

7/22/2024

DOCKET # DEA-1362

To Whom It May Concern:

We, the undersigned organizations,

transportation industry, including but not limited to the commercial motor vehicle, aviation, rail, transit, and highway. While the rescheduling of marijuana may have benefits, we are deeply concerned with the impacts this rescheduling will have on users of our nation's entire transportation system.

The industries that we represent have a vested commitment to ensuring our workforce is not impaired while actively working within the transportation network. Because we do not have a scientifically proven method to detect marijuana impairment, as we do for alcohol, we rely on controlled substance testing to detect the use of all types of marijuana. The move by the DOJ and DEA to reschedule marijuana may ultimately prevent us from testing for marijuana use. For instance, the Department of Transportation (DOT) promulgates drug and alcohol testing rules for the transportation workforce, which will be impacted by this rescheduling. We are concerned that the rescheduling could prevent the continued testing of workers engaged in safety-sensitive functions, such as pilots, engineers, or impair DOT's ability to do so if testing guidelines and laboratory access are hampered.

We believe it is critical to the safety of our nation's traveling public and all transportation members that any change in the law must be accompanied by an explicit allowance for the testing of marijuana use for those individuals in safety-sensitive groups. Current data ranks marijuana as the top drug type detected in positive drug tests within the transportation industry, with the trucking industry alone, based on data provided by the Federal Motor Carrier Safety Administration, 60% of all positive drug tests were positive for marijuana. This is consistent with virtually identical drug testing outcomes, with approximately 59% of all positive drug tests attributable to marijuana. Fortunately, due to the protocols within the trucking industry, these individuals are detected and prevented from obtaining safety-sensitive positions until they have gone through the proper return-to-duty process. If the DEA moves forward

The undersigned groups remain committed to transportation safety, and welcome engagement with your respective organizations to address these concerns.

Sincerely,

Advocates for Highway and Auto Safety

American Bus Association

American Short Line and Railroad Association

American Trucking Associations

Association of American Railroads

Citizens for Reliable and Safe Highways

Commercial Vehicle Safety Alliance

Dangerous Goods Advisory Council (DGAC)

Gases and Welding Distributors Association

Institute for Safer Trucking (IST)

National Energy & Fuels Institute

National Private Truck Council

Parents Against Tired Truckers

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