

A proposal to test truck drivers' hair for drugs instead of checking their urine has ruffled the nation's truckers.

Critics have suggested the hair drug testing is "unproven" and could discriminate against minorities who typically have coarser follicles.

Supporters of the proposal, which is [included in a highway bill that was passed in July by the Senate](#), say the tests are harder to beat than traditional tests for illicit items because signs of drugs last longer in hair follicles than in urine.

"Every day, thousands of hair tests are performed worldwide within both the private and public sectors," American Trucking Associations President Bill Graves wrote in a letter to lawmakers on the House and Senate transportation committees on Monday, urging Congress to approve the transition.

"Their reason for using hair testing is laudable ... hair testing is an effective tool for identifying drug users due to its long detection window and because it is difficult for donors to beat the test," Graves continued.

Hair testing involves comparing testing a follicle of hair for signs of drugs within a window that is typically about 90 days long. Traditional urine testing typically only captures drug use within a shorter period of a couple of weeks.

However, "It is widely known that hair specimen can test positive for a drug that its donor was merely exposed to but never actually ingested," the AFL-CIO's Transportation Trades Department wrote in a letter to similar group of lawmakers on the House Transportation Committee.

"Studies also show that hair testing may have an inherent racial bias, as darker and more porous hair retains drugs at greater rates than lighter hair," the group continued. "And recently,

a federal court of appeals held that Boston police officers subject to hair testing for illegal drugs had proven, 'beyond reasonable dispute,' a prima facie case that the testing program caused a disparate impact on the basis of race in violation of the Title VII of the Civil Rights Act of 1964."

The fight over hair testing is intensifying, as both sides of the debate are seeking to get a leg up with the lower chamber during recess. The House is expected to work on its own transportation funding package when lawmakers return to Washington in the fall.

"ATA is aware of thousands of truck drivers who have tested positive for illegal drug use on hair tests and have obtained driving positions with other carriers because they were subsequently able to pass DOT-required urine tests," Graves wrote. "Several of these drivers have had crashes and, of course, future ones are likely as a result."

"If the labor organizations opposed to the legislation had their way, these individuals would be driving tractor-trailers," he continued.

The Transportation Trades group countered that allowing truck companies to test drivers' hair instead of urine could have unintended consequences that could weaken the industry.

"As a result of unproven advocacy arguments advanced by proponents of hair testing, carriers that choose to continue testing the only HHS-approved specimen (urine) may be labeled as 'less safe' than those testing hair," the labor group wrote.

"To avoid such unfair mischaracterization and potential liability risks, carriers may effectively be forced to begin testing both specimens," the letter continued. "Additionally, the high likelihood of false positive results will increase carriers' administrative burden as well, in order to spend additional time evaluating existing or current employee test results."

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