



POST ACCIDENT DRUG AND ALCOHOL TESTING FOR COMMERCIAL DRIVERS

*Prepared by Chief Executive Office, Risk Management Branch
Loss Control and Prevention Section*

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Contact Loss Control and Prevention at (213) 738-2269 for additional information

The primary purpose for the Department of Transportation (DOT) is to ensure fast, safe, efficient, accessible and convenient transportation systems. As an agency under DOT, the Federal Motor Carrier Safety Administration's (FMCSA) primary mission is to prevent commercial motor vehicle-related fatalities and injuries. To accomplish this, FMCSA works with Federal, state, and local enforcement agencies, the motor carrier industry, and various other groups.

In conjunction with FMCSA's mission, Title 49, Code of Federal Regulations, Part 382 requires employers to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances (marijuana, cocaine, opiates, amphetamines and PCP) by drivers holding commercial licenses.

Employers are also required to conduct non-random post accident drug and alcohol testing following an accident involving a commercial vehicle if one of the following conditions apply:

Type of accident involved	Citation issued to the commercial vehicle driver	Test must be arranged by the department
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

Drivers who are required to undergo non-random drug and alcohol testing should be prohibited from using alcohol for eight hours after the accident or until they have undergone a post-accident alcohol test. The alcohol test should be administered within two hours following the accident, but no later than eight hours. A drug test should also be administered as soon as possible, but no later than 32 hours after the accident.

For more information regarding the requirements of a post-accident drug and alcohol testing program, please refer to Title 49, Code of Federal Regulations, Part 382.303 - Post Accident Testing (http://www.access.gpo.gov/nara/cfr/waisidx_04/49cfr382_04.html).

Questions regarding FMCSA mandated drug and alcohol testing programs should be directed to the Occupational Health Programs Section of the Chief Executive Office at (213) 738-2177.