Drug & Alcohol Testing – Referring Driver to Substance Abuse Professional

**Section § 382.605: Referral, evaluation, and treatment.**

## Guidance Q&A

**Question 21: Are foreign motor carriers required to have an employee assistance program?**

**Guidance:** No. The employee assistance program was an element of the original drug testing program under 49 CFR part 391, which has been superseded by 49 CFR part 382. All motor carriers under part 382 alcohol and drug testing regulations must refer drivers, who operate in the U.S. and violate the FMCSA’s alcohol and drug testing regulations, to a substance abuse professional.