**Section § 382.103: Applicability.**

## Guidance Q&A

**Question 10: Are volunteer drivers subject to alcohol and drug testing?**

**Guidance:**Yes. The applicability of Part 382 is coextensive with Part 383. The definition of “driver” in §382.107 and the definition of “employee” in §383.5 both include “any” operator or person who operates a commercial motor vehicle. There is no exception for volunteer drivers. They are included in the scope and intent of the definition of “commerce” (in both §382.107 and §383.5), because their functions “affect trade, traffic, and transportation.” The question of whether or not they are compensated is irrelevant.