Congressional Budget Office
Cost Estimate

February 13, 2020

S. 2979, Preventing Opioid and Drug Impairment in Transportation Act

As ordered reported by the Senate Committee on Commerce, Science, and Transportation on December 11, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	2	not estimated

Statutory pay-as-you-go procedures apply?	No	**Mandate Effects**	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	Yes, Under Threshold

* = between zero and $500,000.

S. 2979 would require the Department of Transportation, the Department of Health and Human Services, and the Government Accountability Office to undertake several studies related to drug use and the prevention of such drug use by operators of different modes of transportation. Those agencies would be required to report to the Congress on the relevant findings at varying times following enactment.

CBO assumes that the bill will be enacted in fiscal year 2020. Under that assumption, the agencies could incur some costs in 2020, but CBO expects that most of the costs would be incurred in 2021 and later. Any spending would be subject to the availability of appropriated funds. Using information on the costs of similar studies and reports, CBO estimates that implementing S. 2979 would cost $2 million over the 2020-2025 period.

S. 2979 would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) on the National Railroad Passenger Corporation (commonly known as Amtrak). The bill would require the company to establish an electronic database containing drug and alcohol test records for employees in safety-sensitive positions and establish procedures for tracking and monitoring drug and alcohol testing information maintained in the database. The bill would require Amtrak to complete those actions within 18 months of enactment and to submit two reports on related safety issues to the Congress.

Because Amtrak already maintains the required information in paper form and the effort to comply with the reporting requirements would be small, CBO estimates the aggregate costs of the private-sector mandates would fall well below the annual threshold established in UMRA for private-sector mandates ($168 million in 2020, adjusted annually for inflation).

The bill also would require the Department of Transportation to consider whether existing regulations that apply to licensing locomotive engineers and conductors should include requirements to report drug- and alcohol-related arrests. If the department determines that the regulations should be modified, the bill would impose a private-sector mandate on locomotive engineers, conductors, and persons seeking certification to operate locomotives by requiring these individuals to report those offenses to Amtrak. Whether the department will issue a determination that the regulations should be modified is uncertain; however, fewer than 20,000 Amtrak employees would be affected by the new reporting requirement. Therefore, CBO estimates the cost to comply with the mandate would be small.

S. 2979 contains no intergovernmental mandates as defined in the UMRA.

The CBO staff contacts for this estimate are Robert Reese (for federal costs) and Brandon Lever (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.