

DOT Alcohol Testing Rules

Handout

The Federal Motor Carrier Safety Administration (FMCSA) recognizes that the misuse of alcohol contributes to the statistics for highway safety.

- The agency has adopted regulations concerning alcohol use and requires employers to train their employees regarding these regulations.
- The rules apply to employees who operate commercial motor vehicles requiring a commercial driver's license (CDL).

Prohibited alcohol use includes:

- Using alcohol while on duty
- Having an alcohol concentration of 0.04% or greater while on duty, as indicated by an alcohol breath test
- Driving within 4 hours after using alcohol
- Refusing to submit to an alcohol test
- Using alcohol within 8 hours after an accident or until tested

The following alcohol tests are required:

- Postaccident—conducted within 8 hours after accidents on drivers whose performance could have contributed to the accident and for all fatal accidents
- Reasonable suspicion—based on appearance of alcohol use
- Random—conducted on a random, unannounced basis just before, during, or just after performance of safety-sensitive functions
- Return-to-duty and follow-up—conducted when an individual who has violated the prohibited alcohol conduct standards returns to performing safety-sensitive duties

How is alcohol testing done?

- A screening test is conducted first, with any result less than 0.02% alcohol concentration considered a “negative” test.
- If the alcohol concentration is 0.02% or greater, a second confirmation breath test must be conducted using evidential breath testing (EBT) procedures.

Drivers who engage in prohibited alcohol conduct must be immediately removed from safety-sensitive functions.

- They cannot return to safety-sensitive duties until they have been evaluated by a substance abuse professional and have complied with any treatment recommendations to assist them with an alcohol problem.
- Any employer that does decide to return a driver to safety-sensitive duties must ensure that the driver:
 - Has been evaluated by a substance abuse professional;
 - Has complied with any recommended treatment;
 - Has taken a return-to-duty alcohol test with a result less than 0.02%; and
 - Is subject to unannounced follow-up alcohol or drug tests.