

Title 7—DEPARTMENT OF TRANSPORTATION
Division 265—Motor Carrier and Railroad Safety
Chapter 9—Rail Fixed Guideway Systems

RECEIVED
OCT 06 2017
SECRETARY OF STATE
ADMINISTRATIVE RULES

PROPOSED RESCISSION

COPY

7 CSR 265-9.060 Drug and Alcohol Testing. This rule prevented accidents and injuries in the operation of rail fixed guideway systems that result from the impairment of employees by alcohol or drugs. This rule adopted the minimum safety standards for the control of alcohol and drug use which are prescribed by FTA regulations in 49 CFR part 655. This rule did not restrict a rail fixed guideway system from adopting and enforcing additional or more stringent requirements not inconsistent with this rule.

PURPOSE: This rule is being rescinded because the requirements contained therein will instead be incorporated in the state safety oversight program standard required in Title 49 Code of Federal Regulations (CFR) Part 659 and Part 674.

AUTHORITY: sections 389.1005 and 622.027, RSMo 2000. This rule originally filed as 4 CSR 265-9.060. Emergency rule filed Feb. 5, 1993, effective Feb. 15, 1993, expired June 14, 1993. Original rule filed Nov. 4, 1992, effective June 7, 1993. Emergency amendment filed Dec. 20, 1996, effective Dec. 30, 1996, expired June 27, 1997. Amended: Filed June 22, 1998, effective Feb. 28, 1999. Moved and amended: Filed Nov. 20, 2006, effective June 30, 2007. Rescinded: Filed October 6, 2017.*

**Original authority: 389.1005, RSMo 1996 and 622.027, RSMo 1985, amended 1993, 1995.*

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

JOINT COMMITTEE ON
OCT 06 2017
ADMINISTRATIVE RULES