



# **TEAMSTERS** **Safety &** **Health** **FACTS**

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## **DOT DRUG TESTING FOR TRUCK AND BUS DRIVERS**

The Federal Motor Carriers Safety Administration (FMCSA) requires drug testing for commercial drivers who use public roads and highways to operate commercial motor vehicles that weigh 26,001 pounds or more; or can carry 16 or more persons, including the driver; or transport hazardous materials in sufficient quantities so as to require placarding. According to 49 CFR Part 382 of the Federal Motor Carrier Safety Regulations, covered drivers may be subject to six types of drug testing:

- ◆ Pre-employment
- ◆ Random
- ◆ Post-accident
- ◆ Reasonable Suspicion
- ◆ Return to Duty after a positive test; and
- ◆ Follow-up

### **The Drugs**

Drug testing programs conducted pursuant to the FMCSA regulations are restricted to testing for the following substances:

- ◆ Marijuana metabolites
- ◆ Cocaine metabolites
- ◆ Phencyclidine (PCP)
- ◆ Amphetamines; and
- ◆ Opiate metabolites

Specimens are also tested for the presence of adulterants and to ensure that they are of human origin.

## **Pre-employment Testing**

Motor carrier employers must conduct pre-employment drug testing for all drivers prior to allowing them to perform safety sensitive functions.

## **Random Testing**

Motor carriers are required to randomly test 50% of the drivers each year. These tests must be unannounced, the process for selecting drivers must be scientifically valid and each driver must have an equal chance of being tested. After being notified that he/she has been selected for a random test, the driver must proceed directly to the testing site. A “split sample” urine specimen must be collected. The split sample is stored and available for testing, if necessary.

## **Post-accident Testing**

A driver must produce a urine specimen for drug testing as soon as possible, but not later than 32 hours after any reportable accident, if he/she has been cited for a moving violation in connection with that accident. Testing not performed within this time frame must be documented and kept on file as to the reasons why.

A reportable accident is one that: results in a fatality, or a citation is issued to the driver within 8 hours; and, a person involved in the accident is injured and receives medical treatment away from the scene of the accident; or one or more vehicles incur disabling damage requiring tow away from the scene of the accident.

Leaving the scene of an accident is considered to be an automatic refusal to take the required drug test. However, the driver may leave the scene to seek assistance in responding to the accident, or to obtain emergency medical care.

## **Reasonable Suspicion Testing**

Drivers can be tested for “reasonable suspicion” when the employer believes the driver's behavior, appearance, speech or body odors are indicative of drug use. The observations must be made by at least one supervisor/company official, two if available, and must be conducted immediately before, during, or immediately after the driver performs a safety sensitive function. The observer must have been trained per FMCSA requirements, in the detection of probable drug use by observing a person's behavior and other indicators. The observer must document the driver's conduct in writing within 24 hours. Suspicion is not probable and thus not a basis for testing if it is based solely on third party observation and reports.

## **Return to Duty Testing**

When a driver tests positive for a controlled substance, the employer must ensure that before the driver returns to duty performing safety sensitive functions, he/she shall undergo a return to duty controlled substances test with a result indicating a verified negative result.

## **Follow-up Testing**

Drivers who return to safety sensitive functions after a positive drug test result must be subject to unannounced follow-up controlled substances testing. The follow-up testing shall consist of at least six tests during the first 12 months following the driver's return to duty. Based on the recommendations of the Substance Abuse Professional (SAP) who evaluated the driver, Follow-up testing may be extended up to 60 months from the date of the driver's return to duty. The number of tests that must be conducted during the follow up testing period shall be determined by the SAP.