



**NEW YORK ASSOCIATION  
FOR PUPIL TRANSPORTATION**

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**NYAPT**

*Our future is riding with us!*

## **Opposition to Marijuana Legalization**

Dear Governor Cuomo and Members of the New York State Legislature:

The marijuana legalization movement is sweeping the country, and with it a number of public safety concerns have been brought to the table as states consider allowing adult-use of recreational marijuana. **The New York Association for Pupil Transportation is deeply concerned about, and firmly opposes, any efforts to legalize this practice.**

Despite legislation in a number of states authorizing medical and recreational adult-use of marijuana, it remains a Schedule 1 substance under the Controlled Substance Act, and accordingly, is illegal. School bus operators are considered “safety-sensitive positions,” and are subject not only to state and local regulations, but federal as well.

The U.S. Department of Transportation issued guidance in 2009, 2012, and 2016 that specifically addressed whether transportation personnel could use marijuana, recreational or medical. The statements explicitly stated that even if allowed by a state, “it remains unacceptable for any safety-sensitive employee subject to drug testing to use marijuana.” School bus operators and other safety-sensitive employees may not claim “medical marijuana” as a defense when failing a drug screening.

If legalized, we expect to see a spike in the number of drug screening failures by school bus operators – whether it be pre-employment, random, reasonable suspicion or post-accident screening. This poses a significant threat to school transportation services as recruitment of qualified and safe drivers is already a challenge and will become significantly higher when another screened for substance is legal and readily available.

Safely transporting our children to school and home is the highest honor and greatest responsibility. With that consideration in mind we echo the findings of the National Institute of Health which found that marijuana significantly impairs judgment, motor coordination and reaction time, all critical attributes to safely completing our mission.

Until such time that there exists a reliable and accurate field test for law enforcement that screens for marijuana use and impairment, as we currently have for alcohol, it is simply too dangerous to legalize an intoxicant like marijuana. We owe it to our children and their families to decrease their risk as they travel to and from their place of learning. The unintended consequences of legalization are simply too great to risk without a nationally recognized test and impairment standard.

Most importantly, we are concerned with potential negative health effects legalization of marijuana might have on those students we are entrusted to transport. An unintended consequence of legalizing marijuana will be the increased availability of marijuana to students. The long-term health implications of marijuana use by the adolescence age group are inconclusive. With that said, more study is necessary before marijuana is legalized for adult recreational use in our state.

For these reasons, The New York Association for Pupil Transportation strenuously urges New York State not to legalize adult recreational use of marijuana at this time. Together, through sound judgment and practice, we can ensure that our children are safe every time they climb aboard one of our buses.

**David Christopher**

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