

**SENATE AMENDMENTS TO  
SENATE BILL 379**

By COMMITTEE ON JUDICIARY

April 29

- 1       In line 9 of the printed bill, after “qualification” insert “that relates to health and safety”.
- 2       Delete lines 11 and 12 and insert:
- 3       “(2) Subsection (1) of this section does not apply:
- 4       “(a) If an applicable collective bargaining agreement prohibits off-duty use of the substance;
- 5       “(b) To federal contractors or employers that receive federal grants that are subject to the
- 6       federal Drug-Free Workplace Act of 1988 (41 U.S.C. 8101 et seq.);
- 7       “(c) If the employer is required by federal law or regulation to test employees or prospective
- 8       employees for alcohol or drug use;
- 9       “(d) To public safety personnel, as defined in ORS 181A.355, and other providers of emergency
- 10       services, as defined in ORS 401.025;
- 11       “(e) To a licensed health care professional, as defined in ORS 137.476;
- 12       “(f) To an operator of a public transit vehicle, as defined in ORS 166.116, or a taxi, while the
- 13       operator is in control of or operating the vehicle or taxi; or
- 14       “(g) To employees who perform job functions that may involve a risk of injury to others, in-
- 15       cluding, but not limited to, construction work, the operation of heavy machinery or equipment or
- 16       the operation of a commercial vehicle, as defined in ORS 801.210, or a commercial motor vehicle,
- 17       as defined in ORS 801.208.”.
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