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(Insert Company Name Here)

(Scroll down to insert company information)

COMPANY POLICY ON DRUGS AND ALCOHOL



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PURPOSE

The purpose of this manual is to provide all drivers with basic information on the rules and regulations controlling drug and alcohol use in the transportation industry. In no way is it designed to replace the actual regulations. Drivers with additional questions may contact their company for clarification or may obtain the information directly from the Federal Regulations. Additionally, information is contained herein regarding where a driver with a drug or alcohol problem can go for assistance.

Pre-hire drug testing: Before using a driver to operate a commercial motor vehicle, the company must obtain a pre-hire drug test. The company must be notified by the testing facility that the test is negative before using the driver for the first time.

Random Testing: All companies are required to establish a random testing program for drugs and alcohol. This program must be designed to test the equivalent of 50% of the fleet for drugs and 10% of the fleet for alcohol during the course of the calendar year.

Selection must be random, and it is suggested that driver selection be done through a computer program or membership in a drug testing consortium that will do the selection and notification independently. When notified that they have been selected for the test, a driver must report for the drug test immediately upon notification. Notification that a driver has been selected for a drug test can be done at any time. Alcohol testing notification must be done while the driver is performing a safety sensitive function.

Reasonable suspicion Testing: If a company official has reason to believe that a driver is exhibiting the signs or symptoms of drug or alcohol usage, he must require the driver to submit to the appropriate testing. This suspicion must be based on the driver's appearance, actions, or on the odor of alcohol, marijuana, or other controlled substances. The supervisor must have received appropriate training on drug/alcohol use recognition as outlined by the federal regulations.



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Post accident testing: Any driver who is involved in a qualifying accident must drug test within 32 hours and alcohol test within 2 hours. If for some reason the alcohol test cannot be administered within the required time, the driver shall continue to attempt to obtain an alcohol test for another 6 hours. If at the end of 8 hours the driver still has not alcohol test, efforts to do so shall cease. The company must document why the test was not administered at each 2 hour interval during the 8 hours that the attempt is made.

This testing is required under the following conditions:

Fatal: Any driver who is involved in a fatal accident shall comply with the post accident drug and alcohol testing requirements regardless of fault or any other circumstances. The tests shall be conducted in the time spans outlined above.

Personal Injury: In the event of an accident that results in personal injury to any party, the driver must comply with the drug and alcohol testing requirements if he receives a citation as a result of the accident and the injured person requires treatment away from the scene of the accident. Both provisions must be present before the drug/alcohol testing is required. If either provision is not present, the driver does not have to drug/alcohol test. If testing is required, the time requirements are the same as they are for fatal accidents.



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Property Damage: If property damage that requires any vehicle to be towed for reasons other than tires, the driver must drug/alcohol test if he receives a citation as a result of the accident. Again, if the vehicles do not need to be towed, or if the driver does not receive a citation, drug testing is not required. Both provisions must be met before drug testing is required. Time limitations for the required testing are the same as those listed for fatal accidents.

Return to duty testing: If a driver is found to have violated the drug/alcohol regulations, that driver must submit to another drug test before returning to work. The drug test must specifically target the drug that the driver tested positive for on the previous test.

Follow-up testing: If a driver has tested positive for drugs/alcohol and has been through rehabilitation, the employing company must drug/alcohol test the driver at least 6 times during the first 12 months of employment. These tests must be conducted while the driver is in a safety sensitive position and must be unannounced.

Protection for Drivers: In order to protect the rights of the drivers being tested, and to insure that a driver is not adversely affected by a false positive test, the following protective procedures are required:



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Split sample: All urine samples are required to be split into two samples. In the event that one sample tests positive and the driver feels that the positive test is in error, he may request that a second evaluation be made. At this time, the 2nd sample is sent to another lab and another drug screen is performed. If this screen shows that the sample is negative, the results of the first test are cancelled.

NIDA Lab: All tests are required to be performed at NIDA approved labs. This means that the lab must meet certain criteria for quality control and must have the ability to do an analytical evaluation of the sample if the initial screen shows positive.

Thresholds: Minimum thresholds for controlled substances have been established so that casual contact with a controlled substance does not affect the driver's qualification. These thresholds are designed to eliminate the possibility of anyone being found positive for drugs such as marijuana simply because someone was using them around the person being tested. Any test that finds the presence of such drugs shall be considered negative if the amount of the substance in the driver's system falls below the threshold that has been established for that substance.



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MRO: A medical review officer (MRO) shall be established and shall review the results of all drug tests. Positive tests will result in the MRO contacting the individual who provided the sample and allowing him to explain the positive test. If the individual can satisfactorily explain the result, (As in a failure to report a prescription that they are taking) the MRO will notify the company that the test is negative. A failure to satisfactorily explain a positive test will result in the driver being disqualified.



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Prohibited practices: The following practices are prohibited by the federal regulations:

Alcohol Concentration: No driver may report for duty or perform any safety sensitive functions with a blood alcohol level of .04 or greater. No company may allow a driver who has a blood alcohol level of .04 or greater to engage in any safety sensitive function.

On-duty use: No driver may use alcohol while performing safety sensitive functions. No company shall allow a driver to continue performing safety sensitive functions if they are aware that he has been using alcohol.

Pre-duty use: No driver shall use alcohol within 4 hours of performing a safety sensitive function. No company shall allow a driver to perform a safety sensitive function if they know that he has used alcoholic substances within the previous 4 hours.

Post-accident use: No driver shall use alcohol for 8 hours after an accident or until he has submitted to an alcohol test, whichever comes first.



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Controlled substance use: No driver may perform any safety sensitive functions if he uses controlled substances unless such substances were prescribed by his physician and do not affect his ability to safely operate a vehicle. If a company is aware that a driver uses controlled substances, they may not use that driver.

Refusal to submit to required alcohol or controlled substance testing: No driver may refuse to submit to any of the required controlled substance or alcohol testing that is required under the federal regulations. No company may use a driver who has refused to submit to such testing.

Medical release form: All drivers/owner operators must provide prospective employers with a medical release form that allows them to make enquiries to all past employers that the driver has had in the past 2 years. Such enquiries shall be limited to any information regarding positive drug or alcohol tests that the driver may have had during that time. A company has 14 days to make the appropriate enquiries. If they do not do so, the driver is disqualified from further employment with that company.



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Positive tests: Drivers who test positive for controlled substances or alcohol are immediately disqualified from performing any safety sensitive functions and may not be used in any such position by any employer until such time as they can show proof that they have been successfully treated by a qualified rehabilitation service. Certification by a drug rehabilitation expert that the positive test was a unique situation and that the driver does not need to enter a rehab program is also acceptable.

Drivers who have tested positive for drugs or alcohol must also take another test that specifically looks for the drug that they were positive for on the previous test. The second test must be negative before they can be certified to perform any safety sensitive functions. Once employed, they must submit to a minimum of 6 random tests for the same substance during the first 12 months of employment.



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The following information is provided for any driver who has a drug or alcohol problem:

Company MRO: _____

Phone Number: _____

Company Personnel Officer: _____

Name & Address of Local Drug/Rehab Center: _____



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RECEIPT FOR COMPANY POLICY ON DRUGS AND ALCOHOL

I hereby certify that I have received the company policy on drugs and alcohol as required by the federal regulations.

Name

Date