



Memorandum

Date: December 18, 2018

Subject: INFORMATION: Audit Announcement | FRA Drug and Alcohol Testing Program |
Project No. 19S3005S000
Federal Railroad Administration

From: Barry J. DeWeese
Assistant Inspector General for Surface Transportation Audits 

To: Federal Railroad Administrator

Preventing accidents in railroad operations that result from employees' chemical impairment is a critical part of ensuring the safety of the traveling public. According to the National Transportation Safety Board's (NTSB) 2017-2018 Most Wanted List of Transportation Safety Improvements, the decriminalization of marijuana,¹ along with the increased popularity of dangerous synthetic drugs and a significant rise in the use and abuse of prescription medication and alcohol, have led to an epidemic of impairment in transportation.

The Federal Railroad Administration's (FRA) Office of Railroad Safety has set minimum Federal safety standards for FRA-regulated employees' use of alcohol and drugs. However, fatal accidents linked to drug and alcohol impairment as well as reports of the climbing percentage² of railway workers testing positive for drug use have called attention to the importance of FRA's oversight of drug and alcohol testing. For example, in April 2016, an Amtrak train struck a backhoe near Chester, PA, killing two track workers and injuring 39 passengers. NTSB's accident investigation determined that the train's engineer and both track workers tested positive for drug use, including marijuana, cocaine, and opioids.³ Since the

¹ The District of Columbia and 10 States have adopted the most expansive laws legalizing marijuana for recreational use. Most other States allow for limited use of medical marijuana under certain circumstances. A number of States have also decriminalized the possession of small amounts of marijuana.

² On September 15, 2016, the Washington Post published an analysis reporting the number of post-accident drug-positives in 2016 as the highest since 1987. According to the report, the overall number of railway workers testing positive for drug use in random tests climbed 43 percent in 2016.

³ NTSB Accident Report NTSB/RAR-17/02, April 2016.

accident, FRA implemented a rule requiring random urine drug screening for Maintenance-of-Way employees, effective June 12, 2017.⁴

Given the importance of drug and alcohol testing to protecting transportation safety, our office is conducting a series of reviews on drug testing programs within the transportation industry.⁵ Our objectives for this self-initiated audit are to assess FRA's (1) review and approval of railroads' random alcohol and drug testing program plans, and (2) controls for enforcing compliance with the plans and minimum annual random alcohol and drug testing standards.

We plan to begin the audit immediately and will contact your audit liaison to schedule an entrance conference. We will conduct our work at FRA Headquarters and Division offices, the Office of the Secretary of Transportation, and other sites, as needed. If you have any questions, please contact me at (202) 366-5630 or Wendy Harris, Program Director, at (202) 366-2794.

cc: DOT Audit Liaison, M-1
FRA Audit Liaison, HAIM-13

⁴ 49 CFR § 219.10 (2016).

⁵ We are currently reviewing the Federal Aviation Administration's oversight of drug and alcohol testing programs in the aviation industry. See: OIG, *Audit Initiated of FAA's Drug Abatement Program*, June 30, 2017. OIG audit announcements and reports are available on our website at <http://www.oig.dot.gov/>.