

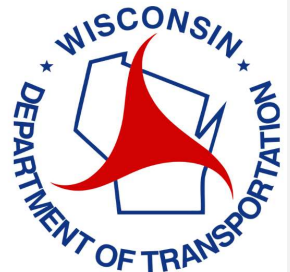
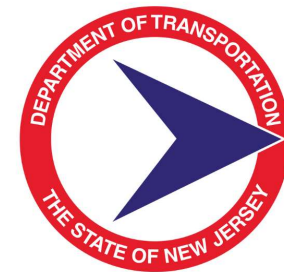
# State DOT Oversight

Diana Byrnes, Center for Urban Transportation Research  
Transit Safety and Workforce Development

FTA Drug and Alcohol Program National Conference  
April 14-16, 2026



U.S. Department of Transportation  
Federal Transit Administration



# Disclaimer

*This guidance document is not legally binding in its own right and the Federal Transit Administration will not rely upon it as a separate basis for affirmative enforcement actions or other administrative penalty. Conformity with this document (as distinct from existing statutes and regulations) is voluntary only, and nonconformity will not affect rights and obligations under existing statutes and regulations.*



# Session Agenda

1. Describe FTA Formula Grants for Rural Areas (Section 5311).
2. Identify State DOT regulatory authority for oversight.
3. Outline sub-recipient compliance requirements.
4. Discuss 5 oversight best practices.
5. Identify available tools and resources.

# Section 5311 Funding

## Overview

The Formula Grants for Rural Areas program provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations. The program also provides funding for state and national training and technical assistance through the Rural Transportation Assistance Program.

## Eligible Recipients

Eligible recipients include states and federally recognized Indian Tribes. Subrecipients may include state or local government authorities, nonprofit organizations, and operators of public transportation or intercity bus service.

## Eligible Activities

Eligible activities include planning, capital, operating, job access and reverse commute projects, non-emergency medical transportation, mobility management programs, and the acquisition of public transportation services.

# Funding Flow

Federal Transit Administration



State DOT



5311 Sub-recipients  
(Rural Transit Providers)



# Oversight Responsibility & Authority

- 49 CFR Section 655.81
  - A recipient shall ensure that a subrecipient or contractor who receives 49 U.S.C. 5307, 5309, or 5311 funds directly from the recipient complies with this part
- 49 CFR Section 655.82
  - FTA can bar a recipient from receiving, or continuing to receive, federal assistance when not in compliance with federal testing regulations 49 CFR Parts 40 & 655
- 49 CFR Section 655.83
  - Requirement to certify compliance on an annual basis to FTA

# Sub-recipient Requirements

- Grant application process
- Must comply with all aspects of FTA's 49 CFR Part 655 & USDOT's 49 CFR Part 40
  - A drug and alcohol testing program policy that complies with 655.15
  - Education and training program that complies with 655.14
  - Testing when circumstances meet FTA testing thresholds, per Part 655
  - Testing *procedures* in accordance with Part 40
  - Record maintenance and retention practices that comply with 655.71
- Subject to compliance reviews/oversight by State DOT
- Must certify compliance on an annual basis
- Must submit testing data through the State DOT's DAMIS

---

# 5 Oversight Best Practices



U.S. Department of Transportation  
Federal Transit Administration



# 1. Annual Program Reviews

- Conduct annual drug and alcohol testing program reviews
  - Mimic the process used by FTA audit team:
    - Interview DAPM
    - Conduct records review
    - Evaluate service agent compliance
    - Prepare a report outlining areas of non-compliance and corrective action requirements
- Conduct periodic “check-ins” with DAPMs:
  - Service agent issues?
  - On track to meet minimum random testing percentages?
  - Properly applying post-accident thresholds?
  - Non-negative results handled correctly?

# Annual Program Reviews, continued

- Carefully review the sub-recipients DAMIS report:
  - Require submission early to allow time for your oversight review (e.g., February 15<sup>th</sup> instead of March 15<sup>th</sup>).
  - Look for “red flags” such as an unequal number of post-accident drug tests vs alcohol tests, pre-employment tests incorrectly marked as return-to-duty tests, minimum random testing percentages not met, average number of employees not used, etc.
  - If a sub-recipient status changes within the prior calendar year, a partial year submission is required.
  - Ensure that sub-recipients retain their final DAMIS report for at least 5 years.

## 2. Training for Drug & Alcohol Program Managers

- State DOTs can host FTA-Sponsored training for their sub-recipient agency drug and alcohol program managers (DAPMs).
  - Transportation Safety Institute’s 3-day course “Substance Abuse Management and Program Compliance”.
    - Email: [tsi@dot.gov](mailto:tsi@dot.gov) Phone: 800-858-2107
  - FTA Drug & Alcohol One-Day Training Seminars
    - Email: [fta.damis@dot.gov](mailto:fta.damis@dot.gov) Phone: 617-494-6336

### 3. Resource Webpage

- A State DOT webpage for Drug and Alcohol Program Managers can include:
  - Policy templates
  - Training tools
    - Link to FTA training videos
    - Link to ODAPC “What Employees Need to Know”
    - Education posters
    - Recorded webinars
    - Conference presentations
  - Implementation Aids
    - Post-accident decision and documentation form
    - Reasonable suspicion documentation forms

## Resource Webpage, cont.

### Links

- FTA & DOT Regulations
- FTA Policy Builder
- FTA Tools & Resources
- ODAPC handbooks
- RTAP e-learning

### Implementation Aids

- Post-Accident forms
- Reasonable Suspicion forms
- Employee Handbooks
- CCF and ATF checklists
- Testing Notification forms

### Announcements

- Training Opportunities
- Regulation Changes
- FTA Newsletters



## 4. DAPM Email List Serve

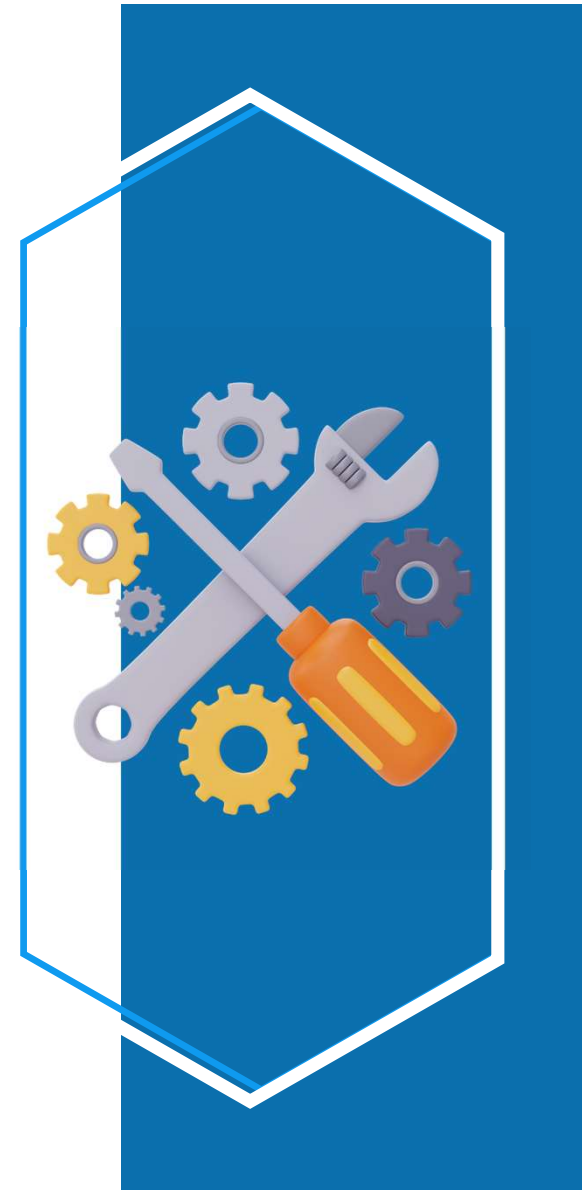
- An email network for drug and alcohol program managers offers a way to:
  - Communicate regulatory changes or updates
  - Announce training opportunities
  - Seek guidance from peers
  - Seek guidance from State DOT officials

## 5. Service Agent Contract

- State DOT contracts with a Third-Party Administrator to provide “bundled” testing services:
  - Specimen collection
  - Specimen analysis
  - Medical Review Officer services
  - Alcohol testing
  - Administration of random selection lists and pools
- State DOT is responsible for oversight of TPA
  - Transit agencies hold individual testing accounts and are invoiced individually
  - State DOT has access to testing data to verify compliance
- Costs are reduced due to the volume of testing generated under one contract

---

# Tips, Tools and Resources



# Tips

- Be a source of accurate information and support for sub-recipients.
- Create an environment that welcomes the sub-recipient to reach out for help when they have problems or questions.
- Host FTA sponsored training classes for the sub-recipients.
- Encourage sub-recipients to subscribe to the FTA and ODAPC email list serve.



# Tools and Resources

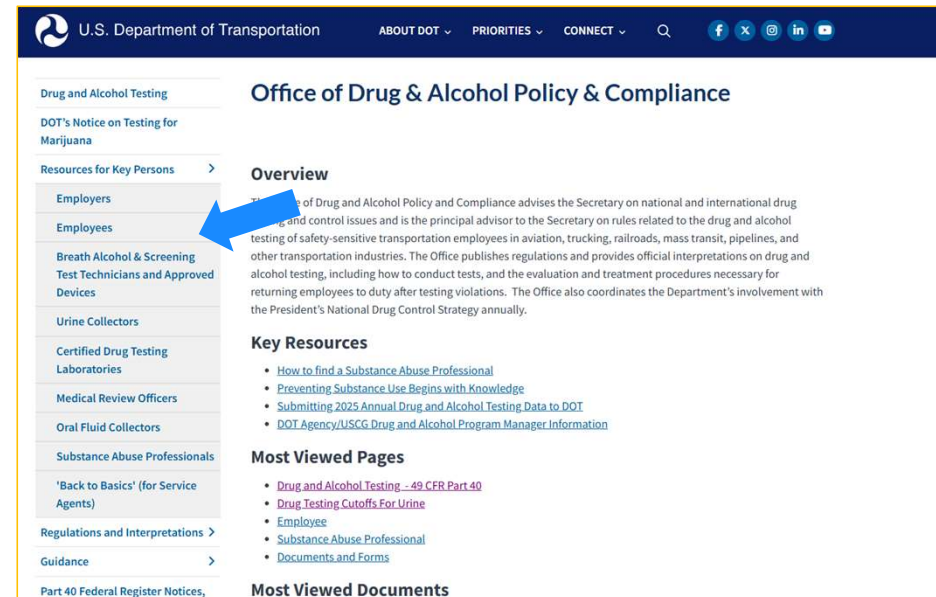
- FTA Regulatory Updates Newsletters!!
- FTA Policy Builder and Policy Requirements Checklist
- FTA Drug Awareness Video (covered employee training)
- FTA's "Assess Your Compliance" Checklist
- Post-Accident & Reasonable Suspicion Threshold Lanyard Cards template

<https://transit-safety.fta.dot.gov/DrugAndAlcohol/Tools/Default.aspx>



# ODAPC's Employer Web Page

- Employer Brochure: Monitoring Collection Sites
- DOT's Direct Observation Procedures
- DOT's 10 Steps to Collection Site Security and Integrity video
- DOT's Mock Collection video



The screenshot shows the website for the Office of Drug & Alcohol Policy & Compliance (ODAPC) under the U.S. Department of Transportation. The page features a dark blue header with the DOT logo and navigation links for 'ABOUT DOT', 'PRIORITIES', and 'CONNECT'. A search bar and social media icons are also present. The main content area is divided into a left sidebar and a main body. The sidebar lists various resources such as 'Drug and Alcohol Testing', 'DOT's Notice on Testing for Marijuana', and 'Resources for Key Persons'. The 'Resources for Key Persons' section is expanded to show 'Employers' and 'Employees', with a blue arrow pointing to the 'Employees' link. The main body contains an 'Overview' section with a paragraph describing the office's role, a 'Key Resources' section with three bullet points, a 'Most Viewed Pages' section with four bullet points, and a 'Most Viewed Documents' section.

<https://www.transportation.gov/odapc/employer>



# Thank you!

**Diana Byrnes**  
**Center for Urban Transportation Research**  
**Transit Safety and Workforce Development**  
813-426-6980  
[byrnes@usf.edu](mailto:byrnes@usf.edu)



U.S. Department of Transportation  
Federal Transit Administration