 compliance review subsections. The NCDOT PTD did request future amendments to the SSPP be adopted by the Board of Commissioners instead of, or in addition to, CTAB review and approval.

In August 2017, the NCDOT PTD requested all public transportation systems remove the term "common wheelchair" from any documents. The term was previously used to define wheelchairs of a common weight and size which could be accommodated on ADA-compliant wheelchair lifts. The term was removed from all documents except for an appendix in the SSPP. Amendments to the SSPP are required to replace the term "common wheelchair" with the term "mobility device". Amendments to the SSPP are also required to include the most recently amended version of the Substance Abuse Policy for Mountain Mobility.

Staff requests the Board of Commissioners formally resolve to amend the System Safety Program Plan to remain in compliance with NCDOT requirements.

<p>Pro's</p> <ul style="list-style-type: none"> • Adoption is required in order to receive continued federal and state funding for the administrative, operational and capital needs of Mountain Mobility. • Adoption will facilitate compliance with federal regulations such that all language in the local policy and all language in the plan are consistent with federal regulation. • Adoption helps to ensure the health and safety of employees and citizens. 	<p>Con's</p> <ul style="list-style-type: none"> • None
<p>Funds required in current budget: None</p>	
<p>Funds required in future budgets: None</p>	
<p>Alternatives None</p>	
<p>Action recommended:</p> <p>Adopt the Resolution Amending the Substance Abuse Policy for Mountain Mobility.</p> <p>Adopt the Resolution Amending the System Safety Program Plan for Mountain Mobility.</p>	