

RESOLUTION REPLACING THE SUBSTANCE ABUSE POLICY FOR MOUNTAIN MOBILITY WITH THE DRUG AND ALCOHOL TESTING POLICY FOR MOUNTAIN MOBILITY

WHEREAS, the County of Buncombe is entrusted with the health and safety of its citizens and is dedicated to providing safe, effective, transportation services for citizens through Mountain Mobility, Buncombe County's Community Transportation System; and

WHEREAS, in keeping with this obligation and as a recipient of federal and state funds under the Federal Transit Act, as amended, the County of Buncombe must adopt a drug and alcohol testing policy that complies 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, as well as 49 CFR Part 29 relating to the Drug-Free Workplace Act of 1988; and

WHEREAS, Buncombe County adopted a Substance Abuse Policy by Resolution 95-11-11 dated November 21, 1995, and has updated it as needed or required in order to comply with federal regulations; and

WHEREAS, the North Carolina Department of Transportation Integrated Mobility Division requires transit systems to revise policies to ensure compliance at the local level; and

WHEREAS, the North Carolina Department of Transportation Integrated Mobility Division provided a Drug and Alcohol Testing Policy template to replace existing Substance Abuse Policies; and

WHEREAS, the Board of Commissioners supports the formal adoption of this Drug and Alcohol Testing Policy for Mountain Mobility to replace the existing Substance Abuse Policy to assure worker fitness and to protect employees and the public from the risks posed by the use of prohibited drugs and the misuse of alcohol.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

- (1) That the Board of Commissioners hereby replaces its Substance Abuse Policy for Mountain Mobility with its adoption of a Drug and Alcohol Testing Policy for Mountain Mobility.
- (2) That the provisions of Buncombe County's Drug and Alcohol Testing Policy for Mountain Mobility shall incorporate all rules and regulations that are required by the Federal Transit Administration on the prevention of alcohol misuse and prohibited drug use in transit operations, including those presently in effect or as is or may become effective in the future, whether or not said rules and regulations are expressly set forth in the policy.
- (3) That the Chairman be and he is hereby authorized to execute other documents as may be necessary to verify the adoption, amendment, and/or implementation of the policy.
- (4) That this Resolution shall be effective upon its adoption.

Adopted this 21st day of September, 2021.

ATTEST:

BUNCOMBE COUNTY BOARD OF COMMISSIONERS

Lamar Joyner, Clerk to the Board

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM:

County Attorney