**Section § 382.301: Pre-employment testing.**

**Question 1: What is meant by the phrase, "an employer who uses, but does not employ, a driver \* \* \* "? Describe a situation to which the phrase would apply.**

**Guidance:**This exception was contained in the original drug testing rules and was generally applied to "trip-lease" drivers involved in interstate commerce. A trip-lease driver is generally a driver employed by one motor carrier, but who is temporarily leased to another motor carrier for one or more trips generally for a time period less than 30 days. The phrase would also apply to volunteer organizations that use loaned drivers.