

## INFORMATION FOR MOTOR CARRIERS

The U.S. Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), adopted regulations requiring certain commercial motor vehicle operators to be tested for alcohol and drugs in order to reach the goal of a alcohol and drug-free transportation environment. This brochure summarizes the rule as it applies to all motor carriers.



## WHO MUST COMPLY WITH THIS REQUIREMENT

The Federal Motor Carrier Safety Administration's alcohol and drug testing rules apply to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any state, and is subject to: (1) the commercial driver's license requirements of 49 CFR Part 383; (2) the Licencia Federal de Conductor (Mexico) requirements; or (3) the commercial driver's license requirements of the Canadian National Safety Code.



## CONTROLLED SUBSTANCES

The regulations require testing for the following classes of substances:

- Marijuana (grass, pot, weed, hash, joint, Acapulco gold)
- Cocaine (coke, crack, snow, blow, flake, "C", rock, base)
- Opiates – opium and codeine derivatives – (heroin, horse, "H", junk, smack, scag, Miss Emma)
- Amphetamines – amphetamines and methamphetamines – (uppers, speed, bennies, black beauties, Christmas trees, crystal, mollies, crank, BAM, dexies)
- Phencyclidine – PCP – (angel dust, peace pill, hog, supergrass, embalming fluid, rocket fuel, killer weed)

## TESTS REQUIRED

The following tests apply to all persons who are required to have a CDL for the type vehicle being operated:

**Pre-Employment:** This test is required and negative results must be received before a motor carrier allows a driver to perform a safety sensitive function. The pre-employment test is only required for controlled substances. Alcohol testing is permitted.

**Reasonable Suspicion:** This test is required when a trained supervisor/employer has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances.

**Random:** This unannounced testing is based on a random selection of drivers. The selection must be made by a scientifically valid method and all drivers covered by this rule must have an equal chance of being tested. The names of drivers who are selected for testing must be kept confidential until such time that the carrier notifies the driver to take the test. Once the driver is notified, he/she must immediately proceed to the testing facility and undergo testing. Every driver's name that is selected for testing must be returned to the selection pool so that all drivers have an equal chance of being selected at any time.

Random alcohol testing is also required by the DOT. However, random alcohol tests can only be administered just prior to a driver performing a safety-sensitive function, while performing a safety-sensitive function, or just after performing a safety-sensitive function.

Random controlled substances tests can be conducted at any time the driver is notified.

A driver who is selected and refuses to submit to a test must follow the requirements of 49 CFR Part 40, Subpart O.

**Post Accident:** This test applies to all **CDL** drivers who are involved in **fatal** crashes. The test must also be conducted on all **CDL** drivers who are cited for moving violations arising in a crash that requires a vehicle being towed or an injury requiring medical attention away from the scene. The alcohol test must be conducted within 8 hours and the controlled substances test must be conducted within 32 hours of the crash.



## TESTING PROCEDURES

The official testing procedures are based on those established by the Department of Health and Human Services. These procedures include: urine sample collection, laboratory procedures, and reporting and recordkeeping of final results. Only laboratories certified by Health and Human Services under the National Laboratory Certification Program (NLCP) may be used. These procedures exist to safeguard accuracy and to protect the privacy of drivers.



A driver who has tested positive for any of the substances will be notified and may discuss the positive test results with a qualified Medical Review Officer (MRO) before a result is reported to the employer. The driver will have an opportunity to explain any special circumstances to the MRO. The MRO has the authority and responsibility for reporting the results to the carrier's alcohol and drug program management for action.

## CONSEQUENCES

A driver who has violated DOT alcohol and drug regulations is prohibited from performing DOT safety-sensitive duties for any motor carrier until he/she completes the Substance Abuse Professional (SAP) evaluation, referral, and education/treatment process set forth in 49 CFR Part 40 Subpart O, and in applicable FMCSA regulations.

### Sources of Assistance for Motor Carriers

Motor carriers may find it easier to comply by:

- Forming a consortium (association or partnership) of similar operators to administer or develop and implement a program for the group as a whole;
- Contracting with a company (such as a consulting or medical services firm) to run a program for the carrier;
- Arranging for a group already in the industry (union or trade association) to set up a program; or
- Arranging to participate in the program of a larger carrier.

For information or assistance in establishing or joining a program, contact trade associations or unions in your area.

*Note: Carriers who employ only the owner as a driver must join a consortium.*

For additional research and reading on the Federal Motor Carrier Safety Administration's Alcohol and Drug Testing Regulations, please visit our web site at:

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

and click on Keyword Links, then click on Drugs and Alcohol.

# FEDERAL ALCOHOL AND DRUG TESTING REQUIREMENTS



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