**Section § 382.503: Required evaluation and testing.**

## Guidance Q&A

**Question 1: If (1) a driver has a verified positive test result for controlled substances or an alcohol concentration of 0.04 or greater and (2) the driver subsequently obtains a verified negative result for controlled substances or a test result of less than 0.04 alcohol concentration without having been evaluated by a substance abuse professional (SAP), may the motor carrier accept the subsequent test results and ignore the requirement to refer the driver to an SAP for evaluation and possible treatment?**

**Guidance:** No. A motor carrier must have a report from an SAP showing that the driver has been evaluated and may return to work because he or she:

1. Does not need treatment;
2. Needs part-time outpatient treatment, but may continue to drive while being treated on his or her off duty time; or
3. Needed full-time outpatient or inpatient treatment, has received such treatment, and is ready to return to driving.

The driver must also pass a return to duty controlled substances or alcohol test that complies with all of the requirements of parts 40 and 382.