

TRANSPORTATION SAFETY ANSWER MANUAL



ALCOHOL & DRUG TESTING

Prohibitions

Name

Prohibitions.

Regulatory Citation

49 CFR Part 382, Subpart B

Overview

Alcohol misuse that could affect the performance of a safety-sensitive function is prohibited. This includes:

- Use while performing safety-sensitive functions;
- Use during the 4 hours before performing a safety-sensitive function;
- Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater;
- Use during 8 hours following an accident, or until the driver undergoes a post-accident test; and
- Refusal to take a required test.

Note: A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 may not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

Drug use that could affect the performance of a safety-sensitive function is prohibited. This includes:

- Use of any drug, except by a doctor's prescription, and then only if the doctor has advised the driver that the drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle;
- Testing positive for drugs;
- Having an adulterated or substituted drug test result; and
- Refusal to take a required test.

An employer may require a driver to inform the employer of any therapeutic drug use.