

# COMPLIANCE BASICS



## ALCOHOL AND CONTROLLED SUBSTANCE PROGRAM / TESTING

Do I have to do this?

Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle is a:

- Combination vehicle having a gross combination weight rating or gross combination weight (whichever is greater) of more than 26,000 pounds
- Single vehicle having a gross weight rating or gross weight (whichever is greater) of more than 26,000 pounds
- A vehicle designed to transport 16 or more passengers (including the driver)
- A vehicle that is used in the transportation of hazardous materials that require to be placarded

What kind of tests are required?

ALCOHOL	CONTROLLED SUBSTANCE
Random Tests	Pre-employment
After a Fatality Crash	Random Tests
After a Crash & You Get a Moving Violation	After a Fatality Crash
Reasonable Suspicion	After a Crash & You Get a Moving Violation
Return to Duty	Reasonable Suspicion
	Return to Duty

You need to have a written alcohol and controlled substance policy, driver must sign for it

Training of supervisors for reasonable suspicion

Is testing required after a crash:

What type of accident happened?	Was a citation issued to the CMV driver?	Is a test required to be performed by employer?
Human fatality	Yes No	Yes No
Bodily injury with immediate medical treatment away from the scene	Yes No	Yes No
Disabling damage to any motor vehicle requiring tow away	Yes No	Yes No

You can manage your own random testing program following the requirements of Part 40 and Part 382 of the Federal Safety Regulations or you can join a consortium. If you are a single person operation, you have to join a consortium.

Remember your company is ultimately responsible for your program no matter what!