

Federal Drug Testing Requirements

The Federal Motor Carrier Safety Administration's (FMCSA) rule, 49 CFR 382, provides drug and alcohol testing requirements for carriers and commercial driver's license holders (CDL). The Department of Transportation (DOT) is an operating administration of the United States administering regulations requiring alcohol and/or drug testing in accordance with 49CFR Part 40 of the federal regulations.

Thus, for a student to be eligible for over-the-road driving component with Mountaintop Truck Driving Institute, he/she will need to provide documentation of a negative drug screen. **This documentation must be from an approved testing site, signed by a Medical Review Officer on a Federal Drug Testing Custody and Control Form.**

WHO MUST COMPLY WITH THIS REQUIREMENT?

The Federal Motor Carrier Safety Administration's alcohol and drug testing rules apply to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any state, and is subject to: (1) the commercial driver's license requirements of 49 CFR Part 383; (2) the Licencia Federal de Conductor (Mexico) requirements; or (3) the commercial driver's license requirements of the Canadian National Safety Code. Thus, all CDL drivers are required to get a DOT drug screen. This includes anyone driving a vehicle of over 26,000 lbs. and / or transporting placardable hazmat and any driver operating a vehicle carrying 16 or more passengers including the driver.

WHAT DRUGS ARE TESTED FOR?

All urine specimens are analyzed for the following drugs:

1. Marijuana (THC metabolite)
2. Cocaine
3. Amphetamines
4. Opiates (including heroin)
5. Phencyclidine (PCP)

WHAT LABORATORIES MAY BE USED FOR DOT DRUG TESTING?

The official testing procedures are based on those established by the Department of Health and Human Services. These procedures include: urine sample collection, laboratory procedures, and reporting and recordkeeping of final results. Only laboratories certified by Health and Human Services under the National Laboratory Certification Program (NLCP) may be used. These procedures exist to safeguard accuracy and to protect the privacy of drivers.

WHAT FORM IS USED TO DOCUMENT A DOT URINE COLLECTION? The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. The CCF must be a five-part carbonless manifold form. You may view this form on the Department's web site (<http://www.dot.gov/ost/dapc>) or the HHS web site (<http://www.workplace.samhsa.gov>).

WHO REVIEWS AND INTERPRETS THE LABORATORY RESULTS?

All drug test results are reviewed and interpreted by a physician (Medical Review Officer (MRO)) before they are reported to the employer. If the laboratory reports a positive result to the MRO, the MRO contacts the driver (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the driver's urine specimen. If the driver provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative to the employer.

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WHAT ARE THE CONSEQUENCES OF A POSITIVE DRUG TEST?

A driver must be removed from safety-sensitive duty if s/he has a positive drug test result. The removal cannot take place until the MRO has interviewed the driver and determined that the positive drug test resulted from the unauthorized use of a controlled substance. A driver cannot be returned to safety-sensitive duties until he/she has been evaluated by a substance abuse professional, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Follow-up testing to monitor the driver's continued abstinence from drug use is also required. A driver must have a negative drug test result before they can be DOT qualified.

ARE DRIVER DRUG TESTING RECORDS CONFIDENTIAL?

Yes. Driver drug testing results and records are maintained under strict confidentiality by Garrett College, the drug-testing laboratory, and the medical review officer. They cannot be released to others without the written consent of the driver. Exceptions to these confidentiality provisions are limited to a decision maker in arbitration, litigation or administrative proceedings arising from a positive drug test. Statistical records and reports are maintained by employers and drug testing laboratories. This information is aggregated data and is used to monitor compliance with the rules and to assess the effectiveness of the drug testing programs.

WHERE CAN I GET MORE INFORMATION?

Access to the FMCSA website: www.fmcsa.dot.gov

AFFIDAVIT

My signature below confirms that I have received, read, accepted and agreed to abide by the above requirements.

Signature

Date

Please Print Name

08/10/2009