

SUBSTANCE ABUSE POLICY

Phoenix East Aviation (PEA) has a zero tolerance policy regarding drugs and alcohol. Any violation of this policy may result in termination of flight training and/or employment at PEA. Violations may include, but are not limited to, a positive drug and/or alcohol test, substitutions, adulteration of samples or tampering/interfering with the testing procedures. Refusal to test is also considered a violation.

PEA intends to provide a drug and alcohol free working environment in order to maintain the highest degree of safety. PEA supports and follows all Department of Transportation (DOT) regulations regarding drugs and alcohol. All students and instructors are covered by PEA's substance abuse policy regarding drugs and alcohol. PEA's policy may be more restrictive than the DOT or Federal Aviation Administration (FAA) regulations.

PEA may perform random drug testing at any time during a student's training and during an instructor's employment at PEA. A post-accident drug test will occur within 24 hours of any student accident. PEA will also conduct testing if a student or instructor is under reasonable suspicion of using and/or being under the influence of drugs or alcohol.

This Substance Abuse Policy extends to students and instructors whose actions or behavior attracts the attention of PEA administration when they have engaged in the use of alcohol and/or drugs on or off campus. This policy also applies to students and instructors who violate federal, state and local laws, as well as Federal Aviation Regulations (FAR), especially if an arrest occurs for driving under the influence (DUI) of alcohol or illegal drugs, or if students and/or instructors are arrested for other alcohol/drug related charges.

When testing is required, the student or instructor will comply with all directives concerning the place of testing, and any other related matter. Failure to comply will result in the student or instructor being subject to disciplinary action up to and including termination from PEA.

Any possession or use of narcotic drugs, marijuana, depressant or stimulant drugs, synthetic drugs, illegal substance or legal drugs used in an unauthorized manner as defined in Federal or State statute or regulation is strictly forbidden. Students and instructors are forbidden from carrying any alcohol or controlled substances as listed above and as defined in Federal or State statutes or regulation on any PEA aircraft.

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Students and Instructors are reminded that pursuant to FAR 91.17:

- (a) No person may act or attempt to act as a crew member of a civil aircraft—
- (1) Within 8 hours after the consumption of any alcoholic beverage;
 - (2) While under the influence of alcohol;
 - (3) While using any drug that affects the person's faculties in any way contrary to safety; or
 - (4) While having an alcohol concentration of 0.04 or greater in a blood or breath specimen. Alcohol concentration means grams of alcohol per deciliter of blood or grams of alcohol per 210 liters of breath.
- (b) Except in an emergency, no pilot of a civil aircraft may allow a person who appears to be intoxicated or who demonstrates by manner or physical indications that the individual is under the influence of drugs (except a medical patient under proper care) to be carried in that aircraft.
- (c) A crew member shall do the following:
- (1) On request of a law enforcement officer, submit to a test to indicate the alcohol concentration in the blood or breath, when—
 - (i) The law enforcement officer is authorized under State or local law to conduct the test or to have the test conducted; and
 - (ii) The law enforcement officer is requesting submission to the test to investigate a suspected violation of State or local law governing the same or substantially similar conduct prohibited by paragraph (a)(1), (a)(2), or (a)(4) of this section.
 - (2) Whenever the FAA has a reasonable basis to believe that a person may have violated paragraph (a)(1), (a)(2), or (a)(4) of this section, on request of the FAA, that person must furnish to the FAA the results, or authorize any clinic, hospital, or doctor, or other person to release to the FAA, the results of each test taken within 4 hours after acting or attempting to act as a crew member that indicates an alcohol concentration in the blood or breath specimen.
- (d) Whenever the Administrator has a reasonable basis to believe that a person may have violated paragraph (a)(3) of this section, that person shall, upon request by the Administrator, furnish the Administrator, or authorize any clinic, hospital, doctor, or other person to release to the Administrator, the results of each test taken within 4 hours after acting or attempting to act as a crew member that indicates the presence of any drugs in the body.
- (e) Any test information obtained by the Administrator under paragraph (c) or (d) of this section may be evaluated in determining a person's qualifications for any airman certificate or possible violations of this chapter and may be used as evidence in any legal proceeding under section 602, 609, or 901 of the Federal Aviation Act of 1958.

It is the student's responsibility to read and follow all policies, laws and regulations regarding the use of alcohol and drugs. Policies are normally distributed to new students during their initial orientation.

