**Section § 382.205: On-duty use.**

## Guidance Q&A

**Question 1: What is meant by the terms "use alcohol" or "alcohol use"? Is observation of use sufficient or is an alcohol test result required?**

**Guidance:**The term "alcohol use" is defined in §382.107. The employer is prohibited in §382.205 from permitting a driver to drive when the employer has actual knowledge of the driver’s use of alcohol, regardless of the level of alcohol in the driver’s body. The form of knowledge is not specified. It may be obtained through observation or other method.