



Impacts of Marijuana Legalization on the Trucking Industry

The American Transportation Research Institute (ATRI), the trucking industry's not-for-profit research organization, is seeking motor carrier input on the impact of marijuana legalization on the trucking industry's workforce. This research was identified as a top priority in 2022 by ATRI's Research Advisory Committee.

Motor carrier staff and executives familiar with driver recruiting, retention and drug testing practices and trends are asked to share their input below. This timely research will provide insight into the specific challenges motor carriers face as the use of recreational marijuana grows in the U.S. The findings should also provide insight into approaches the industry can take to address these challenges.

The data collected will be kept completely confidential. Personal and organizational information will never be released for public use under any circumstance, and it will only be used internally for research analyses. The final report will only be presented in an aggregated, non-identifying format. As needed, ATRI will sign a confidentiality agreement.

If you have any questions about this survey and research, please contact Jeff Short at jshort@trucking.org.

DEMOGRAPHICS

The data collected will be kept completely confidential. The final report will only be presented in an aggregated, non-identifying format.

1. What is your role in trucking?
 - Motor Carrier: Human Resources
 - Motor Carrier: Safety
 - Motor Carrier: Training/Education
 - Motor Carrier: Dispatch/Driver Manager/Driver Recruiting
 - Motor Carrier: President/CEO/COO/CFO/EVP
 - Motor Carrier: Legal
 - Motor Carrier – Other (please specify):

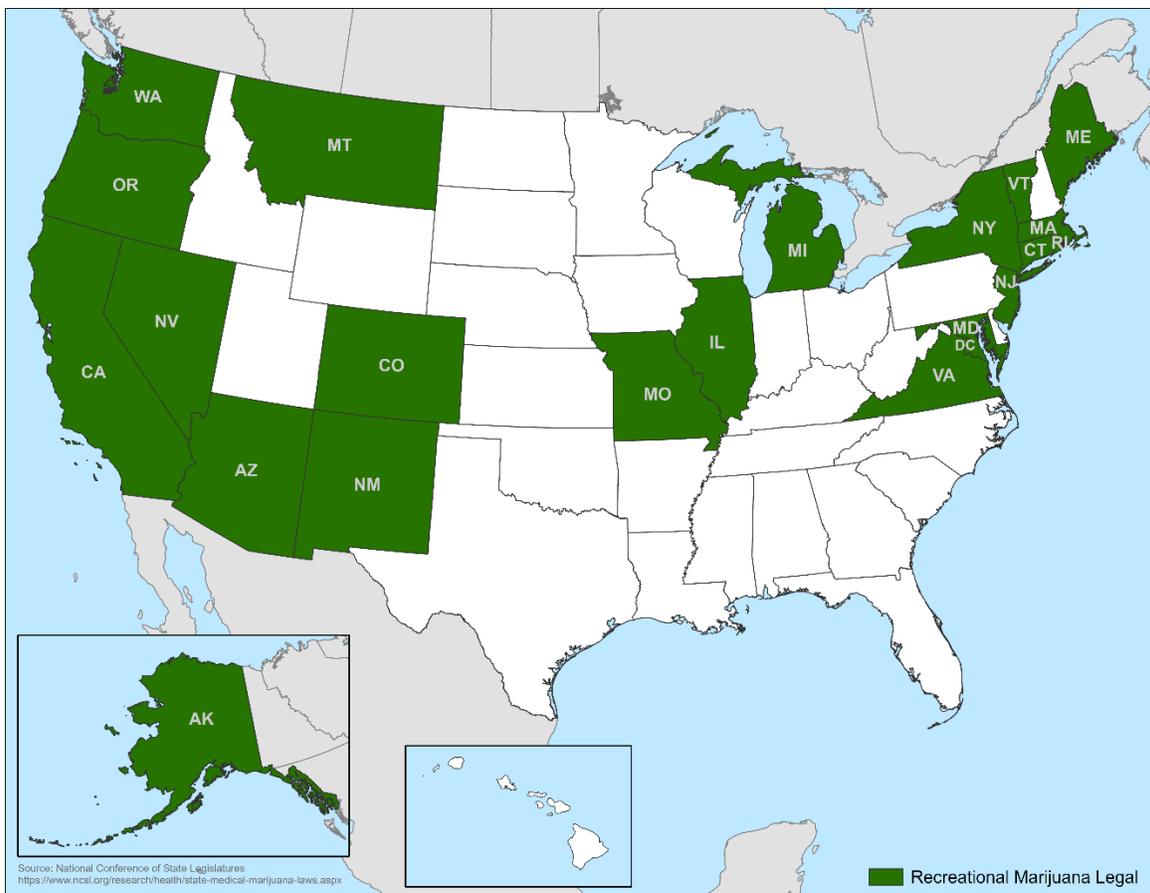
2. In what sector does your company primarily operate?
 - Truckload
 - Less-than-Truckload
 - Flatbed
 - Tanker – Petroleum/Hazmat
 - Tanker – Non-Hazmat
 - Oversize/Overweight
 - Intermodal
 - Express/Parcel
 - Private carrier
 - Other (please specify):

3. Approximately what percentage of your drivers' trips are in the following length-of-haul categories?
(Total must sum to 100%)

| | |
|---|------|
| Local pickups and deliveries (less than 100 miles) | |
| Regional pickups and deliveries (100 – 500 miles) | |
| Inter-regional pickups and deliveries (500 – 1,000 miles) | |
| National pickups and deliveries (1,000+ miles) | |
| Total | 100% |

4. How many CDL holders does your company employ?

5. What percent of your company's drivers are based in states where recreational marijuana is legal today (see green states in map below)?



HIRING PRACTICES AND YOUR COMPANY POLICY

According to federal law, after a positive marijuana test result a driver must immediately be removed from operating any CMV on public roadways. To return to CMV operations after a positive marijuana test, a driver may follow the federal return-to-duty process.

6. Based on your company's policies, does a prior positive drug test for marijuana (at any time in the past) automatically disqualify a driver from employment?
- Yes
 - No
7. Is there a specific time period that must pass (e.g. 5 years) after a positive marijuana drug test before you will hire or rehire a driver?
- Yes
 - No
 - We strictly do not hire such drivers.

If yes, how long? (In years)

8. Do you treat different drug violations differently (e.g. marijuana vs cocaine)?
- Yes
 - No

If yes, describe:

9. In response to the increasing availability and consumption of marijuana in the U.S., has your company changed its practices related to hiring drivers with past marijuana positive tests?
- Yes
 - No

If yes, describe:

LABOR POOL

10. Have you noticed an increase in the past 5 years in: 1) pre-employment positive drug tests; or 2) candidates walking out when they learn a drug test is required?
- Yes
 - No
11. If you answered yes to previous question, is there an age group with the greatest increase?
- 25 or younger
 - 26-35
 - 36-45
 - 46-55
 - 56+
 - There is no specific age group.

12. How many of your drivers have you had to refer to the FMCSA Drug and Alcohol Clearinghouse due to a positive marijuana test, by year:

| | |
|------|--|
| 2020 | |
| 2021 | |
| 2022 | |

13. How many of your drivers have completed the return-to-duty process after a positive marijuana test and rejoined your company, by year the driver returned:

| | |
|------|--|
| 2020 | |
| 2021 | |
| 2022 | |

14. What challenges have you come across during the return-to-duty process after a positive marijuana test (list up to 3)?

15. Have you experienced issues with drivers using CBD oil and then testing positive for marijuana?

- Yes
- No

If yes, describe:

16. Have you experienced instances where drivers were unaware that legal recreational marijuana cannot be used by CDL holders?

- Yes
- No

If yes, describe:

17. Do you educate your drivers on the potential consequences of legal recreational marijuana use for CDL holders?

- Yes
- No

If yes, what approaches do you find most effective?

TESTING PRACTICES

18. Do you conduct random drug testing beyond what is required by FMCSA (i.e. 50% of drivers annually)?

- Yes
- No

If yes, please list %:

19. Do you use additional testing approaches such as hair testing?

- Yes
- No

If yes, describe:

APPROACHES TO ADDRESSING LEGAL MARIJUANA

20. In light of growing state-level legalization of marijuana, do you believe that changes in federal drug testing policies for CDL holders are needed?

- Yes
- No

If yes, what changes are needed?

21. To satisfy FMCSA's drug testing requirements, would you prefer that drivers and driver-candidates were required to take a marijuana test that measured impairment or very recent use (e.g. within the past day) instead of the current test, which can identify use many weeks prior?

- Yes
- No
- Other (please specify):

22. Below is a list of possible issues that might arise from state-level recreational marijuana legalization. Please indicate how concerned you are that these outcomes will result from legalization:

| | 1 = Not Concerned | 2 = Somewhat Concerned | 3 = Extremely Concerned |
|--|-----------------------|------------------------|-------------------------|
| Drivers will be more likely to drive while impaired by marijuana. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Marijuana will act like a gateway drug, and drivers will therefore be more likely to use other drugs (e.g. cocaine, meth). | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Drivers will be more likely to underperform in other areas aside from driving (e.g. late to work, calling out of work, unreliable record keeping, etc.). | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Drivers will be more likely to test positive in a post-accident screening regardless of impairment. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Our insurance rates will go up simply because we have operations in a state where recreational marijuana is legal. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

23. Please provide any additional comments that you may have.

Contact info (OPTIONAL). Occasionally ATRI will follow up with participants to clarify answers or request additional information. Your information will be kept strictly confidential. All participants who include contact information will receive an advance copy of the full report.

| | |
|----------------|----------------|
| Company | Contact Name |
| Street Address | Position/Title |
| City, State | Zip |
| Phone | Email |

Thank you! We greatly appreciate your participation.

Contact Jeffrey Short with questions at 770-432-0628 ext. 2
or jshort@trucking.org.