

US DOT Drug and Alcohol Testing

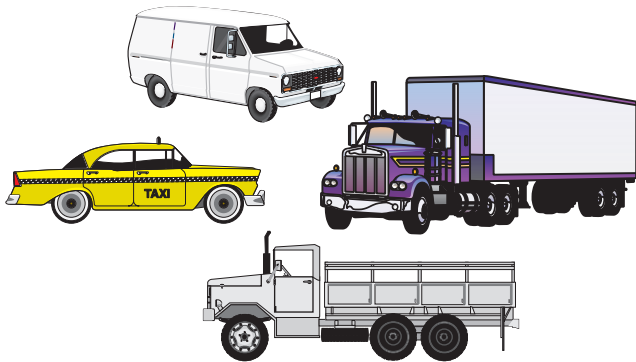
Goal

This program will educate commercial motor vehicle drivers and their supervisors on alcohol and drug testing rules designed to reduce death and injuries on highways.

Objectives

At the conclusion of this safety training program, commercial motor vehicle drivers will be able to: explain prohibited alcohol and drug related conduct and use, describe the required alcohol and drug tests, explain how alcohol and drug testing is done, and explain the actions taken if a driver tests positive for drug or alcohol use.

Introduction



With few exceptions, drivers required to have a commercial driver's license (CDL) are subject to the controlled substance and alcohol testing rules updated by the Federal Highway Administration (FHWA) in January 2000.

A CDL is required for drivers operating a vehicle in excess of 26,000 pounds, or one designed to carry 16 or more passengers (including the driver), or one used in the transportation of hazardous materials. This extends to interstate and intrastate truck and motor coach operations, including those operated by:

- Federal, state, local, and tribal governments.
- Church and civic organizations.
- Farmers and custom harvesters.
- Apian industries (bee keepers).
- For-hire and private companies.

Active duty military personnel and drivers whose place of

reporting for duty (home terminal) is located outside the United States are exempted from these rules.

The FHWA rules cover safety-sensitive transportation employees. The FHWA defines safety sensitive functions as:

- Waiting to be dispatched at a carrier or shipper plant, terminal, facility, or other property.
- Inspecting, servicing, or conditioning equipment or commercial motor vehicles.
- At the driving controls of a commercial motor vehicle.
- On or in a commercial motor vehicle (except for time spent resting in the sleeper berth).
- Loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate a vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- Performing the driver requirements associated with an accident.
- Repairing, obtaining assistance, or remaining in attendance with a disabled vehicle.

The FHWA prohibits performance of safety-sensitive functions:

- While having a breath alcohol concentration of 0.02 percent or greater.
- While using alcohol.
- Within four hours after using alcohol.
- When the employee refuses to submit to an alcohol test.
- Within eight hours after an accident or until tested.

The drug rules prohibit any unauthorized or illicit use of controlled substances. The FHWA has some additional rules that prohibit the use of legally prescribed controlled substances by drivers involved in interstate commerce, while other regulations require drivers to report any medical use of controlled substances.

Testing

Alcohol and drug tests are required during the following times:

Pre-employment—may be conducted before applicants are hired or there is an offer to hire, but must be conducted before performing safety-sensitive functions.

- Post-accident—conducted after accidents on drivers whose performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents, even if the driver is not cited for a moving traffic violation.
- Reasonable suspicion—conducted when a trained supervisor or company official observes behavior or appearance that is characteristic of alcohol or drug misuse.
- Random—conducted on a random, unannounced basis immediately before, during, or immediately after performance of safety-sensitive functions.
- Return-to-duty and follow-up—conducted when an employee who has violated alcohol or controlled substance-related conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced, and at least six tests must be conducted during the first 12 months after a driver returns to duty.

Tests are required for:

- Marijuana (THC metabolite)
- Cocaine
- Amphetamines
- Opiates (including heroin)
- Phencyclidine (PCP)

Alcohol Testing

Alcohol testing rules require the use of evidential breath testing (EBT) devices, also known as breathalyzers. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is administered first. Any result less than 0.02 alcohol concentration is considered a negative test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted using an EBT that prints the results, date, time, sequential test number, and the brand and serial number of the EBT to ensure reliability of the results. The confirmation test results determine any actions taken.

Drug Testing

Drug testing is conducted by analyzing a driver's urine specimen. The driver provides a urine specimen that is sealed by a "collector," and then labeled and prepared for shipment. The analysis is performed at laboratories certified and monitored by the U.S. Department of Health and Human Services.

Drivers who violate FHWA rules on alcohol use or who test positive for drug use must be immediately removed from safety-sensitive functions. They cannot return to those duties until they have been evaluated by a substance abuse professional and have complied with any recommended treatments. Drivers whose conduct involved alcohol must undergo a return-to-duty alcohol test and must have a breath alcohol level less than 0.02. Drivers who test positive for drugs must have a return-to-duty drug test that is negative.

Employers must provide information on drug use and treatment resources to safety-sensitive drivers. All supervisors and officials of businesses with drivers must attend at least one hour of training on the signs and symptoms of drug abuse. This training is necessary to assist supervisors in making appropriate determinations for reasonable suspicion testing.

Driver drug and alcohol test results and records must be maintained under strict confidentiality by the employer, the drug testing laboratory, and the substance abuse professional. The records cannot be released to others without the written consent of the driver.

The FHWA has implemented these regulations to help make U.S. highways as safe as possible by helping employers identify commercial motor vehicle drivers who have problems with drugs or alcohol.

Answers to specific questions regarding the Alcohol and Drug Rules published in January 2000 can be directed to the FHWA Region 6, P.O. Box 902003, Fort Worth, Texas 76102, or by writing or calling the Office of the Secretary of Transportation, Drug Enforcement and Program Compliance, Room 9404, 400 Seventh St., S.W., Washington, D.C. 20590. The telephone number is (202) 366-3784.

Review

1. What method is most often used when testing for drug use?
 - a. Hair sample
 - b. Urine sample
 - c. Blood sample
 - d. Saliva sample
2. What method is most often used when testing for alcohol use?
 - a. Hair sample
 - b. Urine sample
 - c. Blood sample
 - d. Evidential breath test
3. Operators of the following vehicles are subject to FHWA testing criterion except for:
 - a. Pickup truck drivers.
 - b. Vehicles in excess of 26,000 pounds.
 - c. Vehicles for the transportation of 16 or more passengers.
 - d. Hazardous material transporters.
4. If a driver's breathalyzer test returns a positive result for alcohol, then that driver must:
 - a. Immediately stop performing safety sensitive functions.
 - b. Drive directly to his/her home dispatch location.
 - c. Drive directly to his/her house.
 - d. Write a letter of apology to the FHWA.
5. The limit at which a commercial driver is deemed over the legal limit for alcohol is at:
 - a. 0.02 alcohol concentration.
 - b. 0.002 alcohol concentration.
 - c. 0.004 alcohol concentration.
 - d. 0.04 alcohol concentration.

Answer Key

1. b 2. d 3. a 4. a 5. a

Resources

The Texas Department of Insurance, Division of Workers' Compensation (TDI/DWC) Resource Center offers a workers' health and safety video tape library. Call (512) 804-4620 for more information or visit our web site at www.tdi.state.tx.us.

Disclaimer: Information contained in this training program is considered accurate at time of publication.

The Texas Department of Insurance,
Division of Workers' Compensation (TDI/DWC)
E-mail resourcecenter@tdi.state.tx.us
or call 1-800-687-7080 for more information.

Safety Violations Hotline
1-800-452-9595
safetyhotline@tdi.state.tx.us