

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Random Drug and Alcohol Testing Percentage Rates of Covered Aviation Employees for the Period of January 1, 2010, Through December 31, 2010**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA has determined that the minimum random drug and alcohol testing percentage rates for the period January 1, 2010, through December 31, 2010, will remain at 25 percent of safety-sensitive employees for random drug testing and 10 percent of safety-sensitive employees for random alcohol testing.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Stookey, Office of Aerospace

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Discussion: Pursuant to 14 CFR 120.109(b), the FAA Administrator's decision on whether to change the minimum annual random drug testing rate is based on the reported random drug test positive rate for the entire aviation industry. If the reported random drug test positive rate is less than 1.00%, the Administrator may continue the minimum random drug testing rate at 25%. In 2008, the random drug test positive rate was 0.588%. Therefore, the minimum random drug testing rate will remain at 25% for calendar year 2010.

Similarly, 14 CFR 120.217(c), requires the decision on the minimum annual random alcohol testing rate to be based

on the random alcohol test violation rate. If the violation rate remains less than 0.50%, the Administrator may continue the minimum random alcohol testing rate at 10%. In 2008, the random alcohol test violation rate was 0.123%. Therefore, the minimum random alcohol testing rate will remain at 10% for calendar year 2010.

SUPPLEMENTARY INFORMATION: If you have questions about how the annual random testing percentage rates are determined please refer to the Code of Federal Regulations Title 14, section 120.109(b) (for drug testing), and 120.217(c) (for alcohol testing).

Issued in Washington, DC on December 8, 2009.

James R. Fraser,

Deputy Federal Air Surgeon.

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