



## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2001-11213, Notice No. 29]

### Drug and Alcohol Testing: Determination of Minimum Random Testing Rates for 2025

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notification of determination.

**SUMMARY:** This notification of determination announces FRA's minimum annual random drug and minimum annual random alcohol testing rates for covered service, maintenance-of-way (MOW), and mechanical (MECH) employees for calendar year 2025.

**DATES:** This determination takes effect [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Gerald Powers, FRA Drug and Alcohol Program Manager, by email: [gerald.powers@dot.gov](mailto:gerald.powers@dot.gov) or by telephone: 202-493-6313; or Melissa Van Dermeir, FRA Drug and Alcohol Program Specialist, by email: [melissa.vandermeir@dot.gov](mailto:melissa.vandermeir@dot.gov) or by telephone: 312-720-9491.

**SUPPLEMENTARY INFORMATION:** Each year, FRA sets its minimum annual random testing rates after considering the last two complete calendar years of railroad industry drug and alcohol program data submitted to its Management Information System (MIS). FRA, however, reserves the right to consider factors other than MIS-reported data before deciding whether to lower annual minimum random testing rates. *See* 85 FR 81265 (Dec. 15, 2020).

FRA is announcing that its minimum annual random drug and alcohol testing

rates for calendar year 2025 will continue to be the same as those for calendar year 2024, as follows:

- Covered service employees - 25 percent for drugs and 10 percent for alcohol.
- MOW employees - 25 percent for drugs and 10 percent for alcohol.
- MECH employees - 50 percent for drugs and 25 percent for alcohol.

These rates are minimums, and railroads and railroad contractors may conduct FRA random testing at higher rates.

## **Discussion**

### *Random Testing Rates for Covered Service Employees*

The industry-wide random drug testing positive rate for covered service employees remained below 1.0 percent for 2022 and 2023. The Administrator has therefore determined the minimum annual random drug testing rate for covered service employees will remain at 25 percent for the period January 1, 2025, through December 31, 2025.

The industry-wide random alcohol testing violation rate for covered service employees remained below 0.5 percent for 2022 and 2023. The Administrator has therefore determined the minimum random alcohol testing rate for covered service employees will remain at 10 percent for the period January 1, 2025, through December 31, 2025.

### *Random Testing Rates for MOW Employees*

The industry-wide random drug testing positive rate for MOW employees remained below 1.0 percent for 2022 and 2023. The Administrator has therefore determined the minimum annual random drug testing rate for MOW employees will remain at 25 percent for the period January 1, 2025, through December 31, 2025.

The industry-wide random alcohol testing violation rate for MOW employees remained below 0.5 percent for 2022 and 2023. The Administrator has therefore

determined the minimum random alcohol testing rate for MOW employees will remain at 10 percent for the period January 1, 2025, through December 31, 2025.

*Random Testing Rates for MECH Employees*

FRA will not have the two full years of industry-wide MIS data required to adjust the random testing rates for MECH employees until it has the MIS data for 2024, since MECH employees did not become subject to FRA random drug and alcohol testing until March 2022. *See* 87 FR 5719 (Feb. 2, 2022). The Administrator has therefore determined that the minimum random rates for MECH employees will remain at 50 percent for drugs and 25 percent for alcohol for the period January 1, 2025, through December 31, 2025.

Issued in Washington, D.C.

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